

## Privacy and Cookies Notice

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This is the Bannatyne Group privacy and cookie notice. The Bannatyne Group consists of The Bannatyne Group Limited, Bannatyne Fitness Limited, Bannatyne Fitness (2) Limited, Bannatyne Hotels Limited and Crocodile Leisure Limited.

### 1. Introduction and summary

#### 1.1. Introduction

Thanks for reading our privacy notice. It tells you how we collect, use and share your personal information and what your rights are – and how to exercise them.

This notice applies to you if you are:

- A customer: a health club member (or their guest), day pass or occasional user, spa user, hotel/restaurant guest or someone who buys products from our website, a health club, hotel or spa
- A supplier: a sole trader or partnership or a contact for us at a corporate supplier who provides services to us
- A consultant: an adviser, consultant, or other professional expert
- A job applicant: someone who is interesting in working for us
- An interested person: someone who makes an enquiry or complaint or corresponds or enters a competition with us or visits us, who isn't in any of the categories above
- A relative of a member of our staff: a close family member or next of kin of a member of our staff, or
- A website visitor or user of social media: a visitor to our website or user of social media.

This notice doesn't apply to Bannatyne Group staff, a freelance service provider (personal trainer, swimming instructor or class instructor) or shareholders.

There are a couple of technical definitions to get out of the way first. Here they are.

By "**personal information**" we mean personal data as defined in UK data protection law. In general, it means any information relating to you, which identifies you or allows you to be identified. That may be your name, an ID number, location, an online identifier or factors specific to you (e.g. physical, physiology (thoughts, feelings), genetic, mental, economic, cultural or social factors).

By "**sensitive**" personal information we mean two things: 1. what's technically known as "special categories" (personal information revealing racial or ethnic

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origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying an individual, data concerning health or data concerning an individual's sex life or sexual orientation) and 2. Criminal offence data (criminal offences or related security measures, including the alleged commission of offences, proceedings for an offence committed or alleged to have been committed or the disposal of those proceedings, including sentencing).

For ease, we've split this privacy notice up into parts:

[Part 1](#): Introduction and summary

[Part 2](#): Important information about your rights in relation to consent and to object to our use of your personal information

[Part 3](#): Key information required by the UK GDPR

[Part 4](#): Additional Privacy Right to Complain to Controllers

[Part 5](#): Cookies and similar technologies

If you have any queries about this privacy notice, please contact us. Please see "Our identity and contact details" in section a to get in touch, and the "Data protection officer" section b of "Key information required by the UK GDPR" below for our data protection officer's contact details.

## 1.2. Summary

Here's a summary overview to help you navigate. Find yourself in the left hand column, then read across the table.

Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
<p><u>Health club members</u>: a member of one of our health clubs or a guest of a member, or a day pass or occasional user.</p>	<ul style="list-style-type: none"> <li>• To enter into a contract with you, your employer or a third party provider of gym services.</li> <li>• To provide agreed health club services to you as our customer.</li> <li>• To keep accounts and records.</li> <li>• We may, if you consent, send you offers and news by email, text, WhatsApp or push notification via the app. We track whether emails, WhatsApps or texts are opened and whether links in the messages are clicked on. We use Text Global, SendGrid and ConnexAI for our marketing campaigns.</li> <li>• To identify you through our club entry systems and record when you are in the club. Our wristbands may be used for club entry but also for logging into your MyWellness app on your phone when using Technogym equipment in the club and as a locker key.</li> <li>• To interact with you through our apps. The Bannatyne app (which is provided by Technogym – <a href="#">privacy policy</a>) lets you book sessions, communicate with the club and see club offers and news, which are personalised if you are in the club (e.g. with today's offer from the café). The MyZone app works with a cardio device to monitor heart rate; we get your personal information from that app. The MyWellness app works with gym equipment supplied by Technogym; we get your personal information from that app.</li> <li>• To record telephone calls with you for training, monitoring and evidential purposes; we may record inbound and outbound calls to and from the head office call centres.</li> <li>• To record CCTV images at some of our clubs for the prevention and detection of crime (both revenue and asset protection) and for health and safety (for example at the poolside). ANPR is used by Parking Eye, SmartParking and UK Car Parking Management (“CPM”) at some of our sites but we do not have access to images. Where sites are owned by a landlord, the landlord may use a third party car</li> </ul>	<p><u>How to withdraw your consent or object to our use (where applicable)</u></p> <p>Look in Part 2.</p> <p>It tells you how to withdraw any consent you've given (see section j as well) and how to object to both direct marketing and to our use where it's based on a balancing test (called "legitimate interests") which involves weighing our interests or a third party's interests against your rights.</p> <p><u>Other information</u></p> <p>Look in Part 3; here's what's in the different sections.</p> <ul style="list-style-type: none"> <li>• Sections a and b: our contact details</li> <li>• Section c: the purposes and legal basis for our use of your personal information</li> <li>• Section d the legitimate interests often underpinning our use of your personal information</li> <li>• Section e: the types of personal information we may get from someone other than you</li> </ul>

