

PRIVACY POLICY FOR PEAK PERFORMANCE

Date Created: 06-06-18

1.0 General introduction

1.1 Peak Performance Fitness Solutions Ltd ("We", "Us", "our", "www.peak-performance.org.uk", "peak performance") is committed to ensuring that your personal data is professionally managed in compliance with all applicable data protection laws. Part of this commitment is to ensure that there is transparency about how we process your personal data.

1.2 This privacy policy sets out:

1.2.1. What personal data we collect and process;

1.2.2. Why we process it and what we do with it;

1.2.3. Whether we will share it with anyone else;

1.2.4. Whether we will transfer it outside of the European Economic Area (EEA);

1.2.5. How we keep your data safe; and

1.2.6. Your rights.

1.3. The policy covers information that could identify you ("personal information") and information that could not ("non-identifiable information").

1.4 We use cookies on our website. Provided the cookies are not strictly necessary for the provision of our website and staffing services, we will ask you to consent to our use of cookies when you first visit our website.

1.5 We hope you find this Data Protection Policy helpful. By using our Site, you are accepting the practices described in this Privacy Policy. If there is any part of this policy that you are not happy about, your only alternative is to stop using the website.

2.0 Contact us

If you have any questions, please don't hesitate to contact us.

- Official email address: info@peak-performance.org.uk
- Business Address: The lodge, Britannia House, Caerphilly, CF83 3GG
- Business Telephone: 08006126834

3.0 Definitions

The data protection declaration of peak performance is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our customers and business partners. To ensure this, we would like to first explain the terminology used.

a) Personal data

Personal data means any information relating to an identified or identifiable natural person ("data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

b) Data subject

Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

c) Processing

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration,

retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

d) Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.

e) Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

f) Pseudonymisation

Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

g) Controller or controller responsible for the processing

Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

h) Processor

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

i) Recipient

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

j) Third party

Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

k) Consent

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

4.0 Name and Address of the controller

Controller for the purposes of the General Data Protection Regulation (GDPR), other data protection laws applicable in Member states of the European Union and other provisions related to data protection is:

Peak Performance

The lodge, Britannia House, Caerphilly, CF83 3GG

info@peakperformance.org.uk

08006126834

5.0 Personal data collected

5.1 We may collect and process certain types of personal data about you as follows:

- i. Identity data, including your first name and last name, marital status, gender, title and date of birth.
- ii. Contact data, including your billing address, home address, email address and telephone number.
- iii. Profile data – purchases or orders made by you, feedback and survey responses, preferences about the use of the services (including whether you are interested in certain events that we offer)
- iv. Transaction data, including details of payments between us and other purchases made by you.
- v. Technical data, including your internet protocol address, browser type and version, plug-in types and versions, time zone setting and location, operating system and platform and other technology on the devices used to access this site.
- vi. Usage data, including information about how you use our website, products and services.
- vii. Credit information – information about your previous credit history if applying for finance with us
- viii. Marketing data, including preferences in receiving marketing communications from us.

5.2 We may also record or monitor calls, emails, text messages and other correspondence for training purposes.

6.0 How we use the personal data collected

6.1 Where you have consented, we may use the personal data collected to:

- i. To improve the products and services we provide;
- ii. Optimize the content of our website as well as its advertisement;
- iii. To contact you in response to a specific enquiry;
- iv. To send you promotional emails about products, services, offers and other things we think might be relevant to you;
- v. Provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack;
- vi. Ensure you are provided with all the benefits of your membership with Us;
- vii. Comply with our legal obligations;
- viii. Allow us pursue our legitimate interests including:
 - analyzing our performance in delivering services and products to you;
 - market research, training and the administration of our website;
 - the prevention of fraud or other criminal acts;
 - undertaking credit checks for finance;
 - complying with requests from you including if you exercise any of your rights noted in this Data Protection Policy; and
 - Enforcing our legal rights or to defend legal proceedings and for general administration purposes.

6.2 Generally we do not rely on consent as a legal ground for processing your personal data other than in relation to sending marketing communications to you via email. You have the right to withdraw consent to marketing at any time by emailing info@peak-performance.co.uk or clicking unsubscribe at the bottom of any email received.

7.0 How We Protect Your Information

7.1 We implement a variety of strict security measures to maintain the safety of your personal information.

- 7.2 Your personal information is contained behind secured networks and is only accessible by a limited number of persons who have special access rights to such systems, and are required to keep the information confidential.
- 7.3 All sensitive/credit information you supply is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our databases to be only accessed as stated above.
- 7.4 Note that no data storage or data transmission over the Internet, or by other means, can be guaranteed to be 100% secure. We, therefore, cannot assure you or warrant the security of any information you transmitted to us. On this note, you understand, acknowledge and agree that the transmission of your personal information to our Site is at your own risk.
- 8.0 Data Retention
- 8.1 We will keep your personal information for as long as you are our client or member. After you stop being a client or member, we may keep your personal information for up to 6 years for one of the following reasons:
- to respond to any questions or complaints from you;
 - to maintain our records;
 - to comply with laws applicable to us.
- 8.2 We may, however, keep your personal data for longer than 6 years if we need to fulfill our contractual obligations to you, the law requires us to maintain it for a longer period or you have not withdrawn your consent.
- 9.0 Data storage
- 9.1 For the purposes set out in this Privacy Policy, we may process and store your personal information outside of the state or province in which you reside and/or outside of the United Kingdom, and under the laws of those other jurisdictions. In certain circumstances, courts, law enforcement agencies, regulatory agencies or

security authorities in those other states, provinces or foreign jurisdictions may be entitled to access your personal information.

