

## 1. Introduction

Pheonix Fitness Skegness is committed to protecting personal data. This privacy policy describes why and how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

Personal data is any information relating to an identified or identifiable living person.

Pheonix Fitness Skegness processes personal data for numerous purposes, and the means of collection, lawful basis of processing, use, disclosure, and retention periods for each purpose may differ.

When collecting and using personal data, our policy is to be transparent about why and how we process personal data. To find out more about our specific processing activities, please go to the relevant sections of this statement.

We are delighted that the data subject have shown interest in Pheonix Fitness Skegness.

Data protection is a high priority to Pheonix Fitness Skegness. We are committed to safeguarding the privacy of our website visitors, members, clients and potential clients, partners, suppliers and staff. Within our day to day business the processing of some personal data is always necessary. Where this is the case we will always aim to operate in accordance with this Privacy Policy.

Our aim is that the processing of all personal data by our business, such as the name, address, e-mail address, telephone number and all other data will always be in line with the General Data Protection Regulation (GDPR) and the latest UK legislation.

By means of this Privacy Policy Pheonix Fitness Skegness would like to inform data subject's of the nature, scope, and purpose of the personal data we collect, use and process. Furthermore, we inform the data subject by means of this Privacy Policy of the rights to which the data subject are entitled.

Pheonix Fitness Skegness has implemented numerous technical and organisational measures to ensure the most complete protection of personal data processed throughout our business.

### **Security**

We take the security of all the data we hold very seriously.

## 2. Name and Address of Pheonix Fitness Skegness Data Controller

Pheonix Fitness Skegness's controller, for the purposes of the General Data Protection Regulation (GDPR) and other data protection laws and Rules and Regulations including PECR and other provisions related to data protection is:

Business Pheonix Fitness Skegness

Data Compliance Manager Mr Jack Johnson

If you have any questions about this privacy statement or how and why we process personal data, please contact us at:

### ***Changes to this privacy statement***

We recognise that transparency is an ongoing responsibility so we will keep this privacy statement under regular review.

This privacy statement was last updated on 1st July 2020.

## 3. Pheonix Fitness Skegness's lawful basis for processing data

The lawful bases for processing data which we rely upon are set out below:

### **(a) Consent**

Wherever possible Pheonix Fitness Skegness will attempt to obtain clear consent from data subject's prior to processing any personal data. Under this head our lawful basis will be Consent as set out in the GDPR.

### **(b) Contract**

Where we are processing data subject's data in relation to a Contract or membership, or because we are taking specific steps to enter a Contract the lawful basis will be the Contract itself. This will include employment contracts and any contracts we have or had with our Clients, members or Suppliers. Under this head our lawful basis will be Contract as set out in the GDPR.

## **(c) Legal Obligation**

We may process any of data subject's personal data identified in this policy where necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure or to meet our legal obligations either under Contracts or as required under legislation. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, data subject's legal rights and the legal rights of others.

We may process any of data subject's personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests as set out in the GDPR, namely the proper protection of our business against risks.

## **(d) Vital interests**

We may process data that is necessary to protect someone's life or health or other vital interests. This may include health information or next of kin information. Under this head our lawful basis will be Vital Interests as set out in the GDPR.

## **(e) Public task**

We may process data in the public interests, the processing the processing of data may be necessary for us to perform a task in the public interest or for data subject's official functions. Under this head our lawful basis will be Public Interest as set out in the GDPR.

## **(f) Legitimate interests**

Pheonix Fitness Skegness legitimate interest is to carry out our business in favour of the well-being of all our employees and the shareholders and in the business interests of their and their members, clients and suppliers.

Unless there is a good reason to protect the individual's, personal data which overrides those legitimate interests we may process data that is necessary for Pheonix Fitness Skegness's legitimate business interests or for the legitimate business needs of a third party. This may be a broader head in our type of business and will cover some of our marketing and staff recruitment data. As a general understanding of the Regulations, Pheonix Fitness Skegness regards the regulations concerning an individual's personal data as being superior to the rights of an individual representing a business. Under this head our lawful basis will be Legitimate Interest as set out in the GDPR.