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Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
	<p>parking enforcement company, but we do not have access to images.</p> <ul style="list-style-type: none"> <li>● If you use Instavolt charging stations in our car parks, Instavolt may record CCTV images, but we do not have access to images.</li> <li>● If you use our public wifi (provided by Aspire and Cisco Meraki), Aspire and Cisco Meraki will collect your marketing preferences and share them with us.</li> <li>● If you pay through one of our tills, provided by Tevalis, your payment receipt is stored by Tevalis. Transactions are processed by WorldPay. If you use a card to pay on our vending machines, the payment processor is Nayax.</li> <li>● To interact with you on social media (Facebook, X, TikTok or Instagram).</li> <li>● If you are under 16, your record will be linked to your parent's and we will normally communicate with your parent rather than with you.</li> <li>● Your personal information may be shared intra-group if you use other health clubs, under our cross-usage policy.</li> <li>● If you have signed up with a third party gym services provider, then depending on the provider, they may provide us with your personal information including your answers to our pre-exercise questionnaire or may simply validate your membership when you sign up with us.</li> <li>● For related purposes such as analysis to help us find new members.</li> <li>● In order to offer you Klarna's payment methods, we might (in the checkout pass) your personal data in the form of contact and order details to Klarna, in order for Klarna to assess whether you qualify for their payment methods and to tailor those payment methods for you. Your personal data transferred is processed in line with Klarna's own <a href="#">privacy policy</a>.</li> <li>● To offer you member benefits through third party supplier Zoom Media.</li> <li>● You may add on additional services to your membership. HealthHero provide access to health-services such as GP access (<a href="#">privacy policy</a>). LesMills provide online fitness classes in-club and via the LesMills+ add-on (<a href="#">privacy policy</a> and <a href="#">terms of use</a>). Fitbod provide online training services (<a href="#">privacy policy</a> and <a href="#">terms of use</a>).</li> <li>● If you access your membership through a third party, such as Wellhub or epassi, they will share your data with us.</li> <li>● If you access membership discounts through Blue Light Card, they will share your</li> </ul>	<ul style="list-style-type: none"> <li>● Section f: third parties with whom we may share your personal information</li> <li>● Section g: transfers (exports) of personal information</li> <li>● Section h: storage periods</li> <li>● Section i: your UK GDPR rights</li> <li>● Section j: withdrawing consent</li> <li>● Section k: complaints to the ICO</li> <li>● Section l: information you must provide (either by law or under a contract)</li> <li>● Section m: sources of personal information (where you aren't the source).</li> <li>● Section n: automated decisions.</li> </ul> <p>Customers may find further customer-specific information on forms, on pre-exercise and spa treatment questionnaires, club rules and in their contracts.</p>

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Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
	<p>data with us (<a href="#">privacy policy</a>).</p> <ul style="list-style-type: none"> <li>We use Gocardless to administer our membership fee payments (<a href="#">privacy policy</a>) and your membership details will be shared with them.</li> </ul>	
<p><u>Spa users</u>: a user of a spa at one of our health clubs or hotels.</p>	<ul style="list-style-type: none"> <li>To enter into a contract with you and to provide agreed spa services to you as our customer.</li> <li>To keep accounts and records.</li> <li>We may, if you consent, send you offers and news by email, text or WhatsApp. We track whether emails, WhatsApps or texts are opened and whether links in the messages are clicked on.</li> <li>To interact with you through our spa app.</li> <li>To record telephone calls with you for training, monitoring and evidential purposes; we record inbound and outbound calls to and from the spa call centre and may record calls to and from the legal department.</li> <li>To record CCTV images at our spa receptions for the prevention and detection of crime. ANPR is used by Parking Eye, SmartParking and UK Car Parking Management (“CPM”) at some of our sites but we do not have access to images. Where sites are owned by a landlord, the landlord may use a third party car parking enforcement company, but we do not have access to images.</li> <li>If you use Instavolt charging stations in our car parks, Instavolt may record CCTV images, but we do not have access to images.</li> <li>If you pay through one of our tills, provided by Tevalis, your payment receipt is stored by Tevalis. Transactions are processed by WorldPay. If you use a card to pay on our vending machines, the payment processor is Nayax.</li> <li>To interact with you on social media (Facebook, X, TikTok or Instagram).</li> <li>For related purposes such as analysis to help us find new spa users.</li> </ul>	
<p><u>Hotel guest</u>: a hotel or restaurant guest at one of our hotels.</p>	<ul style="list-style-type: none"> <li>To enter into a contract with you or your employer or a third party who is paying your hotel bill.</li> <li>To provide agreed hotel accommodation and/or restaurant food to you as our customer.</li> </ul>	

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Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
	<ul style="list-style-type: none"> <li>• To keep accounts and records.</li> <li>• We may, if you consent, send you offers and news by email, text or WhatsApp. We track whether our emails, texts or WhatsApps are opened and whether links within them are clicked on.</li> <li>• To record CCTV images at our hotels for the prevention and detection of crime.</li> <li>• If you use our public wifi (provided by Aspire and Cisco Meraki) and they will collect your marketing preferences and share them with us.</li> <li>• If you pay through one of our tills, provided by Tevalis, your payment receipt is stored by Tevalis. Transactions are processed by WorldPay. If you use a card to pay on our vending machines, the payment processor is Nayax.</li> <li>• To interact with you on social media (Facebook, X, TikTok or Instagram).</li> <li>• If you book hotel accommodation through a third party such as a travel agent or portal, we will receive your information from that third party and will confirm the booking and the fact you stayed at the hotel with them for payment purposes.</li> </ul>	
<p><u>Product customers:</u> an individual who buys products from our website, or from one of our spas, health clubs or hotels.</p>	<ul style="list-style-type: none"> <li>• To enter into a contract with you and to provide you with the product you have bought.</li> <li>• To keep accounts and records.</li> <li>• We may, if you consent, send you offers and news by email, text or WhatsApp. We track whether emails, WhatsApps or texts are opened and whether links in the messages are clicked on.</li> <li>• If you pay through one of our tills, provided by Tevalis, your payment receipt is stored by Tevalis. Transactions are processed by WorldPay. If you use a card to pay on our vending machines, the payment processor is Nayax.</li> </ul>	
<p><u>A supplier:</u> a sole trader or partnership or a contact for us at a corporate supplier who provides services to us as a business</p>	<ul style="list-style-type: none"> <li>• To receive agreed services from you or your employer or company.</li> <li>• To keep accounts and records.</li> </ul>	