10.0 Information Disclosure

10.1 Personal information

10.1.1 We comply with the EU General Data Protection Right Act.

10.1.2 Except as disclosed in this Privacy Policy, we do not sell, rent, transfer or exchange your personal information with any groups or businesses that is not part of Us without your express permission.

10.1.3 Section 10.1.2 does not include third-party service providers that provide services to us or directly to you on our behalf. When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service and we have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

10.1.4 We may release your information when required to comply with the law, enforce our site policies, or protect ours or others' rights, property, or safety.

10.1.5 Non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

10.2 Images

10.2.1 During the course of our coaching, events, workshops, social events, clinics, and volunteer activities, members of the peak performance coach board, coaching staff or any of our members may take photographs of you and others.

10.2.2 By becoming a member of peak performance, you consent to allowing your image to be used on our website, social media sites, newsletters, advertising, and other promotional materials.

10.2.3 Your images will never be used or sold for commercial purposes other than to promote the activities of the Club.

10.2.4 You or any other member may request that your personal images should not be used on our sites by writing to info@peak-performance.org.uk

11.0 Email communications and opting out

11.1 Email communications

11.1.1 You will receive marketing communications from us if you have:

- i. Requested information from us or purchased good or services from us;
- ii. Provided us with your details when you registered for a competition or a promotion or free resources; and in each case
- iii. You have not opted out of receiving that marketing.

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

11.1.3 If you have opted-in to receive our e-mail newsletter, peak performance may send you periodic e-mails.

11.1.4 If you would no longer like to receive promotional e-mail from us, please refer to the "Opting Out", section below to remove or modify information you have provided to us.

11.1.5 If you have not opted-in to receive e-mail newsletters, you will not receive these e-mails.

12.2 Opting Out

12.2.1 At any time you can unsubscribe from peak performance emails using the unsubscribe links contained in any email that we send you or by contacting us at info@peak-performance.org.uk or call 08006126834.

13.0 External links

13.1 Our websites may occasionally contain links to other websites. Although we try to link only to websites that share our top standards and respect for solitude, we are not responsible for the content or the privacy practices used by other websites.

14.0 Your Right

a) Right of confirmation

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact any employee of the controller.

b) Right of access

Each data subject shall have the right granted by the European legislator to obtain from the controller free information about his or her personal data stored at any time and a copy of this information. Furthermore, the European directives and regulations grant the data subject access to the following information:

- i. the purposes of the processing;
- ii. the categories of personal data concerned;
- iii. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- iv. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- v. the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- vi. the existence of the right to lodge a complaint with a supervisory authority;

- vii. where the personal data are not collected from the data subject, any available information as to their source;
- viii. the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

The data subject shall also have a right to obtain information as to whether personal data are transferred to a third country or to an international organization. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact any employee of the controller.

c) Right to rectification

Each data subject shall have the right granted by the European legislator to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact any employee of the controller.

d) Right to erasure

Each data subject shall have the right granted by the European legislator to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- i. The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- ii. The data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing.
- iii. The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- iv. The personal data have been unlawfully processed.
- v. The personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.
- vi. The personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by peak performance, he or she may, at any time, contact any employee of the controller. An employee of peak performance shall promptly ensure that the erasure request is complied with immediately.

Where the controller has made personal data public and is obliged pursuant to Article 17(1) to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required. An employee of the Peak Performance will arrange the necessary measures in individual cases.

e) Right of restriction of processing

Each data subject shall have the right granted by the European legislator to obtain from the controller restriction of processing where one of the following applies:

- i. The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.
- ii. The processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- iii. The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims.
- iv. The data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by Peak Performance, he or she may at any time contact any employee of the controller. The employee of Peak Performance will arrange the restriction of the processing.

f) Right to data portability

Each data subject shall have the right granted by the European legislator, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact any employee of the Peak Performance.

g) Right to object

Each data subject shall have the right granted by the European legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

The Peak Performance shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

If Peak Performance processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to Peak Performance to the processing for direct marketing purposes, Peak Performance will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by Peak Performance for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, the data subject may contact any employee of peak performance. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use his or her right to object by automated means using technical specifications.

h) Automated individual decision-making, including profiling

Each data subject shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) is not authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, peak performance shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

If the data subject wishes to exercise the rights concerning automated individual decision-making, he or she may, at any time, contact any employee of the peak performance.

i) Right to withdraw data protection consent

Each data subject shall have the right granted by the European legislator to withdraw his or her consent to processing of his or her personal data at any time.