## **4. Definitions**

The data protection declaration of Pheonix Fitness Skegness is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our website visitors, clients and potential clients, partners, suppliers and staff. To ensure this, we would like to first explain some of the terminology used.

In this data protection declaration, we use, inter alia, the following terms:

## **a) Personal data**

Personal data means any information relating to an identified or identifiable natural person (“data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

## **b) Data subject**

Data subject is any identified or identifiable natural person, whose personal data is processed by Pheonix Fitness Skegness responsible for the processing.

## **c) Processing**

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **d) Restriction of processing**

Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.

## **e) Profiling**

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

## **f) Pseudonymisation**

Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

## **g) Controller or controller responsible for the processing**

Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, Pheonix Fitness Skegness or the specific criteria for its nomination may be provided for by Union, national or Member State law.

## **h) Processor**

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of Pheonix Fitness Skegness.

## **i) Recipient**

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

## **j) Third party**

Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of Pheonix Fitness Skegness or processor, are authorised to process personal data.

## **k) Consent**

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **5. The “Data we Process”**

Pheonix Fitness Skegness have set out in this document:

- (a) the general categories of personal data that we may process;
- (b) in the case of personal data that we did not obtain directly from the data subject, the source and specific categories of that data;
- (c) the purposes for which we may process personal data; and
- (d) the legal bases of the processing.

## 6. Usage Data

Pheonix Fitness Skegness may process data about data subject's use of our website and services ("**usage data**"). The usage data may include:

- data subject's IP address,
- geographical location,
- browser type and version,
- operating system,
- referral source,
- length of visit,
- page views and
- website navigation paths,
- information about the timing, frequency and pattern of data subject's service use.

The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

## 7. Application Data

Pheonix Fitness Skegness may process data subject's membership application data ("**application data**"). The application data may include data subject's name and email address. The source of the application data is the data subject. The application data may be processed for the purposes of operating our website, or software providers, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with the data subject. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and the performance of a contract between the data subject and us and/or taking steps, at data subject's request, to enter into such a contract.

## 8. Profile Data

Pheonix Fitness Skegness may process data subject's information included in data subject's personal profile or application on our website or by email ("**profile data**"). The profile data may include data subject's name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, health and fitness, educational details, employment details and other special details. The profile data may be processed for the purposes of enabling and monitoring data subject's use of our website and services. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between the data subject and us and/or taking steps, at data subject's request, to enter into such a contract.

## 9. Service Data

Pheonix Fitness Skegness may process data subject's personal data that are provided in the course of the use of our services ("**service data**"). The service data may include data subject's personal data. The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with the data subject. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between the data subject and us or another and/or taking steps, at data subject's request, to enter into such a contract.

## 10. Publication Data

Pheonix Fitness Skegness may process information that the data subject post for publication on our website or through our services ("**publication data**"). The publication data may be processed for the purposes of enabling such publication and administering our website and services. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between the data subject and us and/or another and taking steps, at data subject's request, to enter into such a contract.

## 11. Enquiry Data

Pheonix Fitness Skegness may process information contained in any enquiry the data subject submits to us regarding goods and/or services and membership ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to the data subject. The legal basis for this processing is consent.

## 12. Notification Data

Pheonix Fitness Skegness may process information that the data subject provides to us for the purpose of subscribing to our email notifications and/or newsletters ("**notification data**"). The notification data may be processed for the purposes of sending the data subject the relevant notifications and/or newsletters. The legal basis for this processing is consent and the performance of a contract between the data subject and us and/or taking steps, at data subject's request, to enter into such a contract.

## 13. Correspondence Data

Pheonix Fitness Skegness may process information contained in or relating to any communication that the data subject sends to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms and our software providers online forms. The correspondence data may be processed for the purposes of communicating with the data subject and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users and candidates.

## 14. Our Business Contact data (Our CRM System)

PHEONIX FITNESS SKEGNESS processes personal data about contacts (existing and potential PHEONIX FITNESS SKEGNESS clients and/or individuals associated with them) using a customer relationship management system (the "PHEONIX FITNESS SKEGNESS CRM").