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Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
<p><u>A consultant</u>: an adviser, consultant or other professional expert who provides services to us as a business</p>	<ul style="list-style-type: none"> <li>• To receive agreed services from you or your employer or company.</li> <li>• To keep accounts and records.</li> </ul>	
<p><u>A job applicant</u>: someone who is interested in working for us</p>	<ul style="list-style-type: none"> <li>• To evaluate your application and enter into a services or employment contract or similar contract with you.</li> </ul>	
<p><u>An interested person</u>: an individual who makes an enquiry or a complaint or corresponds with us or visits us (including carers and other representatives of members) but who isn't in any of the categories above</p>	<ul style="list-style-type: none"> <li>• To respond to your enquiry or complaint or correspond with you.</li> <li>• To record telephone calls with you for training, monitoring and evidential purposes; we record inbound and outbound calls to and from the health club and spa call centres and may record calls to and from the legal department</li> <li>• To record CCTV images at some of our health clubs, spas and hotels for the prevention and detection of crime and for health and safety. ANPR is used by Parking Eye, SmartParking and UK Car Parking Management ("CPM") at some of our sites but we do not have access to images. Where are sites are owned by a landlord, the landlord may use a third party car parking enforcement company, but we do not have access to images.</li> <li>• If you use Instavolt charging stations in our car parks, Instavolt may record CCTV images, but we do not have access to images.</li> </ul>	
<p><u>A relative of a member of our staff</u>: a close family member or next of kin of a member of our staff</p>	<ul style="list-style-type: none"> <li>• Our member of staff may give us your name, address and date of birth which we may use to contact you in an emergency.</li> </ul>	
<p><u>A visitor to our website or</u></p>	<ul style="list-style-type: none"> <li>• We advertise on Facebook, X, Instagram and TikTok. You may see one of</li> </ul>	<p>Look in Part 3:</p>

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Type of individual (current, past or prospective)	Our main uses of your personal information	Where to find out more
<p><u>social media users</u>: a visitor to our website or social media user.</p>	<p>our ads as a result.</p> <ul style="list-style-type: none"> <li>• We use Google Analytics on our site which captures where individuals discontinue the order process; the report Google gives us does not identify individuals.</li> <li>• We use Edward Robertson to provide our website.</li> <li>• We use HOP Software to manage our hotel bookings.</li> <li>• We use RecognitionPR for our PR services.</li> <li>• We use ConnexAI when you have started to make a purchase for membership, but have abandoned your cart and for prospective membership enquiries via a chatbot, text message, email or WhatsApp (<a href="#">privacy policy</a>).</li> <li>• We use Talkative AI for the chatbot for existing member enquiries (<a href="#">privacy policy</a>).</li> </ul>	<ul style="list-style-type: none"> <li>• Sections a and b: our contact details</li> <li>• Section i: your UK GDPR rights</li> <li>• Section k: complaints to the ICO</li> <li>• Section m: sources of personal information (where you aren't the source).</li> </ul>

## 2. Important information about your rights in relation to consent and to object to our use of your personal information

**Your rights in relation to consent:** You may, at any time, withdraw your consent or explicit consent to us using your personal information or sensitive personal information as summarised below.

- To send you direct marketing based on your consent. This may be by email, phone, WhatsApp or text. We track whether messages are opened and links clicked on. To withdraw consent, please use the opt-out option in the direct marketing. Members may also change their settings in the member portal or via the Bannatyne app. We may also send you marketing messages via push notifications on the Bannatyne app.
- To hold and use your health data to provide you with health club membership and/or spa treatments. To withdraw consent, please contact us.
- To make reasonable adjustments, for persons with a disability. To withdraw consent, please contact us.
- To set and read cookies on your device. We will rely on the preferences you set in our cookie dashboard the first time you visit our website or your browser settings to indicate your consent to the use of cookies. To withdraw your consent, please use the cookie dashboard on our site or adjust your browser settings. Please see "Cookies and similar technologies" below for instructions.

Please see:

- section a in "Key information required by the UK GDPR" below for our contact details
- section c in "Key information required by the UK GDPR" below for further details of where we rely on your consent
- section j in "Key information required by the UK GDPR" below for further details of your right to withdraw consent, and
- "Cookies and similar technologies" below for information about cookies and similar technologies used on this site.

**Your right to object to our use of the "legitimate interests" basis for processing:** You may, at any time, object to direct mail and our use of your personal information which is based on our own or others' legitimate interests, as summarised below.

## Our own legitimate interests

- To operate and improve our business
- To manage relationships with customers
- To manage relationships with suppliers
- To detect and prevent fraud
- To send you direct mail if you are not registered with the Mail Preference Service and do not object
- To promote and advertise our products and services online
- For internal group administration, for example to enable members to benefit from the cross-usage policy across our health clubs
- For network and information security
- To report possible criminal acts/threats to competent authorities.

## Others' legitimate interests

We operate CCTV at our clubs, spas, hotels and head office. We have entry systems to our clubs and we record calls to and from our call centres and the legal department. It is in the legitimate interests of anyone visiting our clubs, spas and hotels to have a secure and safe environment; of our callers to benefit from quality checks and to evidence calls made and received.

You may object to our use on that basis. To exercise your right, please contact us.

