

Fitsolution Training Ltd General Data Protection Regulation 'GDPR' Privacy Notice

This privacy notice explains how Fitsolution Training (Hereafter "FST") collects and uses your personal data, and your rights in relation to your personal data held by us in relation to the General Data Protection Regulations (GDPR) which came into effect on the 25th May 2018.

How FST receives your Information

FST receives your data primarily as a self-referral where your data is provided directly by you.

What Information FST needs to collect

FST collects the following types of personal data about you:

- Personal information such as your name, date of birth, bank details and contact information.
- Specific medical information.
- Lifestyle habits such as nutrition and exercise.
- FST may also recommend collecting supplementary information about you to support the services it provides.

How FST uses your information

The privacy notice outlines how FST will use your data. This includes:

- To provide and optimise the services we offer you.
- To communicate new services and developments.
- For promotional content on social media platforms and the FST website.

My Client File

A unique client file is created for any client who attends a consultation with FST. This file could include;

- Food logs to inform dietary plans provided for you.
- Medical information related to the appropriateness of undertaking physical activity. This includes a mandatory Physical Activity Readiness Questionnaire (PAR Q) and any GP referral.
- Your name and signature at personal training sessions to track the sessions you have used as part of your pre-paid plans.
- Body measurements (such as your body mass index) if requested by you as a mean to track your progress against personalised goals.

Photography for promotional purposes

During sessions FST may use photography and videos of individuals and small groups for the company's website and social media presence. Clients complete a photography consent form for this to occur.

Clients always have the right withdraw consent and object to photography that includes them. This can be made prior to the image being captured or as a request for the removal of an image already published. In these circumstance clients will be asked to sign an updated consent form.

Personalised Session Plans

Personalised session plans are written on the studio's white board with the client's name indicated above their session plan. If you do not wish for your name to appear next to your session plan please let a member of the team know.

Data from Third Parties

FST does not sell any client data to third parties in any circumstances. Third parties are used to support the services we offer you and operate the business. For instance, FST receives information via the Wix app detailing any sessions you have purchased (group, yoga and Pilates) that helps Inform session plans. Clients wishing to pre-book group sessions must create a Wix account, which is covered by the platforms own [privacy policy](#).

The legal basis for processing your information

FST relies on several different legal basis depending on the processing being performed. This includes:

Consent – on specific occasions FST will only process certain data if you consent e.g. completing the Terms and Conditions, Photography Opt In form.

Necessary to comply with a legal obligation – FST may have legal obligations to provide limited personal data to complete accounting processes. This basis also informs the necessity to hold your data.

Data retention

FST retains personal information it collects from you where there is an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements).

When there is no ongoing legitimate business need to process your personal information, FST will either delete or anonymise your data or, if this is not possible, then your data will be securely stored and isolated from any further processing until deletion is possible.

For instance, in circumstances where a client terminates their sessions with FST then their client file will be kept for a maximum of 2 years unless the client invokes the right of erasure. Client's will need to complete the erasure form to ensure FST can understand and facilitate this request. Further guidance can be found about erasure below.

Your Rights

GDPR provides key rights to the individual and FST is committed to ensuring we are transparent about how we meet these rights.

FST Clients Right to be informed.

FST requires all clients to sign terms and conditions, which includes details of how FST will use their data and ensuring they provide their explicit consent. If you have any concerns or questions regarding how we use your data, then please speak to a member of the FST team.

FST Clients Right to Access

This guidance describes how you can access the personal data FST holds and the reasons for doing so.

❖ How to request your data

To request your data please fill in the subject access request form. You can request this form directly from FST via email, over the phone or in person.

❖ Information required and procedure to responding to data subject requests

The personal data requested should be clearly identified. FST may require confirmation of the identity of the data subject and/or the person making the request. FST will respond to requests within one month of receipt of the submitted request (provided sufficient information has been given to FST to enable the processing of the request).

❖ **Information containing personal data about third parties**

FST does not sell your data to third parties, however your information may contain personal data related to clients (such as data on group session participants). The request may therefore lead to a conflict between the data subject's rights of access and the third party's rights over their own personal information.

In responding to subject access requests FST will need to ensure that the rights of those third parties are not compromised by releasing the information. As the obligation on FST is to provide information rather than documents, redaction or editing may be used so that the third party information does not form part of the requested information.

FST Clients right to rectification

Individuals have the right to have inaccurate personal data rectified. If you become aware that FST have incorrect or incomplete information on you then speak to any member of the team to get this rectified. This can be in person, via e-mail or over the phone.

Simple requests, such as changes to contact numbers or misspellings, will be addressed with a matter of urgency. Where a request is considered complex in nature, or has implications to the business's legal requirements, then the request can take up to 30 calendar days to process.

FST Clients Right to erasure

This describes how you can request FST stops processing your personal data and request erasure. The right to erasure does not provide an absolute 'right to be forgotten' and there are circumstances where FST is bound by the businesses legal, tax or accounting obligations to hold onto your data for a set period.

Clients do have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed. For instance, where you no longer wish to continue with FST sessions.
- When you withdraw your consent.
- When you object to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal data was unlawfully processed.
- The personal data has to be erased in order to comply with a legal obligation.

You can request the erasure form by contacting FST directly in person, via email or over the phone and completing the erasure form.

FST Clients Right to restrict processing

If you wish to withdraw consent for the processing of your personal data or object to the processing of your personal data in certain instances please contact FST directly. Guidance will be provided from the FST team of any impact in requesting restrictions in relation to the service we can provide and any legal requirements we are duty bound by that would impede a request.

FST Clients Right to object

This right relates to your ability to object to FST processing your data for certain purposes. FST does not pass on your data to any other company for the purpose of marketing and all data is handled internally. Where FST provides opportunities with third party partners in the future explicit consent will be sought.

Right of Appeal

In all cases where FST declines a data subjects request in relation to any of the applicable GDPR Principles we will provide:

- The reasons we are not taking action.
- Your right to make a complaint to the ICO.
- Your ability to seek to enforce this right through a judicial remedy.

If you are dissatisfied with the outcome of the request, you have a right of appeal to the Information Commissioner's Office. Details follow for ease of reference.

By Post: Information Commissioner's Office

Wycliffe House

Water Lane Wilmslow

Cheshire

SK9 5AF

By Telephone: 01625 545 700

Via the Website: www.ico.org.uk