

## Privacy Notice for Fit State Training

### 1. INTRODUCTION

This privacy notice provides you with details of how Fit State Training collects, processes and protects your personal data, including any information you may provide to us during a training session, when you make an enquiry about our services, visit our website, or sign up to our newsletter.

Please read below to find out what data we store, why we store it and how we process it.

**Colette Curry (of Fit State Training)** is the data controller and is responsible for your personal data (referred to as “we”, “us” or “our” in this privacy notice).

Our full details are:

Full name of legal entity: **Fit State Training**

ICO Registration Number: ZA396291

Email address: [colette@fitstatetraining.com](mailto:colette@fitstatetraining.com)

Postal address: **9 Victoria Terrace, Kingsway, Hove, East Sussex, BN3 2WB**

It is very important that the information we hold about you is accurate and up to date. Please let us know if at any time your personal information changes by contacting us as above.

### 2. WHAT DATA WE COLLECT ABOUT YOU, FOR WHAT PURPOSE AND WHY WE MIGHT PROCESS IT.

Personal data means any information capable of identifying an individual. It does not include anonymised data.

We may process the following categories of personal data about you:

- **Health records**

For the purposes of providing safe health advice and exercise instruction, Fit State Training requires detailed health information. You will be required to fill out and sign a Health History Questionnaire during your first appointment. We will make notes regarding your general health, injury history, illness history and medications you are taking. This data is always held securely, in a locked box on the premises, accessible only by Fit State Training, and is never shared with any third party. You must give your consent for the above information to be processed and stored before continuing with personal training sessions.

- **Communication Data** that includes any communication that you send to us whether that be through the contact form on our website, through email, text, social media messaging, social media posting or any other communication that you send us.

We process this data for the purposes of communicating with you, for record keeping and for the establishment, pursuance or defence of legal claims. Our lawful ground for this processing is our legitimate interests which in this case are to reply to communications sent to us, to keep records and to establish, pursue or defend legal claims.

Provided we have your consent, we would like to contact you via SMS message, email, Whatsapp, Facebook Messenger, or Instagram, to confirm session times with you, or send you information that we feel will be beneficial to you regarding, your health and fitness goals, and injury prevention.

- **Customer Data** that includes data relating to any purchases of services such as your name, title, postal address, email address, phone number, contact details and purchase details. We process this data to supply the services you have purchased and to keep records of such transactions. Our lawful ground for this processing is the performance of a contract between you and us and/or taking steps at your request to enter into such a contract.

- **User Data** that includes data about how you use our website together with any data that you post for publication on our website or through other online services. We process this data to operate our website and ensure relevant content is provided to you, to ensure the security of our website, to maintain back-ups of our website and/or databases and to enable publication and administration of our website, other online services and business. Our lawful ground for this processing is our legitimate interests which in this case are to enable us to properly administer our website and our business.

- **Marketing Data** that includes data about your preferences in receiving marketing from us and our third parties and your communication preferences. We process this data to enable you to partake in our promotions such as competitions, prize draws and free give-aways, to deliver relevant website content and advertisements to you and measure or understand the effectiveness of this advertising. Our lawful ground for this processing is our legitimate interests which in this case are to study how customers use our products/ services, to develop them, to grow our business and to decide our marketing strategy. We may use Customer Data, User Data, Technical Data and Marketing Data to deliver relevant website content and advertisements to you (including Facebook adverts or other display advertisements) and to measure or understand the effectiveness of the advertising we serve you. Our lawful ground for this processing is legitimate interests which is to grow our business. We may also use such data to send other marketing communications to you. Our lawful ground for this processing is either consent or legitimate interests (namely to grow our business). Sensitive Data On occasion, we need to collect sensitive data about you in order to deliver the service we provide.

- **Sensitive data** for this purpose would include relevant details about your health and wellbeing, or any special needs you have. We do not collect other sensitive data such as race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, non-relevant information about your health and genetic and biometric data. We do not collect any information about criminal convictions and offences.

### 3. HOW WE COLLECT YOUR PERSONAL DATA

We collect data about you through a variety of different methods including:

• **Direct interactions** : You may provide data by filling in forms or by communicating with us by post, phone, email or otherwise, including when you:

- enquire about our products or services, via text, email or Enquiry Form on our website

- subscribe to our service or publications;

- request resources or marketing be sent to you;

- enter a competition, prize draw, promotion or survey; or

- give us feedback.

