



## **GDPR Privacy Notice for Activity Participants**

Data controller ("the Company"): All companies collectively known as The Lulworth Estate including:

Lulworth Castle Farms; Lulworth Heritage Ltd; Lulworth Landscapes Ltd; Lulworth Leisure; The Trustees of the Weld 1994 Settlement; The Trustees of the Weld Estate; Weld Enterprises Ltd and any other businesses operated by James Weld, Sara Weld and / or Eleanor Weld.

Controller's representative: James Weld

Data protection contact: Sue Raywood

### **Introduction**

The Company collects and processes personal information, or personal data, relating to its clients to manage the working relationship. This personal information may be held by the Company on paper or in electronic format.

The Company is committed to being transparent about how it handles your personal information, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information both during and after your working relationship with the Company. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all current and former clients. It is non-contractual and does not form part of any contract for services.

### **Data protection principles**

Under the GDPR, there are six data protection principles that the Company must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.

4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

The Company is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

### **What types of personal information do we collect about you?**

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e. where all identifying particulars have been removed. There are also "special categories" of personal information, and personal information on criminal convictions and offences, which requires a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

The Company collects, uses and processes a range of personal information about you. This includes:

- your contact details, including your name, address, telephone number and personal e-mail address
- your emergency contact details/next of kin
- your date of birth
- your gender

The Company may also collect, use and process the following special categories of your personal information (as applicable):

- information about your health, including any medical condition and whether you have a disability in respect of which the Company needs to make reasonable adjustments

### **How do we collect your personal information?**

The Company may collect personal information about clients in a variety of ways. It is collected during the booking process, either directly from you or sometimes from a third party such as a booking agent.

We will inform you whether you are required to provide certain personal information to us or if you have a choice in this.

Your personal information may be stored in different places, including in a booking file and in the Company's IT systems, such as the e-mail system.

### **Why and how do we use your personal information?**

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to perform the contract we have entered into with you
- where we need to comply with a legal obligation

We may also occasionally use your personal information where we need to protect your vital interests (or someone else's vital interests).

We need all the types of personal information listed under "*What types of personal information do we collect about you?*" primarily to enable us to perform our contract with you and to enable us to comply

with our legal obligations.

The purposes for which we are processing, or will process, your personal information are to:

- enable us to maintain accurate and up-to-date client records and contact details (including details of whom to contact in the event of an emergency)
- comply with the duty to make reasonable adjustments for disabled clients and with other disability discrimination obligations
- administer the contract we have entered into with you
- meet our obligations under health and safety laws
- enable us to establish, exercise or defend possible legal claims

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

### **What if you fail to provide personal information?**

If you fail to provide certain personal information when requested or required, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory or contractual rights.

### **Why and how do we use your sensitive personal information?**

We will only collect and use your sensitive personal information, which includes special categories of personal information, when the law allows us to.

Some special categories of personal information, i.e. information about your health or medical conditions is processed so that we can perform our contract with you.

The purposes for which we are processing, or will process, these special categories of your personal information, are to:

- comply with the duty to make reasonable adjustments for disabled clients and with other disability discrimination obligations
- administer the contract we have entered into with you
- ascertain your fitness to participate
- meet our obligations under health and safety laws

We may also occasionally use your special categories of personal information, where it is needed for the establishment, exercise or defence of legal claims.

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

### **Who has access to your personal information?**

Your personal information may be shared internally within the Company, including with members of staff, and with freelance members of staff contracted to Weld Enterprises Ltd for the necessary performance of their roles.

The Company may also share your personal information with third-party service providers in the case of a medical emergency including:

- emergency services
- our insurers, Arthur J Gallagher
- Lulworth trustees, directors and Savills

The Company may also share your personal information with other third parties in the context of a potential sale or restructuring of some or all of its business. In those circumstances, your personal information will be subject to confidentiality undertakings.

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We may share your personal information with third parties where it is necessary to administer the contract we have entered into with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

### **How does the Company protect your personal information?**

The Company has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from [gdpr@lulworth.com](mailto:gdpr@lulworth.com)

Where your personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

The Company also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

### **For how long does the Company keep your personal information?**

The Company will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal or health and safety requirements.

The Company will generally hold your personal information up to and including the duration of your booked activity. The exceptions is:

In the case of an accident or illness during the activity?

The Company will generally hold your personal information for six years from the date of any accident or incident. The exceptions are:

- If the accident or incident results in a civil claim or criminal proceedings, the information will be held for at least the duration of any claim or proceeding.
- If the accident or incident involves a child, the information will be held for three years after their 18<sup>th</sup>

birthday.

- If the accident or incident involves a hazardous or potentially hazardous substance, the information will be held for at least 40 years in accordance with current legislation.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

### **Your rights in connection with your personal information**

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes, e.g. you change your home address so that our records can be updated. The Company cannot be held responsible for any errors in your personal information in this regard unless you have notified the Company of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- request rectification of your personal information - this enables you to have any inaccurate or incomplete personal information we hold about you corrected
- request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground
- data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact [gdpr@lulworth.com](mailto:gdpr@lulworth.com). We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact [gdpr@lulworth.com](mailto:gdpr@lulworth.com). Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

### **Transferring personal information outside the European Economic Area**

The Company will not transfer your personal information to countries outside the European Economic Area.

### **Automated decision making**

Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you based solely on automated decision making, including profiling. However, we will notify you in writing if this position changes.

### **Changes to this privacy notice**

The Company reserves the right to update or amend this privacy notice at any time, including where the Company intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

### **Contact**

If you have any questions about this privacy notice or how we handle your personal information, please contact The Estate Office. Lulworth Castle, Wareham; BH20 5QS or [gdpr@lulworth.com](mailto:gdpr@lulworth.com)