Please see:

- section a in "Key information required by the UK GDPR" below for our contact details
- section d in "Key information required by the UK GDPR" below for further details of our reliance on the legitimate interests basis for processing, and
- section i in "Key information required by the UK GDPR" below for further details of your right to object.

### 3. Key information required by the UK GDPR

Here are important details about us and our use of your personal information.

Requirement	Our details								
<p>a. Our identity and contact details</p> <p>Identity and contact details and, where applicable, of the representative</p>	<p>The Bannatyne Group Limited, company number 09618868, ICO ZA174260</p> <p>Bannatyne Fitness Ltd, company number 03287770, ICO Z8376772</p> <p>Bannatyne Fitness (2) Ltd, Company number 07674830, ICO ZA173884</p> <p>Bannatyne Hotels Limited, Company number 03271621, ICO ZA156876</p> <p>Crocodile Leisure Limited, Company number 02708521, ICO Z6969002</p> <p>Address: Power House, Haughton Road, Darlington, County Durham, England, DL1 1ST</p> <p>Telephone: 01325 356677</p> <p>Email: <a href="mailto:gdpr@bannatyne.co.uk">gdpr@bannatyne.co.uk</a></p> <p>We are registered as a controller with the Information Commissioner. Our registration numbers are above.</p> <p>It would be very helpful if you would tell us exactly why you are contacting us. For example to exercise a right, please put the name of the right in the subject line of the email. Thank you.</p>								
<p><b>b. Data protection officer and queries</b></p> <p>Contact details of the data protection officer, where applicable</p>	<p>To contact our data protection officer, please use the following details:</p> <p>Email: <a href="mailto:gdpr@bannatyne.co.uk">gdpr@bannatyne.co.uk</a></p> <p>Telephone: 01325 356677</p> <p>Address: Power House, Haughton Road, Darlington, County Durham, England, DL1 1ST</p>								
<p><b>c. Purposes and legal basis</b></p> <p>The purposes of the use for which the personal information is intended as well as the legal basis for</p>	<p>Here is a summary of the purposes for which we use personal information and the legal bases for our use.</p> <table border="1" data-bbox="808 1340 2163 1439"> <thead> <tr> <th data-bbox="808 1340 1225 1439">Our purposes</th> <th data-bbox="1229 1340 1700 1439">Legal basis (all personal information)</th> <th data-bbox="1704 1340 2163 1439">Additional legal basis (sensitive personal information)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Our purposes	Legal basis (all personal information)	Additional legal basis (sensitive personal information)			
Our purposes	Legal basis (all personal information)	Additional legal basis (sensitive personal information)							

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<p>the use</p> <p>Here's a key to the second column:</p> <p><b>Consent:</b> your consent to one or more specific purposes</p> <p><b>Contract:</b> entering into a contract with you or performing a contract with you</p> <p><b>Legal obligation:</b> we're required by law to do this</p> <p><b>Vital interests:</b> to protect your own or another individual's vital interests (e.g. life or death situation)</p> <p><b>Public task:</b> we're required to do this because it's a duty of ours as a public body; or it's required in the public interest</p> <p><b>Legitimate interests:</b> we've identified this as a legitimate interest of ours or a third party; we consider that use of your personal information is necessary to achieve that legitimate interest; and we've balanced all that against your interests, rights and freedoms</p> <p>The third column gets a bit more technical. Where we're dealing with sensitive personal information we need not one legal basis but two, from a different list (and the list is a lot longer).</p> <p>The main ones are:</p> <p><b>Explicit consent:</b> your explicit consent to one or more specific purposes</p>	<p>To enable us to provide our health club, spa and hotel services and sell our products to our customers</p>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legal obligation</li> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Explicit consent</li> <li>• Prevention/detection of unlawful acts</li> <li>• Regulatory requirements relating to unlawful acts/ dishonesty etc.</li> </ul>	
	<p>To support and manage job applicants (where appropriate)</p>	<ul style="list-style-type: none"> <li>• Consent</li> <li>• Contract</li> <li>• Legal obligation</li> <li>• Vital interests</li> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Explicit consent</li> <li>• Employment, social security and social protection law</li> <li>• Vital interests</li> <li>• Legal claims</li> <li>• Equal opportunities</li> <li>• Prevention/detection of unlawful acts</li> <li>• Health or social care</li> <li>• Public domain</li> </ul>	
	<p>To advertise and promote our products/services and business</p>	<ul style="list-style-type: none"> <li>• Consent</li> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Explicit consent</li> <li>• Public domain</li> </ul>	
	<p>To maintain our accounts and records</p>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legal obligation</li> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Legal claims</li> <li>• Prevention/detection of unlawful acts</li> <li>• Regulatory requirements relating to unlawful acts and dishonesty etc.</li> </ul>	
	<p>Advertising, marketing and public relations by Bannatyne Fitness Ltd for other Bannatyne group companies</p>	<ul style="list-style-type: none"> <li>• Consent</li> <li>• Legitimate interests</li> </ul>	<p>N/A</p>	
	<p><b>Legal claims:</b> to establish, exercise or defend a</p>	<p>The use of CCTV systems to</p>	<ul style="list-style-type: none"> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Public domain</li> </ul>

