

Privacy Policy – Valid To 9th June 2022

Protecting Your Privacy

This is privacy notice of Blue Whale Spa Ltd.

We respect your privacy and are determined to protect your personal data. The purpose of this privacy notice is to inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from). We'll also tell you about your privacy rights and how the data protection law protects you.

Please find a list of topics we cover in this privacy notice.

Who we are

What is the purpose of this privacy notice?

This privacy notice aims to give you information on how we collect, hold and process your personal data securely when you interact with us through website, post, email, phone or visiting our showroom. We want you to be fully informed about your rights, and how the Blue Whale Spa Ltd. processes your data.

This website is not intended for children and we do not knowingly collect data relating to children.

You must read this privacy notice together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

It's likely that we'll need to update this Privacy Notice from time to time. You're welcome to come back and check it whenever you wish.

Data controller(s)

Blue Whale Spa Ltd. is the controller and responsible for your personal data (collectively referred to as "company", "we", "us" or "our" in this privacy notice). Our contact details are 11 Glaisdale Drive East, Nottingham NG8 4GU. For all data matters contact our customer service team on 0115 954 8888.

Third-party links outside of our control

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements.

When you leave our website, we encourage you to read the privacy notice of every website you visit.

What personal data we collect and why we collect it

What is personal data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

You can find out more about personal data from the [Information Commissioners Office](#).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Identity includes

- Your title, forename and surname and gender;
- Your marital status;
- Your date of birth and national insurance number;
- Copies of documents you provide to prove your age or identity where the law requires this. (including your passport and driver's licence). This will include details of your full name, address, date of birth and facial image. If you provide a passport, the data will also include your place of birth, gender and nationality.

Financial status includes

- Your residential status and address details for the last 3 years;
- Occupation, salary and annual income information;
- Employment status;
- Employer details and time periods in that occupation and with that employer and any other employers within a 3-year period;
- Your bank details, including your bank name and address, sort code, account number, account type and time period at your bank.

Contact includes

- Your title, forename, and surname
- Your billing address and delivery address
- Your personal or work-related (depending on which you choose to submit) e-mail address.
- Your personal or work-related contact details (depending on which you choose to submit) such as your telephone number(s), fax numbers and postal address;
- Your social media username, if you interact with us through those channels, to help us respond to your comments, questions or feedback.

Payment includes

- Bank account and/or Payment card information.

Marketing and Communications includes

- Your comments and product reviews;
- Your preferences in receiving marketing from us and our third parties/your communication preferences.

Transaction includes

- Order of products and or services;
- Payment records, invoices and credit note.

Profile includes

- Purchases or orders made by you/your interests/preferences/feedback.

Technical includes

- To deliver the best possible web experience, we collect technical information about your internet connection and browser as well as the country and telephone code where your computer is located, the web pages viewed during your visit, the advertisements you clicked on, and any search terms you entered. Information gathered by the use of cookies in your web browser.

CCTV includes

- Your image may be recorded on CCTV when you visit a shop or car park. Your car number plate may be recorded at some of our car parks to manage parking restrictions.

We'll only ask for and use your personal data collected for providing product and service. Of course, it's always your choice whether you share such details with us.

We also collect, use and share **aggregated data** such as statistical or demographic data for any purpose. Aggregated data may be derived from your

personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect your personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

How we collect your personal data

We use different methods to collect data from and about you include through:

Directly. You may give us your identity, contact, financial status, payment, Marketing and Communications by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- When you purchase a product or service on the phone, in a shop or online.
- When you create an account with us.
- When you engage with us on social media.
- When you contact us by any means with queries, complaints etc.
- When you book any kind of appointment with us, for example delivery, installation, repair, etc.
- When you choose to complete any surveys, we send you.
- When you comment on or review our products and services.
- When you fill in any forms.
- When you've given a third-party permission to share with us the information they hold about you.
- When our Finance suppliers – i.e. HITACHI Capital or Shawbrook Bank Limited share information with us about the product you have purchased.

- When you use our car parks and shops which usually have CCTV systems operated for the security of both customers and us. These systems may record your image during your visit.

How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

Performance of Contract this means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Legitimate Interest this means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities, please email: GDPR@bluewhalespa.co.uk.

Comply with a legal or regulatory obligation this means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third-party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by emailing to GDPR@bluewhalespa.co.uk.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, with the legal bases we rely on to do so.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please email GDPR@bluewhalespa.co.uk if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out below.

1.1 Purpose/Activity

To register you as a new customer and supply our products and services to you (Non-Finance application): (a) To respond to your queries about the product or service you are interested in. (b) Provide you with the relevant products or services information based on your queries. (c) To proceed with your purchase

1.2 Type of data

Contact

1.3 Lawful basis for processing including basis of legitimate interest

Performance of a contract with you

2.1 Purpose/Activity

To register you as a new customer and supply our products and services to you. (Finance application): (a) To pass your personal information to Finance supplier to process your finance application. (b) To inform you about the outcome of finance application. (c) To proceed with your purchase.

2.2 Type of data

(a) Identity (b) Contact (c) Financial status

2.3 Lawful basis for processing including basis of legitimate interest

Performance of a contract with you

3.1 Purpose/Activity

To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Schedule the visiting date for products or services (d) Evaluate the environment where tub will be installed. (e) Pass your detail to delivery courier or technical engineer

3.2 Type of data

(a) Contact (b) Payment (c) Transaction

3.3 Lawful basis for processing including basis of legitimate interest

(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us) (c) Necessary to comply with a legal obligation

4.1 Purpose/Activity

To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey (c) Communicating with you. This may include responding to emails or calls from you.