The collection of personal data about contacts and the addition of that personal data to the PHEONIX FITNESS SKEGNESS CRM is initiated by a PHEONIX FITNESS SKEGNESS user and will include name, contact title, phone, email and other business contact details. In addition, the PHEONIX FITNESS SKEGNESS CRM may collect data from PHEONIX FITNESS SKEGNESS email (sender name, recipient name, date and time) and calendar (organiser name, participant name, date and time of event) systems concerning interactions between PHEONIX FITNESS SKEGNESS users and contacts or third parties.

### Use of personal data

Personal data relating to business contacts may be visible to and used by PHEONIX FITNESS SKEGNESS users to learn more about an account, client or opportunity they have an interest in, and may be used for the following purposes:

- Administering, managing and developing our businesses and services
- Providing information about us and our range of services
- Making contact information available to PHEONIX FITNESS SKEGNESS users
- Identifying clients/contacts with similar needs
- Describing the nature of a contact's relationship with Pheonix Fitness Skegness



- Performing analytics, including producing metrics for PHEONIX FITNESS SKEGNESS leadership, such as on trends, relationship maps, sales intelligence and progress against account business goals

PHEONIX FITNESS SKEGNESS member firms do not sell or otherwise release personal data contained in the PHEONIX FITNESS SKEGNESS CRM to third parties for the purpose of allowing them to market their products and services without consent from individuals to do so.

### ***Data retention***

Personal data will be retained on the PHEONIX FITNESS SKEGNESS CRM for as long as it is necessary for the purposes set out above (e.g. for as long as we have, or need to keep a record of, a relationship with a business contact).

## **15. Our CV system data**

As a fitness business we trade on the quality of our staff and our ability to recruit the best quality staff now and in the future. With this in mind Pheonix Fitness Skegness archive CV's provided to our business on our CV database with data subject's consent in case of future opportunities arise. At the time of providing CV's or at any time after the provision of the CV to our business data subject's have the right to request their removal from our CV system.

## **16. Our Website Contact Data**

If a data subject contacts Pheonix Fitness Skegness by e-mail or via a contact form, the personal data transmitted by the data subject are automatically stored. Such personal data transmitted on a voluntary basis by a data subject to the Pheonix Fitness Skegness are stored for the purpose of processing or contacting the data subject. We use a software provider for data that is collected and we have checked that they have the appropriate technical and organisational measures in place to keep data secure. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between the data subject and us or another and/or taking steps, at data subject's request, to enter into such a contract.

## **17. Our Cookies**

The Internet pages of Pheonix Fitness Skegness uses cookies. Cookies are text files that are stored in a computer system via an Internet browser.

Many Internet sites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which

Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified using the unique cookie ID.

Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

Through the use of cookies, Pheonix Fitness Skegness can provide the users of this website with more user-friendly services that would not be possible without the cookie setting.

By means of a cookie, the information on our website can be optimized with the user in mind. Cookies allow us, as previously mentioned, to recognize our website users. The purpose of this recognition is to make it easier for users to utilize our website. The website user that uses cookies, e.g. does not have to enter access data each time the website is accessed, because this is taken over by the website, and the cookie is thus stored on the user's computer system. Another example is the cookie of a shopping cart in an online shop. The online store remembers the articles that a customer has placed in the virtual shopping cart via a cookie.

The data subject may, at any time, prevent the setting of cookies through our website by means of a corresponding setting of the Internet browser used, and may thus permanently deny the setting of cookies. Furthermore, already set cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, not all functions of our website may be entirely usable.

Cookies do not typically contain any information that personally identifies a user, but personal information that we store about the data subject may be linked to the information stored in and obtained from cookies.

The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between the data subject and us or another and/or taking steps, at data subject's request, to enter into such a contract.

