

**Membership (Gym,Swim) Privacy Notice
Durham County Council
Regeneration and Local Services
Culture and Sport**

1. Who we are and what we do

Durham County Council
Regeneration and Local Services
Culture and Sport

The Culture & Sport Service provides a range of commercial services and activities which includes health and fitness membership schemes including gyms and swimming.

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

2. What type of personal information do we collect and how do we collect it?

If you have contacted us, we will collect:

- your name and
- your contact details (address, telephone number and or email address).

Depending on the reason for your contact with us, we may also collect:

- **your age/date of birth.** To assess eligibility for discounted rates e.g over 60, under 19.
- **your bank details.** Some memberships offer discounted rate for monthly payment direct from your bank.

Some of the above data is necessary in order to supply the service to you. All financial information is kept securely in line with industry standards.

We may collect this information:

- in writing
- through conversation with you (i.e. telephone or in person) or
- via digital means such as the website.

3. What is our power to obtain and use the personal data?

Lawful basis to process personal data is outlined in Articles 6, of the General Data Processing Regulations:

Lawful Basis

processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

Legitimate Interest

Legitimate interest: processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.

4. What is your personal information used for?

Memberships require the collection and use of personal data in the following context:

- To facilitate financial transactions between the customer and the service.
- To allow customer access into controlled areas of the leisure centre for the purposes of undertaking the chosen activity.
- To enable the customer to pre-book courses and activities included in the terms and conditions of their membership.
- To enable the service to contact the customer in the event of there being any disruption to the activities used by the customer.
- To provide the customer with service updates and planned improvements to the service and membership.

Participation in any of the above aspects of the service is entirely voluntary on the part of the customer and not bound by statute.

Durham County Council is responsible for the collection and secure storage of all data collected in connection with the services provided.

Your data will only be used as follows:

1. Where you provide personal information which is essential to accessing services.
2. Where you specifically indicate that you wish to receive marketing information on the range of services on offer.

As part of this process, when you choose to access our services; under point 1 above you will be agreeing to receive information about the service you have elected to use. When you 'opt in' to point 2 you will be agreeing to receive marketing information about the wider services provided by the Culture and Sport service as outlined in the original form..

For children under 16 parental approval will be required.

The Culture and Sport team collects and processes information about you to:

- help you to access our services.
- help you to use our facilities safely.
- inform future service delivery.
- administer your contract with us.
- inform you of any changes to, or disruptions in, any services.
- keep in contact with you and help you to make the most of our service offer.

Should you give your consent we will keep you informed of any events which may be of interest to you across our range of services. Consent may be withdrawn by you at any time by email or in writing.

Anonymised data may be used to support public health initiatives.

5. Will your personal information be shared?

In certain circumstances we do share your personal information.

When we share your information we do it with the following:

- External organisations where we have a statutory obligation to share such, as for the purposes of the prevention or detection of crime or for legal proceedings.

The council shares anonymised statistical data with others i.e. funding providers and national governing bodies who supply statistics.

6. How do we keep your personal information secure?

The security of your personal information is important to us. This is why we have a range of security policies and procedures to control and safeguard access to and use of your personal information. This includes the use of passwords and encryption where appropriate.

Further general details on our security arrangements can be provided on request or by visiting the website. If you suspect there may have been a data breach, or wish to make a complaint, please contact us immediately at dataprotection@durham.gov.uk.

7. How long will we keep your personal information?

The reason for your contact with us will generally determine how long we keep your data for. We will only keep any or all of your information for as long as it is necessary and proportionate to do so.

For example:

We hold your personal information in relation to the services referenced in section 1 for the life of their relevance and for a maximum period of one year afterwards for the purposes of audit and compliance.

For financial details where you have transacted with our services we are obliged to retain information for a period not exceeding seven years from the date the data is captured.

Further details on our retention guidelines can be provided on request.

8. Is your personal information processed outside the European Union (EU)

We do not process your personal information outside the EU.

9. Marketing (if applicable)

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

We will only market our services to you if you have expressly given us consent to do so via either a manual or digital form.

10. What are your Information Rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the:

- Right to be informed – this notice is provided to you by the Council in compliance with this right.
- Right of access – Please see www.durham.gov.uk/inforights
- Right to rectification – if you believe any information we hold about you is inaccurate, please let us know.
- Right to erasure – in some circumstances you may have a “right to be forgotten”. You will need to contact us and tell us what personal information you want to have erased. We will let you know if we can comply with your request and give reasons if we cannot.
- Right to restrict processing – if you are not happy with the way we are processing your data, you can ask us to stop processing it. We will let you know if we can comply with your request and give reasons if not.

- Right to data portability – if you have consented to us processing your data by automated means, and you request a copy of your data, we will provide it to you in an organised, frequently used and machine readable form within 1 month (or 3 if the request is complex).
- Right to object – this right applies if the lawful basis for processing your data is something other than consent. You will need to contact us and explain the nature of your objection. We will respond to your objection within 30 days.
- Rights related to automated decision making and profiling – if we apply automated decision making or profiling, you may have the right to request human intervention. You should contact us and set out your concerns. We will respond to you once we have considered your concerns.

To learn more about these rights please see the Information Commissioner's Office (ICO) website.

If something goes wrong with your personal information, or you have questions about how we use it, please contact the Data Protection Officer at DPO@durham.gov.uk.

If we have not been able to deal with your complaint, you can also contact the ICO:

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

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Fax: 01625 524 510

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