• **Automated technologies or interactions:**

As you use our site, we may automatically collect Technical Data about your equipment, browsing actions and usage patterns. We collect this data by using cookies, server logs and similar technologies.

• **Third parties or publicly available sources:** We may receive personal data about you from various third parties and public sources as set out below:

- analytics providers such as Google based outside the EU;

- search information providers (such as Google, based inside or outside the EU).

- Contact, Financial and Transaction Data from providers of technical, payment and Generally, we do not rely on consent as a legal ground for processing your personal data, other than in relation to sending marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by emailing us at [colette@fitstatetraining.com](mailto:colette@fitstatetraining.com)

#### 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when legally permitted. The most common uses of your personal data are:

- Where we need to perform the contract between us.

- 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 we need to comply with a legal or regulatory obligation.

#### 5. MARKETING COMMUNICATIONS

Our lawful ground of processing your personal data to send you marketing communications is either your consent or our legitimate interests (namely to grow our business).

Under the Privacy and Electronic Communications Regulations, we may send you marketing communications from us if (i) you made a purchase or asked for information from us about our services or (ii) you agreed to receive marketing communications and in each case you have not opted out of receiving such communications since. Under these regulations, if you are a limited company, we may send you marketing emails without your consent. However you can still opt out of receiving marketing emails from us at any time by emailing us at [colette@fitstatetraining.com](mailto:colette@fitstatetraining.com)

Before we share your personal data with any third party for their own marketing purposes we will get your express consent. You can ask us or third parties to stop sending you marketing messages at any time by contacting us as above. If you opt out of receiving marketing communications this opt-out does not apply to personal data provided as a result of other transactions, such as enquiries about our services, purchases, warranty registrations etc.

## **6. DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with the parties set out below:

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom and other relevant jurisdictions who require reporting or processing activities in certain circumstances.

## **7. DATA RETENTION**

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.

Sensitive data, such Health History Information will be kept for up to 12 months after your final training session.

For tax purposes the law requires us to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they stop being customers.

## **8. DATA SECURITY**

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 such data. 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.

## 9. YOUR LEGAL RIGHTS

Under data protection laws you have rights in relation to your personal data that include the right to request access, correction, erasure, restriction, transfer, to object to processing, to portability of data and (where the lawful ground of processing is consent) to withdraw consent.

You can see more about these rights at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protectionregulation-gdpr/individual-rights/>.

If you wish to exercise any of the rights set out above, please contact us as above. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive or refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you.

If you are not happy with any aspect of how we collect and use your data, you have the right to complain to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We should be grateful if you would contact us first if you do have a complaint so that we can try to resolve it for you.

## 10. THIRD-PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 11. COOKIES

### What's a cookie?

A "cookie" is a piece of information that is stored on your computer's hard drive and which records how you move your way around a website so that, when you revisit that website, it can present tailored options based on the information stored about your last

visit. Cookies can also be used to analyse traffic and for advertising and marketing purposes. Cookies are used by nearly all websites and do not harm your system. If you want to check or change what types of cookies you accept, this can usually be altered within your browser settings. You can block cookies at any time by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

### **How do we use cookies?**

We use cookies to track your use of our website. This enables us to understand how you use the site and track any patterns with regards how you are using our website. This helps us to develop and improve our website as well as products and / or services in response to what you might need or want.

### **Cookies are either:**

- *Session cookies*: these are only stored on your computer during your web session and are automatically deleted when you close your browser - they usually store an anonymous session ID allowing you to browse a website without having to log in to each page but they do not collect any personal data from your computer; or
- *Persistent cookies*: a persistent cookie is stored as a file on your computer and it remains there when you close your web browser. The cookie can be read by the website that created it when you visit that website again. [We only use persistent cookies for Google Analytics and Mailchimp]

### **Cookies can also be categorised as follows:**

- *Strictly necessary cookies*: These cookies are essential to enable you to use the website effectively, such as when buying a product and / or service, and therefore cannot be turned off. Without these cookies, the services available to you on our website cannot be provided. These cookies do not gather information about you that could be used for marketing or remembering where you have been on the internet.
- *Performance cookies*: These cookies enable us to monitor and improve the performance of our website. For example, they allow us to count visits, identify traffic sources and see which parts of the site are most popular.
- *Functionality cookies*: These cookies allow our website to remember choices you make and provide enhanced features. For instance, we may be able to provide you with news or updates relevant to the services you use. They may also be used to provide services you have requested such as viewing a video or commenting on a blog. The information these cookies collect is usually anonymised.