## **18. Cookies that we use**

We use cookies for the following purposes:

- (a) authentication - we use cookies to identify the data subject when the data subject visit our website and as the data subject navigate our website

- (b) status - we use cookies to help us to determine if the data subject is logged into our website
- (c) personalisation - we use cookies to store information about data subject's preferences and to personalise the website for the data subject
- (d) security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally
- (e) advertising - we use cookies to help us to display advertisements that will be relevant to the data subject
- (f) analysis - we use cookies to help us to analyse the use and performance of our website and services
- (g) cookie consent - we use cookies to store data subject's preferences in relation to the use of cookies more generally

## 19. Cookies used by our service providers

Our service providers use cookies and those cookies may be stored on data subject's computer when the data subject visit our website.

## 20. Managing cookies

Most browsers allow the data subject to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. The data subject can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

Blocking all cookies will have a negative impact upon the usability of many websites.

If the data subject block cookies, the data subject may not be able to use all the features on our website.

## **21. Providing data subject's personal data to others**

Pheonix Fitness Skegness may provide data subject's personal data to others where we have sought and gained data subject's express approval to do so.

We may disclose data subject's personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

In addition to the specific disclosures of personal data set out in this document, we may disclose data subject's personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect data subject's vital interests or the vital interests of another natural person. We may also disclose data subject's personal data where such disclosure is necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

## **22. International transfers of data subject's personal data**

In certain circumstances data subject's personal data may be transferred to countries outside the European Economic Area (EEA). We do not anticipate this but where this is the case we will seek consent.

The data subject acknowledges that personal data that the data subject submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

## **23. Retaining and deleting personal data**

This policy sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Generally Personal Data information will be retained for the period for which consent has been given or as set out in this policy.

## **24. Amendments**

We may update this policy from time to time by publishing a new version on our website.

The data subject should check this page occasionally to ensure the data subject are happy with any changes to this policy.

We may notify the data subject of changes to this policy by email or through the private messaging system on our website.

## **25. Routine erasure and blocking of personal data**

Pheonix Fitness Skegness shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators. After this the data shall be deleted.

## **26. Data subject's rights**

All data subject's have a number of new and extended rights under the GDPR. Some of the rights are complex, and not all of the details have been included in our summaries below. Accordingly, the data subject should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

All reasonable requests to Pheonix Fitness Skegness will be met free of cost providing the data subject supply the appropriate evidence of data subject's identity (for this purpose, we will usually accept a photocopy of data subject's passport certified by a solicitor or bank plus an original copy of a utility bill showing data subject's current address.

Please note that Pheonix Fitness Skegness may withhold personal information that the data subject request to the extent permitted or required by law.

In order to exercise your rights you should e mail us your request. Whilst most data will be provided free of charge in accordance with GDPR, we may charge for a request in accordance with applicable law at the time. We will aim to respond to any requests for information promptly, and in any event within the legally required time limits (currently 30 days).

Data subject's principal rights under data protection law are:

- (a) the right of confirmation;

- (b) the right to access;
- (c) the right to rectification;
- (d) the right to erasure;
- (e) the right to restrict processing;
- (f) the right to object to processing;
- (g) the right to data portability;
- (h) automated individual decision-making, including profiling rights;
- (i) the right to complain to a supervisory authority; and
- (j) the right to withdraw consent.

## **27. Right of confirmation**

Each data subject shall have the right to obtain from Pheonix Fitness Skegness the confirmation as to whether or not personal data concerning him or her are being processed by Pheonix Fitness Skegness. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact our Data Compliance Manager.

## **28. Right of access**

Each data subject shall have the right to obtain from Pheonix Fitness Skegness free information about his or her personal data stored at any time and a copy of this information including the following information if requested:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from Pheonix Fitness Skegness rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- the existence of the right to lodge a complaint with a supervisory authority;

- where the personal data are not collected from the data subject, any available information as to their source;
- the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.
- Details as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer

Providing the rights and freedoms of others are not affected, we will supply to the data subject a copy of data subject's personal data. The first copy will be provided free of charge.

If a data subject wishes to exercise this right to access, he or she may, at any time, contact our Data Compliance Manager.

## **29. Right to rectification**

Each data subject shall have the right to obtain from Pheonix Fitness Skegness without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact our data compliance manager.