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<p>legal claim</p> <p><b>Prevention/detection of unlawful acts:</b> this is where we must use personal information without consent so as not to prejudice preventing or detecting unlawful acts</p> <p><b>Regulatory requirements relating to unlawful acts and dishonesty etc.:</b> this is where we must use personal information without consent to comply with (or help someone else comply with) a regulatory requirement that involves establishing if someone has committed an unlawful act or is dishonest etc.</p> <p><b>Public domain:</b> you've deliberately put your sensitive personal information into the public domain</p> <p><b>Vital interests:</b> that's the same as column 2 except it has to be where the individual is incapable (physically or legally) of giving consent.</p> <p>You can find more details on the ICO website at <a href="https://ico.org.uk">https://ico.org.uk</a></p>	<p>monitor and collect visual images for the purposes of health and safety on the poolside of health clubs, revenue protection and the prevention and detection of crime.</p>		<ul style="list-style-type: none"> <li>• Prevention/detection of unlawful acts</li> <li>• Regulatory requirements relating to unlawful acts/ dishonesty etc.</li> </ul>
	<p>To collect debts, deal with disputes and bring and defend legal claims</p>	<ul style="list-style-type: none"> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• Legal claims</li> </ul>
	<p>To analyse data and produce reports for business planning and management</p>	<ul style="list-style-type: none"> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
	<p>The licensing in of personal information of prospective club members</p>	<ul style="list-style-type: none"> <li>• Consent</li> <li>• Legitimate interests</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>d. Legitimate interests</b></p> <p>Where the use of information is based on the legitimate interests condition, the legitimate interests pursued</p>	<p><b>Our legitimate interests</b></p> <ul style="list-style-type: none"> <li>• <u>To operate and improve our business</u>, which includes providing our products and services and analysing data to produce reports for business planning and management</li> <li>• <u>Customer relationship management</u>; this may include keeping your details on our membership, hotel or spa databases, providing customer services and keeping accounts and records</li> <li>• <u>Supplier relationship management</u>; this will mainly be limited to keeping accounts and records but we also use it where appropriate to improve services</li> <li>• <u>Fraud detection and prevention</u>: this may include the use of CCTV</li> <li>• <u>Direct marketing</u>: this may include direct mail if you are not registered with the Mail Preference Service and</li> </ul>		

	<p>do not object</p> <ul style="list-style-type: none"> <li>● <u>Promotion and advertising</u>: the online advertising of our products and services</li> <li>● <u>Internal group administration</u>: to enable members to benefit from the cross-usage policy across our health clubs</li> <li>● <u>Network and information security</u>; for example we use a range of tools to secure and protect our network and systems</li> <li>● <u>Reporting possible criminal acts/threats to competent authorities</u>, where applicable.</li> </ul> <p><b>Others' legitimate interests</b></p> <p>We operate CCTV at our clubs, spas, hotels and head office. We have entry systems to our clubs and we record calls to and from our call centres and the legal department. It is in the legitimate interests of anyone visiting our clubs, spas and hotels to have a secure and safe environment; of our callers to benefit from quality checks and to evidence calls made and received.</p>
<p><b>e. Personal information collected indirectly – categories</b></p> <p>The categories of personal information collected indirectly</p>	<p>We collect the following categories of personal information indirectly (e.g. from third parties):</p> <ul style="list-style-type: none"> <li>● Customer contact details and possibly the relationship, e.g. if someone buys products, services, vouchers or membership for you as a gift; this includes where a parent member registers a child member at a health club.</li> <li>● Marketing preferences, from Aspire and Cisco Meraki who provide wifi in our health clubs and hotels</li> <li>● Prospect name and contact details, to carry out prospect mailings.</li> <li>● References for job applicants or suppliers, from referees.</li> <li>● Statistics, from Google Analytics.</li> <li>● Direct messages and other data about interactions with individuals, from the social media platforms we use, Facebook, X, Instagram and TikTok. Agorapulse administer our social media channels (<a href="#">privacy policy</a>).</li> </ul>
<p><b>f. Recipients</b></p> <p>The recipients or categories of recipients of the personal information, if any</p>	<p>We may share your personal information with, as appropriate:</p> <ul style="list-style-type: none"> <li>● Self-employed (freelance) personal trainers, swimming instructors and class instructors who provide health club services for us</li> <li>● Our group companies (see section a above), where necessary to allow cross-usage of health clubs</li> <li>● Payment processors (to process payments, we use Tevalis, WorldPay and Nayax – <a href="#">Tevalis privacy policy</a>, <a href="#">WorldPay privacy policy</a> and <a href="#">Nayax privacy policy</a>);</li> <li>● A third party courier (for delivery of products ordered online)</li> <li>● A marketing services provider, Text Global, SendGrid, ConnexAI and Ndevor Systems Limited t/a Phorest, for sending marketing emails, WhatsApps and texts</li> <li>● Our debt collection agents, if you owe us money</li> </ul>

