



## PRIVACY NOTICE FOR OUR CLIENTS (SERVICE USERS)

We are committed to respecting your privacy. This notice is to explain how we may use personal information we collect before, during and after you use our services. This notice explains how we comply with the law on data protection, what your rights are and for the purposes of data protection we will be the controller of any of your personal information.

References to **we**, **our** or **us** in this privacy notice are to the **Vista Wellbeing organisation (a registered CIC)**

We have not appointed a Data Protection Officer to oversee our compliance with data protection laws as we are not required to do so, but our Data Protection Compliance Manager has overall responsibility for data protection compliance in our organisation. Contact details are set out in the "Contacting us" section at the end of this privacy notice.

### 1. **PERSONAL INFORMATION WE MAY COLLECT FROM YOU**

Depending on the type of relationship you have with us, you may initially provide us with or we may obtain **personal information** about you, such as information regarding your:

- personal contact details that allows us to contact you directly such as name, title, email addresses and telephone numbers;
- date of birth;
- gender;
- any membership start and end dates;
- references and other information included in a CV or cover letter or as part of the application process for an internship or other role;
- records of your interactions with us such as telephone conversations, emails and other correspondence and your instructions to us;
- any credit/debit card and other payment details you provide so that we can receive payments from you and details of the financial transactions with you;
- use of and movements through our online portal, passwords, personal identification numbers, IP addresses, user names and other IT system identifying information;
- records of your attendance at any events hosted by us;
- CCTV footage and other information obtained through electronic methods
- images in video and/or photographic form and voice recordings;
- your marketing preferences so that we know whether and how we should contact you.
- identification documents such as passport and identity cards;
- details of next of kin, family members, instructors and emergency contacts;
- records of initial assessments, consultations and screening sessions
- details and location of your primary training venue;
- qualifications and CPD

NB this list is not exhaustive and we may not collect all of the above information

## 2. SPECIAL CATEGORIES OF PERSONAL INFORMATION

We will also collect, store and use the following “special categories” of more sensitive personal information regarding you:

- information about your health, including any medical condition, health and sickness records, medical records and health professional information

We may also collect, store and use the following “special categories” of more sensitive personal information regarding you:

- biometric information about you
- information about your race or ethnicity, religious beliefs and sexual orientation;

We may not collect all of the above types of special category personal information about you. In relation to the special category personal data that we do process we do so on the basis that

- the processing is necessary for reasons of substantial public interest, on a lawful basis;
- it is necessary so that we may despatch our duty of care to our service users
- it is necessary for the establishment, exercise or defence of legal claims;
- it is necessary for the purposes of carrying out the obligations and exercising our or your rights in the field of employment and social security and social protection law; or
- based on your explicit consent.

In the table below we refer to these as the “special category reasons for processing of your personal data”.

If you are volunteering or working with children and/or vulnerable adults we may also collect criminal records information about you. For criminal records history we process it on the basis of legal obligations or based on your explicit consent.

## 3. WHERE WE COLLECT YOUR INFORMATION

We typically collect personal information about our service users when you apply to take part in an activity, or when you purchase any services or products we offer, when you make a query and/or complaint or when you correspond with us by phone, e-mail or in some other way.

We also may collect personal information about you from any third party references you provide as part of the application process for participation or volunteering/instructing positions.

If you are providing us with details of referees, next of kin, beneficiaries, family members and emergency contacts they have a right to know and to be aware of how what personal information we hold about them, how we collect it and how we use and may share that information. Please share this privacy notice with those of them whom you feel are sufficiently mature to understand it. They also have the same rights as set out in the “Your rights in relation to personal information” section below.

## 4. USES MADE OF THE INFORMATION

The table below describes the main purposes for which we process your personal information, the categories of your information involved and our lawful basis for being able to do this.

