

Privacy and Cookie Policy

Our contact details

Name: Fats Gym Promotions Ltd, T/A: "Fats Gym"[™]
Name or title: The Data Protection Officer
Postal address: Unit 5, New Elm Road, Manchester, M3 4JH.
E-mail: data.requests@fatsgym.com

This privacy policy was last updated in December 2023

Introduction

This policy provides a framework for ensuring that Fats Gym meets its obligations under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 18). It applies to all the processing of personal data carried out by Fats Gym including processing carried out by joint controllers, contractors, and processors.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy policy, including any requests to exercise your rights in relation to your personal data, please contact the DPO using the contact details set out above.

Fats Gym complies with data protection legislation guided by the six data protection principles.

In summary, they require that personal data is:

- processed fairly, lawfully and in a transparent manner.
- used only for limited, specified stated purposes and not used or disclosed in any way incompatible with those purposes.
- adequate, relevant, and limited to what is necessary.
- accurate and, where necessary, up to date.
- not kept for longer than necessary; and
- kept safe and secure.

In addition, the accountability principle requires us to be able to evidence our compliance with the above six principles and make sure that we do not put individuals at risk because of processing their personal data.

To meet our obligations, we put in place appropriate and effective measures to make sure we comply with data protection law.

Our staff have access to a number of policies, operational procedures and guidance to give them appropriate direction on the application of the data protection legislation.

The type of personal information we collect

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, receive, use, store and transfer the following information:

- **Personal identifiers** includes contacts and characteristics, for example, name and contact details.
- **Medical health and fitness** includes medical reports, valid medical certificates, medical histories, laboratory results, physical and electronic health records, mental health conditions, insurance information. documents.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your usernames and passwords, details of your membership, your purchases of our services, your class and other bookings, your interests, preferences, notes of your interactions with us, feedback and survey responses.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Aggregated Data** includes statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to understand usage patterns at our Gym or to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

How we get the personal information and why we have it

Most of the personal information we collect, receive and process is provided to us directly through your interactions with us, including through:

- **Direct interactions** by giving us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - use our Gym, or join us as a member;
 - purchase or make bookings for our products or services;
 - use our Gym, or join us as a member;
 - access and use your membership account on our website;
 - enter a competition, promotion or survey; or
 - contact us (whether by post, phone, email or otherwise) or provide us with feedback.

- **Usage Data** collected on how you use our Gym, products, services and website.

- **Cookies, automated technologies or interactions** to assess your interaction with our website we may automatically collect Technical Data about your equipment, browsing actions and patterns. We may collect this personal data by using cookies and other similar technologies. Note, however, when you visit our website, our website cookie banner gives you control over your own privacy. You can edit your privacy options to turn off certain kinds of tracking. By continuing to browse the site, you are agreeing to our use of cookies. We use the following cookies:
 - **Strictly necessary cookies:** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
 - **Analytical/performance cookies:** Allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
 - **Functionality cookies:** Are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
 - **Targeting cookies:** Record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website more relevant to your interests. We may also share this information with third parties for this purpose.
 - **Third parties or publicly available sources** include receiving personal data about you from various third parties as set out below:
 - Identity and Contact Data from your employer (if you are a corporate member) or other membership intermediary (if you join us as a member through such an intermediary).
 - Contact, Financial and Transaction Data from providers of technical, payment, debt recovery and fraud protection services.

We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

We use the information collected in order to:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To create or provide a service account or membership for you as a new customer	(a) Identity (b) Contact (c) Financial	Performance of a contract with you
To manage your account, membership and other transactions with us: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Enabling you to book exercise classes, personal training sessions and other appointments and services with us (b) Enabling you to participate in interactive features of our service including via our website (c) Informing you about changes to our services or other circumstances relevant to you and your use of our Gym and services (d) Notifying you about changes to our terms and conditions or privacy policy (e) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to analyse how customers use our products/services in order to improve and personalise them)
To enable you to participate in promotions, competitions, exercise, fitness training, full or semi-contact combat sports, prize draws or complete surveys	(a) Identity (b) Contact (c) Medical health/fitness (d) Profile (e) Usage (f) Marketing and Communications	Necessary for our legitimate interests (to analyse how customers use our products/ services in order to improve and personalise them and grow our business)
To administer and protect our business and	(a) Identity	(a) Necessary for our

<p>our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(b) Contact (c) Transaction (d) Technical (e) Profile (f) Usage</p>	<p>legitimate interests (for running our business, provision of administration and IT services, network security, to prevent and detect fraud and other crime) (b) Necessary to comply with a legal obligation</p>
<p>To improve our website to ensure content is presented to you in the most effective manner, that content is relevant to you, and to present advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical</p>	<p>Necessary for our legitimate interests (to analyse how customers use our products/services, to improve and personalise them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p>	<p>(a) Identity (b) Contact (c) Technical (d) Profile (e) Usage</p>	<p>Necessary for our legitimate interests (to analyse customer activities and behaviours in relation to our products and services, to personalise our products and services for customers, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
<p>To make suggestions and recommendations to you about our products or services that may be of interest to you</p>	<p>(a) Identity (b) Contact (c) Transaction (d) Technical (e) Profile (f) Usage</p>	<p>Necessary for our legitimate interests (to develop our products/services and grow our business including by personalising our products and services)</p>
<p>To enable us to establish, exercise or defend legal claims in relation to our business</p>	<p>(a) Identity (b) Contact (c) Financial (d) Transaction (e) Profile (f) Usage</p>	<p>Necessary for our legitimate interests (to protect our business in the event of legal claims)</p>

We may share your personal data with the parties set out below for the purposes set out in the table above.

- External IT consultants/support staff.
- External consultants, agents or contractors acting on our behalf (e.g. our accountants).
- Third party contractors such as, doctors or other experts where it is necessary in the course of our business.
- Third parties whose role is intrinsic to the running of our business or with whom we are required to share data. These might include our bank, or HMRC.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.
- External marketing agencies (solely for the purpose of delivering our updates, promotions or newsletter).
- We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes in accordance with our instructions.

Third-party marketing

We will not share your personal data with any external companies for marketing purposes unless you have given us your express opt-in consent to receive marketing from such third parties before we do so.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- Your consent. You are able to remove your consent at any time. You can do this by contacting us using our contact details above.
- We have a contractual obligation.
- We have a legal obligation.
- We have a vital interest.
- We have a legitimate interest.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of

protection is afforded to it by ensuring at least one of the following safeguards is implemented:-

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

Data security - how we store your personal information

Your information is securely stored.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

We keep personal identifiers, medical health and fitness information, financial data, transaction data, profile data, marketing and communications and aggregated data for [time period].

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep basic information about our customers (including Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

In some circumstances you can ask us to delete your data: see Request erasure below for further information. We will then dispose your information by either erasing data and/or physical destruction.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at: data.requests@fatsgym.com or by post to Fats Gym Promotions Ltd, Unit 5, New Elm Road, Manchester, M3 4JH if you wish to make a request.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at: data.requests@fatsgym.com or by post to Fats Gym Promotions Ltd, Unit 5, New Elm Road, Manchester, M3 4JH.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>