	<ul style="list-style-type: none"> <li>• Our health and safety advisers, if you have an accident.</li> <li>• Our legal advisers, for legal advice and representation</li> <li>• Processors, who process personal information on our behalf, such as our IT service providers. They will have incidental access to your personal information but will be obliged to keep it confidential, act only on our instructions, keep it secure, and help us with our data protection compliance where appropriate</li> <li>• Another business, in connection with a merger or acquisition with them.</li> </ul> <p>We will not otherwise disclose your personal information to any third party unless required or permitted to do so by law.</p>
<p><b>g. Transfers outside of the UK</b></p> <p>Where applicable, the fact that personal information is to be transferred to a third country or international organisation and the existence or absence of relevant UK adequacy regulations, or in the case of transfers subject to appropriate safeguards or non-repetitive, limited transfers based on compelling legitimate interests, reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available.</p>	<p><u>Our transfers</u></p> <p>We operate in the UK and do not need to transfer any personal information to third countries or international organisations.</p> <p>However some of our providers may transfer personal information to third countries in order to provide support or because they host personal information in a third country. For example:</p> <ul style="list-style-type: none"> <li>• We use Google apps, provided by Google, Inc.</li> <li>• Ndevor Systems Limited t/a Phorest (an Irish company) who provides our spa booking system/app and sends marketing emails, texts and WhatsApps stores data in Amazon Web Services (AWS).</li> <li>• MyZone who transfer marketing consents to the US</li> <li>• Aspire Technology Solutions (“Aspire”) (<a href="#">privacy policy</a>) and Cisco Meraki (<a href="#">privacy policy</a>) wifi who transfer marketing consents outside of the UK and EU.</li> <li>• Edward Robertson, our website provider may transfer your personal information outside the UK.</li> <li>• HOP Software, our hotel booking management provider may transfer your personal information outside the UK.</li> <li>• TextGlobal, SendGrid, ConnexAI and Ndevor Systems Limited t/a Phorest, our marketing campaign providers may transfer your personal information outside the EEA.</li> <li>• Zoom Media (ClubCom International Limited), our member benefit provider, may transfer your personal information outside the EEA.</li> <li>• Technogym UK Ltd provide the Bannatyne app and may transfer your data outside the EU (<a href="#">privacy policy</a>).</li> <li>• HealthHero who provide GP services may transfer your data outside the EU (<a href="#">privacy policy</a>).</li> <li>• Tevalis, Nayax and WorldPay may transfer data outside the UK.</li> <li>• Wellhub and epassi may transfer data outside the UK (<a href="#">Welhub privacy policy</a>)(<a href="#">epassi privacy policy</a>).</li> </ul> <p>Ireland's laws are considered essentially equivalent to the UK's under relevant UK adequacy regulations. Both</p>

	<p>Google, Inc. and AWS's transfers are made under standard data protection clauses. MyZone's <a href="#">privacy policy</a> set out the bases on which they transfer personal data.</p> <p><u>Further information about transfer options and explanation of technical terms</u></p> <p>Here is a short explanation of the options for transferring personal information to third countries or international organisations.</p> <p>First, transfers based on UK adequacy regulations, made by the Secretary of State. It is an assessment of another country's level of protection based on the following: (a) rule of law and other legal considerations (b) existence and functioning of an independent supervisory authority and (c) international commitments and obligations/participation.</p> <p>Secondly "appropriate safeguards" which may take several forms, including:</p> <ul style="list-style-type: none"> <li>• standard data protection clauses specified in UK regulations</li> <li>• standard data protection clauses specified in a document issued (and not withdrawn) by the Information Commissioner under UK data protection law</li> <li>• other contract clauses that have been authorized by the Information Commissioner</li> <li>• "binding corporate rules" which apply to a group of companies or enterprises engaged in a joint economic activity</li> <li>• an approved code of conduct or approved certification mechanism, which binds the organisation in the third country and can be enforced.</li> </ul> <p>Thirdly, "derogations" such as consent or contact performance, which can only be used in the absence of an adequacy decision or appropriate safeguards. Please note that the absence of adequacy regulations and appropriate safeguards creates possible risks for individuals. In the UK individuals have certain rights and remedies if the use of their personal information is unlawful. Individuals may not have the same rights and remedies if their personal information is used in a third country or by an international organisation.</p>
<p><b>h. Storage period</b></p> <p>The period for which the personal information will be stored, or if that is not possible, the criteria used to determine that period</p>	<p>The period for which we will store personal information is based on our need to fulfil our legitimate business needs, comply with applicable law, resolve disputes, and enforce our agreements. Our storage periods are:</p> <ul style="list-style-type: none"> <li>• CCTV is retained for up to 30 days in the health clubs and 30 days in the hotels and at head office.</li> <li>• Exercise cards of health club members are stored until the member leaves.</li> <li>• Unsuccessful job applicants' details are destroyed after 6 months</li> <li>• The cookies placed on your device will be readable by our site until they expire or you clear them or dispose of your device. Please see part 5, Cookies and similar technologies for further details.</li> </ul>

	<ul style="list-style-type: none"> <li>• Other personal information is stored for a maximum of 6 years after the end of the relationship with the individual.</li> </ul> <p>This is normally based on the "limitation period", the period of time that a legal claim can be brought. For a breach of contract, the limitation period is 6 years, so we may retain your details for up to 6 years after the end of the contract.</p>
<p><b>i. Individual rights</b></p> <p>The existence of the right to request access to and rectification or erasure of personal information or restriction of use concerning the individual or to object to use as well as the right to data portability</p>	<p>You have rights to make a request to us:</p> <ul style="list-style-type: none"> <li>• for access to your personal information</li> <li>• for rectification or erasure of your personal information</li> <li>• for restriction of processing concerning you</li> <li>• to object to our processing which is based on legitimate interests</li> <li>• to object to direct marketing</li> <li>• to object to archiving in the public interest, research and statistics</li> <li>• to port (transfer) personal information you have provided to us, either to you or to another provider.</li> </ul> <p>These rights are more complicated than the simple summary above. To find out more about them, please visit the <a href="#">Information Commissioner's website</a>. To exercise your rights, please contact our data protection officer or ask us for a form. Our contact details are in the "Identity and contact details" section a above, and "Data protection officer" section b above.</p> <p><u>Please make it clear which right(s) you want to exercise, for example by putting "right to object" in the subject line of the email if you wish to exercise the right to object. Thank you.</u></p>
<p><b>j. Withdrawal of consent</b></p> <p>Where the use is based on consent (for ordinary or sensitive personal information), the existence of the right to withdraw consent at any time, without affecting the lawfulness of use based on consent before its withdrawal</p>	<p>You have a right to withdraw any consent you give us at any time.</p> <p>This will not affect the legality of our consent-based use before you withdrew consent.</p> <p>If you withdraw your explicit consent to us holding your health data, we may not be able to provide you with our health club or spa treatments unless another legal basis applies.</p> <p>You can unsubscribe from email updates at any time by using the opt-out in email itself, or by replying STOP to text or WhatsApp marketing messages. Members can update their account settings in the member portal.</p> <p>To withdraw consent to cookies, please use the website cookie dashboard or adjust your browser settings (please see part 5, Cookies and similar technologies below for further details).</p>