4.2 Type of data

(a) Contact (b) Profile (c) Marketing and Communications

4.3 Lawful basis for processing including basis of legitimate interest

(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)

5.1 Purpose/Activity

(a) To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you (b) Supplying you with information by email and post that you have opted-in to (you may unsubscribe or opt-out at any time by email to GDPR@bluewhalespa.co.uk)

5.2 Type of data

(a) Contact (b) Profile (c) Usage (d) Marketing and Communications (e) Technical

5.3 Lawful basis for processing including basis of legitimate interest

Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)

6.1 Purpose/Activity

To resolve any issues of our products during your usage: (a) To contact you to perform troubleshooting and obtain more information regarding the issue you submitted with use. (b) To visit your household to rectify any faults

6.2 Type of data

(a) Contact (b) Profile

6.3 Lawful basis for processing including basis of legitimate interest

(a) Performance of a contract with you (b) Necessary for our legitimate interests (to prolong the life of our product and keep our customer satisfied)

7.1 Purpose/Activity

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)

7.2 Type of data

(a) Contact (b) Technical

7.3 Lawful basis for processing including basis of legitimate interest

(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation

8.1 Purpose/Activity

To use data analytics to improve our website, products/services, marketing, customer relationships and experiences

8.2 Type of data

(a) Technical (b) Usage

8.3 Lawful basis for processing including basis of legitimate interest

Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)

9.1 Purpose/Activity

To make suggestions and recommendations to you about goods or services that may be of interest to you including (a) Remind you to book a service with us periodically (b) Remind you to purchase chemicals and filters periodically (c) Inform you about our developing warranty scheme

9.2 Type of data

(a) Contact (b) Technical (c) Usage (d) Profile

9.3 Lawful basis for processing including basis of legitimate interest

(a) Performance of a contract with you (to fulfill the warranty requirements) (b) Necessary for our legitimate interests (to develop our products/services and grow our business)

10.1 Purpose/Activity

To protect our customers, premises and assets from crime

10.2 Type of data

CCTV

10.3 Lawful basis for processing including basis of legitimate interest

Necessary for our legitimate interests

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email and telephone and text message and post with information, news, and offers on our products and services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us on GDPR@bluewhalespa.co.uk.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product or service experience or other transactions.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation

as to how the processing for the new purpose is compatible with the original purpose, please contact us on GDPR@bluewhalespa.co.uk.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

Who we share your personal data with

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

External Third Parties Service:

- Providers acting as processors that based in the United Kingdom who provide Finance services. Currently, we have two financial supplier partners, HITACHI Capital and Shawbrook Bank Limited.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.
- Delivery couriers who will deliver your goods.

Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. Additionally, we provide only the information they need to perform their specific services.

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

Finance

More specifically, when you purchase a product from Finance, your personal information collected by us will be securely passed to one or more of our finance supplier partners with your permission.

Personal information for finance application can include the following:

- your title, forename and surname and gender;
- your personal or work-related (depending on which you choose to submit) e-mail address.
- your personal or work-related contact details (depending on which you choose to submit) such as your telephone number(s), fax numbers and postal address;
- your date of birth and national insurance number;
- your marital status;
- your residential status and address details for the last 3 years;
- occupation, salary and annual income information;
- employment status;
- employer details and time periods in that occupation and with that employer and any other employers within a 3-year period;
- your bank details, including your bank name and address, sort code, account number, account type and time period at your bank;
- your contact and marketing preferences;

For more details about how our finance suppliers will process your data, please refer to the following link:

HITACHI Capital: <https://www.hitachipersonalfinance.co.uk/privacy-policy/>

Shawbrook Bank Limited: <https://www.shawbrook.co.uk/privacy-notice/>

International transfers

We will only store or transfer your personal data in the UK. This means that it will be fully protected under the GDPR.

We do not transfer your personal data outside the European economic area (EEA).

Data security

We know how much data security matters to all our customers. We will treat your data with the utmost care and take all appropriate steps to protect it.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We secure access to all transactional areas of our websites using 'https' technology. Access to your personal data is password-protected, and sensitive data is secured by SSL encryption.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

We will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see Your legal rights below for further information.

At the end of that retention period, your data will either be deleted completely or anonymised. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes

in which case we may use this information indefinitely without further notice to you.

Your legal rights

Unless subject to an exemption under the data protection laws, you have the following rights with respect to your personal data:

- The right to be informed about our collection and use of your personal data;
- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to withdraw your consent to the processing at any time, where consent was the lawful basis for processing your data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), where applicable (i.e. where our processing is based on consent or is necessary for the performance of our contract with you or where we process your data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to our processing of personal data, where applicable (i.e. where processing is based on our legitimate interests (or in performance of a task in the public interest/exercise of official authority); direct marketing or processing for the purposes of scientific/historical research and statistics).

If you wish to exercise any of the rights set out above, all subject access requests should be made in writing and sent to the email: GDPR@bluewhalespa.co.uk.

No fee required – with some exceptions

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable admin fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Changes to this notice and your duty to inform us of changes

This version was last updated on 22nd May 2018 and historical versions can be obtained by contacting us.

From 25 May 2018, there will be changes in data protection laws and we will then be able to respond to some of your requests (for example, a request for the transfer of your personal data). We are still working towards getting our systems ready for some of these changes.

Please keep us informed if your personal data changes during your relationship with us. It is important that the personal data we hold about you is accurate and current.

Queries, requests or concerns

To exercise all relevant rights, queries or complaints in relation to this policy or any other data protection matter between you and us, please in the first instance contact us on

Email address: GDPR@bluewhalespa.co.uk.

Postal address: GDPR, 11 Glaisdale Drive East, Nottingham, Nottinghamshire, NG8 4GU.

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England, UK.