## **30. Right to erasure (Right to be forgotten)**

Each data subject shall have the right to obtain from Pheonix Fitness Skegnessthe erasure of personal data concerning him or her without undue delay, and Pheonix Fitness Skegness shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- The data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing.

- The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- The personal data have been unlawfully processed.
- The personal data must be erased for compliance with a legal obligation in Union or Member State law to which Pheonix Fitness Skegness is subject.
- The personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by Pheonix Fitness Skegness, he or she may at any time contact our Data Compliance Manager or another employee of Pheonix Fitness Skegness. The Data Compliance Manager shall promptly ensure that the erasure request is complied with immediately.

Where Pheonix Fitness Skegness has made personal data public and is obliged pursuant to Article 17(1) to erase the personal data, Pheonix Fitness Skegness, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required. The Data Compliance Manager of Pheonix Fitness Skegness will arrange the necessary measures in individual cases.

## **31. Right of restriction of processing**

Each data subject shall have the right to obtain from Pheonix Fitness Skegness restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by the data subject, for a period enabling Pheonix Fitness Skegness to verify the accuracy of the personal data.
- The processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- Pheonix Fitness Skegness no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims.



- The data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of Pheonix Fitness Skegness override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by Pheonix Fitness Skegness, he or she may at any time contact our Data Compliance Manager. The Data Compliance Manager of Pheonix Fitness Skegnes swill arrange the restriction of the processing.

## **32. Right to object**

Each data subject shall have the right to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

Pheonix Fitness Skegness shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If Pheonix Fitness Skegness processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to Pheonix Fitness Skegness to the processing for direct marketing purposes, Pheonix Fitness Skegness will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by Pheonix Fitness Skegness for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, the data subject may directly contact the Data Compliance Manager of Pheonix Fitness Skegness. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use his or her right to object by automated means using technical specifications.

### **34. Right to data portability**

Each data subject shall have the right to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from Pheonix Fitness Skegness to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Pheonix Fitness Skegness.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact the Data Compliance Manager designated by Pheonix Fitness Skegness.

### **35. Automated individual decision-making, including profiling rights**

As a responsible company, we do not currently use automatic decision-making or profiling.

Should we do so in the future Each data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision

(1) is not necessary for entering into, or the performance of, a contract between the data subject and a Pheonix Fitness Skegness, or

(2) is not authorised by the UK law to which Pheonix Fitness Skegness is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or

(3) is not based on the data subject's explicit consent.

If the decision

(1) is necessary for entering into, or the performance of, a contract between the data subject and a Pheonix Fitness Skegness, or

(2) is based on the data subject's explicit consent,

Pheonix Fitness Skegness shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of Pheonix Fitness Skegness, to express his or her point of view and contest the decision.

If the data subject wishes to exercise the rights concerning automated individual decision-making, he or she may at any time directly contact our Data Compliance Manager of Pheonix Fitness Skegness.

## **36. Right to withdraw data protection consent**

To the extent that the legal basis for our processing of personal information is consent, data subject's have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

If the data subject wishes to exercise the right to withdraw the consent, he or she may at any time directly contact our Data Compliance Manager of Pheonix Fitness Skegness.

## **37. The right to complain to a supervisory authority**

If the data subject considers that Pheonix Fitness Skegness's processing of their personal information infringes data protection laws, the data subject has a legal right to lodge a complaint with a supervisory authority responsible for data protection. They may do so in the EU member state of data subject's habitual residence, data subject's place of work or the place of the alleged infringement. In the UK the body is the ICO.

## **38. Period for which the personal data will be stored**

Generally the criteria used to determine the period of storage of personal data is the respective statutory retention period or period of usefulness for business purposes. After expiration of that period, the corresponding data is routinely deleted on an annual basis, as long as it is no longer necessary for the fulfillment of the contract or the initiation of a contract.

## **39. Our details**

We trade from 43 Victoria Road, Skegness, PE25 35B

The data subject can contact us:

(a) by post at the above address

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#### **40. Data Compliance Manager.**

Our data Compliance Managers is Mr Jack Johnson at the above address.