	<p>To exercise your right to withdraw in any other case, please contact us. Our contact details are in the "Identity and contact details" section a above, and "Data protection officer" section b above.</p> <p><u>Please make it clear you want to exercise this right, for example by putting "Withdrawal of consent" in the subject line of the email. Thank you.</u></p>
<p><b>k. Complaints</b></p> <p>The right to lodge a complaint with a supervisory authority</p>	<p>You have a right to complain to the Information Commissioner, whose contact details are:</p> <p>Information Commissioner's Office  Wycliffe House  Water Lane  Wilmslow  Cheshire SK9  5AF  England  Telephone: 0303 123 1113.  Website: <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a>, including a live chat and web forms.</p> <p>You also have the right to complain to us. Please see "Additional Privacy Right to Complain to Controllers" in part 4 below.</p>
<p><b>l. Information collected directly – legal or contract requirement</b></p> <p>Whether the provision of personal information is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the individual is obliged to provide the personal information and of the possible consequences of failure to provide that information</p>	<p>If you are a customer, supplier, consultant, job applicant or interested person, we'll normally need your personal details (name and contact details) to provide products and services, receive products and services, process your application or answer your query or complaint.</p> <p>For suppliers and job applicants, we may also need your financial details (e.g. bank details and VAT number where applicable) so we can pay you.</p> <p>For customers using our health club, it is a contract requirement that you provide your bank details to set up a direct debit. We will not provide our services without these details.</p> <p>When using our health clubs, we ask you to complete a pre-exercise questionnaire and provide other health-related data. We may, if we consider it in your best interests, refuse access to all or some gym equipment if you fail to provide that information.</p> <p>When booking for a spa treatment, we ask you to complete a spa treatment questionnaire. We may, if we consider it in your best interests, refuse access to our spa or certain treatments if you fail to provide that information.</p>

	<p>When buying a product online, it is a contract requirement that you provide your contact details, the address to which any product should be delivered, and other mandatory information in the order process.</p>
<p><b>m. Sources of personal information collected indirectly</b></p> <p>The source of the personal information and if applicable, whether it came from publicly accessible sources</p>	<p>The sources of the personal information we collect indirectly are listed below.</p> <ul style="list-style-type: none"> <li>• If someone buys products, services, vouchers or membership for you as a gift, we will receive your personal information from them; this includes where a parent member registers a child member at a health club</li> <li>• Aspire and Cisco Meraki, who provides us with marketing preferences collected on registration for our wifi</li> <li>• Referees, who may provide references for job applicants or suppliers</li> <li>• Google Analytics, who provides us with <a href="#">statistics</a> about our site, including where visitors discontinue the order process. Please see Google's <a href="#">privacy site</a> and <a href="#">privacy policy</a> for further details.</li> <li>• Facebook, Instagram, TikTok and X, who enable us to advertise to users of their platforms.</li> </ul>
<p><b>n. Automated decision-making</b></p> <p>The existence of automated decision-making, including profiling. This means a decision based solely on automated profiling which produces legal effects concerning the individual, and which must not be based on special categories of (i.e. sensitive) personal information without explicit consent or substantial public interest, with safeguards. Meaningful information about the logic involved, as well as the significance and the envisaged consequences of the processing for the individual must also be provided.</p>	<p>We do not conduct automated decision-making. All such decisions about you will be made by humans.</p>

#### **4. Additional Privacy Right to Complain to Controllers**

Under section 164A of the Data Protection Act 2018, you have a right to make a complaint to us if you consider that the way we have handled your personal information breaches the UK GDPR. Please see 'Our complaints process' below for details.

##### ***Our complaints process***

<p><b>How to complain</b></p>	<p>You may use the contact details in the "Identity and contact details" section 3a above, and "Data protection officer" section 3b above, but that is not mandatory.</p>
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	<p>If you make a complaint through our social media channels, you will need to provide us with alternative way of contacting you, because social media is not generally a secure way of providing information. We will also normally ask you for an email or postal address if you make your complaint verbally or through any communication channel which makes it impractical for us to respond in the same way.</p>
<b>What we will need to investigate your complaint</b>	<p>Please explain clearly why you believe we have breached the UK GDPR in our handling of your personal information.</p> <p>Unless we already have ID for you or we otherwise confirm that we do not need further ID from you, we will need proof of ID (current driver licence or passport) from you before we can respond to your complaint.</p> <p>If you have a representative, we will need to check that your representative is authorised to act on your behalf before we investigate your complaint. The representative should send us a copy of an appropriate power of attorney or a signed letter of authority from you, authorising your representative to make the complaint to us on your behalf. If neither is possible, please contact us.</p>
<b>What we will do.</b>	<p>We will acknowledge receipt of your complaint within 30 days of receipt, where day one is the day after the date of receipt.</p> <p>If we need to further information from you, we will contact you to ask for it.</p> <p>We will then, without undue delay, take appropriate steps to respond to your complaint and inform you of the outcome of our investigations.</p> <p>Those appropriate steps will include making enquiries into the subject matter of the complaint (to the extent appropriate) and keeping you informed of progress.</p> <p>We will keep a record of your complaint, which we may show to the ICO or its successor.</p>

