

GDPR AND PRIVACY POLICY

Created 05/01/2020 by N. Fraser – SwimVibe Ltd

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SwimVibe GDPR Representative: Neil Fraser (Director)

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Postal Address: 28 Maurice Wynd, Dunblane, FK15 9FG

INTRODUCTION

At Swimvibe Ltd we are committed to protecting personal data and to fair, lawful, and transparent processing. Please read our Privacy Policy as it will help you to understand how we collect and use personal data from individuals, our clients, suppliers, or others, during the course of our business in line with the General Data Protection Regulation (GDPR). We will only use personal data for the purposes described in this privacy statement.

Personal Data is defined as information about individuals where they are individually identifiable, and the information relates to them as an individual.

This is the most up to date privacy statement and we regularly review this privacy statement and may make changes at any time. You can contact us to request hard copies of our Privacy Notice documents. This privacy notice is version: 2.0. This privacy notice was last updated on 26 January 2021.

This Notice applies to both our online and offline data collection activities for personal information provided through various sources including our website, management software, and through services provided by us.

WHO WE ARE

Swimvibe Ltd is a private sector Swim School company. We provide swimming lesson services to clients in Central Scotland. Our registered business address is 28 Maurice Wynd, Dunblane, FK15 9FG

POLICY

1. WE COLLECT CONTACT AND IDENTITY DATA

The categories of personal/customer/parent/guardian information that we collect, and hold may include:

- Contact information and names, including telephone numbers and email addresses.
- Addresses and location data.
- Gender information.
- Billing information, transaction, and payment card information.
- Information from accounts you link to us, e.g. social media.
- Information about how you use our website, IT, communication, and other systems.
- Your responses to surveys, competitions, and promotions.

Our services are provided to children 15 years of age or younger. We may therefore collect or maintain data about anyone under the age of 16 which may include:

- Name and date of birth.
- Gender information.
- Medical details / additional support needs relevant only to assist us to provide suitable services and understand the specific needs of the child.
- Photography consent.
- Skills levels.

AGGREGATED DATA

Statistical data derived from your personal data may be collected and used from time to time but will not be combined or connected to identify you personally.

SPECIAL CATEGORIES OF DATA

We do not collect or process Special Category Data or criminal conviction and offence data. Swimvibe Ltd generally does not collect opt-in advertising data but if this data is collected it shall be done with the lawful consent of the client.

2. HOW YOUR PERSONAL INFORMATION IS COLLECTED

Generally, we will collect your personal information via:

- Phone, email, web site or social media.
- Customer Management System (SwimBiz customer portal) and linked payment platforms.
- Referrals.
- Events.

3. WHY WE COLLECT AND USE THIS INFORMATION

We use the customer/parent/guardian information to:

- Generally communicate.
- Provide operational information.
- Promote our services.
- Comply with statutory obligations.

We use the pupil information to:

- Place into appropriate classes.
- Support pupil learning and development.
- Monitor and report on pupil progress.
- Assess the quality of our services.
- Safeguard and promote the welfare of pupils.
- Ensure pupil's health and safety.

4. THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- For the performance of our contract with you or to take steps at your request before entering into a contract.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where you have given consent.
- Where it is needed in the public interest.

We may also process special categories of personal information in the following circumstances in limited circumstances, with your explicit written consent:

- Where we need to carry out our legal obligations and in line with our Data Protection Policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our Data Protection Policy.
- Where it is needed to assess capability on health grounds and/or health and safety considerations, subject to appropriate confidentiality safeguards.

5. WHERE YOUR DATA IS PROCESSED, STORED, AND SECURED

We hold customer data on a secure encrypted and password protected devices at our offices and in cloud storage. Access is restricted to authorised individuals. Information is held on our secure Customer Management System (SwimBiz) within the European Economic Area.

6. USE OF COOKIES AND OTHER TECHNOLOGIES

Only web site default Essential Cookies are used to enable core functionality such as security, identity verification & network management. These cookies cannot be disabled. The standard web site cookie banner prevents marketing, performance and analytics cookies being placed by our site prior to visitor consent. SwimVibe social media and associated 3rd party providers accessed on our web site or independently have their own privacy policies for collecting your data.

7. USE OF AUTOMATED DECISION-MAKING AND PROFILING

We do not use profiling or other automated decision-making processes.

8. WHO WE SHARE CUSTOMER INFORMATION WITH AND WHY

We will keep personal data confidential and only share it with others when necessary for the purposes for which we hold it and where appropriate contractual arrangements and security mechanisms are in place.

We may share customer data with:

- Our teachers.
- Our administrative staff.
- Our Customer Management System (SwimBiz) company.

We do not share, sell, or rent customer data to third parties nor transfer information outside the EU.

We will generally comply with requests for specific information from regulatory and law enforcement bodies where this is necessary and appropriate.

9. HOW LONG WE HOLD CUSTOMER INFORMATION FOR

We hold customer data for 6 years from the end of the company financial year in which a customer ceases to be a paying customer. This provides a contingency should customers return to us within that timescale, as well as being necessary for accounting purposes.

Should a customer not return to us within that timescale, then we securely delete customer data from our database. Swimvibe electronic data and any copies are permanently deleted from servers/cloud servers, computers, and any other technology systems.

You may, of course, request that we delete your data at any time after a 12-month period once you have ceased to be a paying customer, with the exception of data which must be held for accounting purposes.

10. CUSTOMER RIGHTS

Under data protection legislation, parents/legal guardians and pupils have the right to:

- Make a request for access to the personal information that we hold about them.
- Object to the processing of their personal information that is likely to cause, or is causing, damage or distress.
- Have inaccurate data rectified, erased, or restricted.
- Withdraw consent to the processing of their personal data.
- Prevent processing for the purpose of direct marketing.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Contact details are shown below. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

11. BREACH

In the event of a breach or suspected breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Swimvibe Ltd will establish the likelihood and severity of the resulting risk to people's rights and freedoms and where appropriate:

- Inform the ICO if appropriate without undue delay, but not later than 72 hours after becoming aware of the breach at 0303 123 1113.
- Inform those individuals without undue delay.
- Institute the relevant investigation and reporting processes and keep appropriate records.

12. IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER

Swimvibe Ltd is the Data Controller and is committed to protecting the rights of individuals in line with the Data Protection Act 1998 (DPA) and the General Data Protection Regulation (GDPR).

13. CONTACT

If you would like to discuss anything in this Privacy Notice, please contact:

Neil Fraser
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Tel: 075 8499 2414

MONITORING AND REVIEW

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our customers and we provide services which are relevant to the requirements of individual needs. Regular reviews will ensure that we are adhering to our quality policy statement.

<u>Version</u>	<u>Date</u>	<u>Amendments</u>
V1.0	15/01/2020	Document created by N. Fraser
V2.0	15/01/2021	Reviewed and format edited by N. Fraser