Purpose	Personal information used	Lawful basis
<b>To administer any membership you have with us and managing our relationship with you, including dealing with payments and any support, service or product enquiries made by you</b>	All contact and membership details, transaction and payment information, records of your interactions with us, and marketing preferences.	This is necessary to enable us to properly manage and administer your service use contract with us. This data may be shared with instructors to provide information about activities and to despatch our duty of care to you
<b>To arrange and manage any contracts for the provision of any</b>	Contact details, transaction and payment information.	This is necessary to enable us to administer and perform any contract for the provision of any

services or products	Records of your interactions with us.	services and products you have purchased from us.
To send you information which is relevant to your use of our services	Contact and application details.	This is necessary to enable us to manage and deliver our services to you
To send you other information we think you might find useful or which you have requested from us, including our newsletters, information about our services, events, products and information about our commercial partners	Contact details and marketing preferences.	Where you have given us your explicit consent to do so.
To answer your queries or complaints	Contact details and records of your interactions with us	We have a legitimate interest to provide complaint handling services to you.
Retention of records	All the personal information we collect.	<p>We have a legitimate interest in retaining records whilst they may be required in relation to complaints or claims. We need to retain records in order to properly administer and manage our service provision and in some cases we may have legal or regulatory obligations to retain records.</p> <p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.</p> <p>For criminal records history we process it on the basis of legal obligations or based on your explicit consent.</p>
The security of our IT systems	Your usage of our IT systems and online portals.	We have a legitimate interest to ensure that our IT systems are secure.
To conduct data analytics studies to better understand event attendance and trends within the sport	Records of your attendance at any sessions or events	We have a legitimate interest in doing so to ensure that our services are targeted and relevant.
For the purposes of promoting our sessions, events and services	Images in video and/or photographic form.	Where you have given us your explicit consent to do so. <b><i>[Note: We will always use our best endeavours to obtain consents where we intend to use any images or footage of individuals in any external promotional campaigns, particularly where there are children involved.]</i></b>

<p><b>To comply with health and safety requirements</b></p>	<p>Records of attendance, CCTV footage and other information obtained through electronic means, medical information about your health</p>	<p>We have a legal obligation and a legitimate interest to provide you and other service users with a safe environment in which to participate.</p> <p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above</p>
<p><b>To administer your attendance at any events, sessions or programmes you sign up to</b></p>	<p>All contact and application details, transaction and payment data.</p>	<p>This is necessary to enable us to register you on to and properly manage and administer your attendance at activity sessions, courses and/or other events.</p>
<p><b>To arrange for any trip or transportation to and from a session or event</b></p>	<p>Identification documents details of next of kin, family members and emergency contacts, transaction and payment information, health and medical information.</p>	<p>This is necessary to enable us to make the necessary arrangements for any trips and/or transportation to an event.</p> <p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above</p>
<p><b>To use information about your physical or mental health (including any injuries) or disability status, to ensure your health and safety and to assess your fitness to participate in any events or activities we run or host and to provide appropriate adjustments to our activities and facilities</b></p>	<p>Health and medical information</p>	<p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above</p>
<p><b>To gather evidence for possible grievance or disciplinary hearings relating to our service users, our volunteers and employed/deployed staff</b></p>	<p>All the personal information we collect</p>	<p>We have a legitimate interest in doing so to provide a safe and fair environment for all service users and to ensure the effective management of any disciplinary hearings, appeals and adjudications.</p> <p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above</p> <p>For criminal records history we process it on the basis of legal obligations or based on your explicit consent.</p>
<p><b>For the purposes of equal opportunities monitoring</b></p>	<p>Name, title, date of birth gender, information about your race or ethnicity and health and medical information</p>	<p>We have a legitimate interest to promote an environment that is inclusive, fair and accessible.</p> <p>We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2</p>

		above
<b>To comply with legal obligations, for example, regarding people working with children or vulnerable adults to comply with our safeguarding requirements</b>	Information about your criminal convictions and offences	For criminal records history we process it on the basis of legal obligations or based on your explicit consent.

For some of your personal information you will have a legal, contractual or other requirement or obligation to provide us with your personal information. If you do not provide us with the requested personal information we may not be able to offer you access to our services or we may not be able to properly perform our contract with you or comply with legal obligations. For other personal information you may not be under an obligation to provide it to us, but if you do not provide it then we may not be able to properly perform our contract with you.

Where you have given us your consent to use your personal information in a particular manner, you have the right to withdraw this consent at any time, which you may do by contacting us as described in the "Contacting us" section below.

Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain services to you.

## 5. DIRECT MARKETING

**Email, post and SMS marketing:** from time to time, we may contact you by email, post or SMS with information about events, products and services we believe you may be interested in.

We will only send marketing messages to you in accordance with the marketing preferences you set. You can then let us know at any time that you do not wish to receive marketing messages by using the details set out in the "Contacting us" section below. You can also unsubscribe from our marketing by clicking on the unsubscribe link in the marketing messages we send to you.