## 5. **Cookies and similar technologies**

### 5.1. **Introduction**

A cookie is a file containing a small amount of information that a website places on your device. Similar technologies include:

- Local shared objects (Flash cookies) – data that websites which use Adobe Flash store on your device
- Local storage (session storage and database storage) – a type of file placed on your device that can hold data, often related to video or audio content

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- Pixels – (also known as clear gifs, web beacons or web bugs) are code used on a web page or in an email notification. They are used to learn whether you've interacted with certain web or email content. This helps to measure and improve services and personalise your experience.
- Location-aware browsing – to ask where you are located so we can show you more relevant information

We use cookies and similar technologies to help us understand how people interact with our website. That means we can make improvements and develop the website in an informed way for our website visitors and members. It helps us improve your overall experience.

We use cookies which are essential to your use of the site (e.g. to shop); performance cookies (Google analytics) to collect site statistics; and functionality cookies to provide services such as the hotel table reservation feature and the wedding availability checker. Google may use targeting cookies for its own advertising purposes in conjunction with the hotel table reservation tool.

## 5.2. What cookies do we use?

We use these types of cookie ...	... for these purposes
<p><b>Strictly necessary cookies.</b> These cookies are generally used to store a unique identifier to manage and identify you as unique to other users currently viewing the website, in order to provide you with a consistent and accurate service.</p>	<p>To guard against cross-site forgery requests, remember previous actions (e.g. entered text) when navigating back to a page in the same session, managing logins and other security features, and to route visitors to specific versions of a site and to remember items put into an online shopping basket.</p>
<p><b>Performance cookies.</b> These cookies are used for performance and to improve the website.</p>	<p>For web analytics (we use Google Analytics – see how Google uses your data here: <a href="http://www.google.com/policies/privacy/partners">www.google.com/policies/privacy/partners</a>), ad response rates, affiliate tracking, error management and testing designs.</p>
<p><b>Functionality cookies.</b> These cookies will typically be the result of something you do, but might also be implemented in the delivery of a service not explicitly requested but offered to you. They can also be used to prevent you being offered a service again that had previously been offered to you and rejected.</p>	<p>To remember settings such as layout, font, preferences, colours; to remember a choice such as not to be asked again to complete a questionnaire; to provide information to allow an optional service such as to fulfil a request from you to submit a comment.</p>
<p><b>Targeting or advertising cookies.</b> These cookies contain a unique key that is able to distinguish individual users' browsing habits or store a code that can be translated into a set of browsing habits or preferences using information stored elsewhere. Cookies may also be used to limit the number times a user sees a particular ad on a website and to measure the effectiveness of a particular campaign.</p>	<p>With similar technologies, for online advertising. We use Facebook, LinkedIn, X, Google's DoubleClick and TikTok to promote our services and products and serve internet ads.</p> <p>We also use certain information to:</p> <ul style="list-style-type: none"> <li>● Identify new visitors to our website</li> <li>● Recognise returning visitors</li> <li>● Analyse the effectiveness of our advertisements and email campaigns.</li> </ul>

## 5.3. How to see individual cookies and withdraw consent to cookies and similar technologies

### 5.3.1 Cookies

Cookies change and their names and descriptions are not very user-friendly for most people, so we haven't listed them individually. If you want to see the cookies currently used on our website, they should be visible through your browser. (Please see below for instructions.)

To give or withdraw consent to cookies, please use the cookie dashboard on our website or adjust your browser settings.

There are different browsers and manufacturers upgrade them frequently. The best way to get the right instructions is to go to the manufacturer's support page. The following support/privacy pages (for some of the more common browsers) are correct as at February 2022.

- For Chrome, please see Google's support page here: <https://support.google.com/chrome?source=404#topic=9796470>
- For Internet Explorer, please see Microsoft's support page here: <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies>
- For Edge, please see Microsoft's privacy page here: <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy>
- For Firefox, please see Mozilla's support page here: <http://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
- For Safari, please see Apple's support page here for Macs: <https://support.apple.com/en-gb/guide/safari/sfri11471/mac> and here for mobile devices: <https://support.apple.com/en-us/HT201265>.

If you have problems with these pages, can't see individual cookies or want find out more about how cookies are handled within your browser, please go to the manufacturer's site and search for the browser name and your cookie query.

### 5.3.2 Flash cookies

To disable flash cookies (local shared objects) go to the Global Storage Settings panel of the online Settings Manager at Adobe's website at [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager03.html](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager03.html). This places a permanent flash cookie on the device, informing all other websites that you do not want flash cookies stored on your device.

### 5.3.3 Online advertising cookies

We use cookies and similar technologies for online advertising. To find out more and give or withdraw consent, please visit [www.aboutads.info/choices](http://www.aboutads.info/choices).

You can prevent Google's collection of data generated by your use of the site (including your IP address) by downloading and installing a browser plugin available at <https://tools.google.com/dlpage/gaoptout?hl=en>.

### 5.3.4 Local and session storage

You can delete local storage, session storage and database storage in the same way that you delete cookies.

### 5.3.5 Pixels

You cannot delete pixels but you may be able to disable them by disabling cookies or by using browser add-ons or extensions. Some pixels in emails can be disabled by selecting an option in your email application not to download images.

Please be aware that restricting cookies and similar technologies may impact on the functionality of our website.

5.3.6 Further information

To find out more about cookies, including how to see what cookies and other technologies have been set and how to manage and delete them, please visit <http://www.youronlinechoices.com/>.