If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact any employee of peak performance.

15.0 Complaints about how we manage your data

15.1 If you are not happy about the way we manage your data please contact us as quickly as possible by contacting your centre or usual contacts for providing our service. You may also write to the Data Controller – who will investigate your complaint and get back to you as soon as possible.

16.0 Children policy

16.1 Our services are used by people of all ages. We may accept website registrations and collect personal information from individuals under the age of 18. If you are under 18 we do not allow you to post information about yourself in any of our forums or community areas.

16.2 We accept no liability if the instruction above is ignored.

16.3 Children under the age of 18 must have a parent or guardian's consent before providing personal information to us. We do not wish to collect any personal information without this consent.

17.0 Security

17.1 We are committed to ensuring that your information is secure. In order to prevent unauthorized access or disclosure, we utilize various physical, electronic and managerial procedures to safeguard and secure the information we collect.

18.0 Cookies

18.1 Just like it is common with other websites, we also use cookie technology in web sessions to make sure you get the most out of our site and to enhance the service we offer.

- 18.2 The use of cookies, as explained above, is limited to the creation of a trace identification number every time you sign on to our site, and such cookies expire within a short time period after leaving our site.
- 18.3 To disable cookies, go to “Options” under “Tools” menu. You can also use the 'Help' option in your browser for more details: If you choose to disable cookies, you may not be able to participate in some or all of the features offered through our Site.
- 19.0 Social Plugins
- 19.1 We use so-called social plugins (buttons) of social networks such as Facebook, Google+ and Twitter.
- 19.2 When you visit our websites, these buttons are deactivated by default, i.e. without your intervention they will not send any data to the respective social networks. Before you can use these buttons, you must activate them by clicking on them. They then remain active until you deactivate them again or delete your cookies. Please see section 18 for further details regarding our use of cookies.
- 19.3 After their activation, a direct link to the server of the respective social network is established. The contents of the button are then transmitted from the social network directly to your browser and incorporated in the website.
- 19.4 After activation of a button, the social network can retrieve data, independently of whether you interact with the button or not. If you are logged on to a social network, the network can assign your visit to the website to your user account.
- 19.5 If you are a member of a social network and do not wish it to combine data retrieved from your visit to our websites with your membership data, you must log out from the social network concerned before activating the buttons.
- 19.6 We have no influence on the scope of data that is collected by the social networks through their buttons. The data use policies of the social networks provide information on the purpose and extent of the data that they collect, how this data is

processed and used, the rights available to you and the settings that you can use to protect your privacy.

20.0 The legitimate interests pursued by the controller or by a third party

20.1 Where the processing of personal data is based on Article 6(1) lit. f GDPR our legitimate interest is to carry out our business in favor of the well-being of all our employees and the shareholders.

21.0 Period for which the personal data will be stored

21.1 The criteria used to determine the period of storage of personal data is the respective statutory retention period. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfillment of the contract or the initiation of a contract.

22.0 Policy Acceptance

22.1 You understand that you are not under any force to provide your personal information. Any personal information you provided is with your full permission, and desire to provide such personal information.

22.2 We are under any obligation to verify the source from which the personal information about you is provided to us, and they are considered to be provided by you, except you show to us within a period of 15 days from the date of providing us with such information to our contentment, that the information was provided to us without your free consent.

23.0 Legal Basis For The Processing

23.1 Art. 6(1) lit. (a) GDPR serves as the legal basis for processing operations for which we obtain consent for a specific processing purpose.

23.2 If the processing of personal data is necessary for the performance of a contract to which you are a party, as is the case, for example, when processing operations are necessary for consultation or coaching, the processing is based on Article 6(1) lit.

(b) GDPR. The same applies to such processing operations which are necessary for carrying out pre-contractual measures, for example in the case of inquiries about our coaching and consultation services.

23.3 If our company is subject to a legal obligation by which processing of personal data is required, such as for the fulfilment of tax obligations, the processing will be based on Art. 6(1) lit. (c) GDPR. In exceptional cases, the processing of personal data may be necessary to protect your vital interests.

23.4 Finally, processing operations could be based on Article 6(1) lit. f GDPR. This legal basis is used for processing operations which are not covered by any of the abovementioned legal grounds, if processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data. Such processing operations are particularly permissible because they have been specifically mentioned by the European legislator.

24.0 Severability

24.1 If any provision hereof is held illegal, invalid or unenforceable by any competent authority in any jurisdiction, such illegality, invalidity or unenforceability shall not in any manner affect or render illegal, invalid or unenforceable such provision in any other jurisdiction or any other provision hereof in any jurisdiction.

25.0 Updating this privacy policy

25.1 We reserve the right to update this privacy policy by posting the latest version on this website.

25.2 If at any time we decide to use Personal Data in a manner significantly different from that stated in this Privacy Policy, or otherwise disclosed to you at the time it was collected, we will notify you by email, and you will have a choice as to whether or not we use your information in the new manner.

25.3 Users are advised to periodically check this page to be sure they are familiar with any changes.