## 6. DISCLOSURE OF YOUR PERSONAL INFORMATION

We may share personal information with the following parties:

- **Any party approved by you.**
- **Other service providers:** for example, payment processors, IT services (including our membership database) website hosting including website plugins, video- and teleconference services);
- **The Government or our regulators:** where we are required to do so by law or to assist with their investigations or initiatives.
- **Police, law enforcement and security services:** to assist with the investigation and prevention of crime and the protection of national security.

## 7. TRANSFERRING YOUR PERSONAL INFORMATION INTERNATIONALLY

The personal information we collect may be transferred to and stored in countries outside of the UK and the European Union. An example of this might be where a web site uses servers based outside of the UK or EU. Some of these jurisdictions require different levels of protection in respect of personal information and, in certain instances, the laws in those countries may be less protective than the jurisdiction you are typically resident in. We will take all reasonable steps to ensure that your personal information is only used in accordance with this privacy notice and

applicable data protection laws and is respected and kept secure and where a third part processes your data on our behalf we will put in place appropriate safeguards as required under data protection laws. For further details please contact us by using the details set out in the "Contacting us" section below.]

## 8. HOW LONG DO WE KEEP PERSONAL INFORMATION FOR?

The duration for which we retain your personal information will differ depending on the type of information and the reason why we collected it from you. However, in some cases personal information may be retained on a long-term basis: for example, personal information that we need to retain for legal purposes will normally be retained in accordance with usual commercial practice and regulatory requirements. Generally, where there is no legal requirement and where we have direct control, we may retain all physical and electronic records for a period of up to [10] years after your last contact with us or the end of any membership of our organisation. Exceptions to this rule are:

- CCTV records which are generally held for no more than 120 days unless we need to preserve the records for the purpose of prevention and detection of crime, health and safety monitoring or safeguarding concerns;
- Information that may be relevant to actual or potential personal injury or discrimination claims may be retained until the limitation period for those types of claims has expired. For personal injury or discrimination claims this can be an extended period as the limitation period might not start to run until a long time after the event (for example, in the case of those under the age of 18).

It is important to ensure that the personal information we hold about you is accurate and up-to-date, and you should let us know if anything changes, for example if you change your phone number or email address. You can update this type of personal information we hold about you through our membership portal: [www.membermojo.co.uk](http://www.membermojo.co.uk). Alternatively, you can contact us by using the details set out in the "**Contacting us**" section below.

## 9. YOUR RIGHTS IN RELATION TO PERSONAL INFORMATION

You have the following rights in relation to your personal information:

- the right to be informed about how your personal information is being used;
- the right to access the personal information we hold about you;
- the right to request the correction of inaccurate personal information we hold about you;
- the right to request the erasure of your personal information in certain limited circumstances;
- the right to restrict processing of your personal information where certain requirements are met;
- the right to object to the processing of your personal information;
- the right to request that we transfer elements of your data either to you or another service provider; and
- the right to object to certain automated decision-making processes using your personal information.

You should note that some of these rights, for example the right to require us to transfer your data to another service provider or the right to object to automated decision making, may not apply as they have specific requirements and exemptions which apply to them and they may not apply to personal information recorded and stored by us. For example, we do not use automated decision making in relation to your personal data. However, some have no conditions attached, so your right to withdraw consent or object to processing for direct marketing are absolute rights.

Whilst this privacy notice sets out a general summary of your legal rights in respect of personal information, this is a very complex area of law. More information about your legal rights can be found on the Information Commissioner's website at <https://ico.org.uk/for-the-public/>

To exercise any of the above rights, or if you have any questions relating to your rights, please contact us by using the details set out in the "Contacting us" section below.

If you are unhappy with the way we are using your personal information you can also complain to the UK Information Commissioner's Office or your local data protection regulator. We are here to help and encourage you to contact us to resolve your complaint first.

**10. CHANGES TO THIS NOTICE**

We may update this privacy notice from time to time. When we change this notice in a material way, we will update the version date at the bottom of this page. For significant changes to this notice we will try to give you reasonable notice unless we are prevented from doing so. Where required by law we will seek your consent to changes in the way we use your personal information.

**11. CONTACTING US**

In the event of any query or complaint in connection with the information we hold about you, please email [sue@vistawellbeing.org.uk](mailto:sue@vistawellbeing.org.uk) or write to us Vista Wellbeing CIC, 1 Mill Lane, Barnstaple, Devon EX31 1JQ