

PRIVACY POLICY.

FOR CUSTOMERS

Version 2: August 2020*

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1. Introduction and Summary

Hello and welcome to our Privacy Policy. This policy specifically relates to Simon Says Dance Ltd only and details the types of personal data we may collect about you when you interact or register with us. Furthermore, this policy explains how we store and handle that data whilst maintaining its safety.

There is a lot of information contained within this policy, but it is your legal right to be fully informed. Therefore, by reading this document in full, you should receive the detail required to understand what Simon Says Dance Ltd does with your data and how we maintain contact with you using the data you provide. This document also explains how 'cookies' may influence your user-experience via our website and third-party booking system whilst also detailing how you can opt-out of our direct marketing.

EU GDPR – Data Protection Regulation 2018

The introduction of the new GDPR (General Data Protection Regulation 2018) in May 2018 outlines new rules for the way businesses collect data. To use our services, we must collect, use and hold some of your personal and contact data.

With this new regulation, you can change the way we use your data or 'opt-out' of certain items at any time by emailing us: info@simonsaysdance.com. Please note that if you choose to opt-out of certain items, you may be unable to access some or all of our services. Read on to understand more.

For the ease of understanding this document, 'data', refers to any personal details we collect from either yourself or in relation to your child.

To ensure we are always compliant, we may need to update this Privacy Policy at any point. Any significant changes that are likely to influence you as a consumer, will be communicated via email. Of course, as this is a public document, you can view it 24/7 should you need to at www.simonsaysdance.com.

2. Simon Says Dance Ltd

Simon Says Dance Ltd, trading as Simon Says Dance, is a dance company registered in Scotland – Company Registration No.: SC559342.

Simon Says Dance is Edinburgh-based and offers dance classes for ages 3yrs+. We also offer holiday camps and birthday parties.

This means we collect, process and store data relating to children aged 3+ and adults, including parents and family members (if disclosed).

See more about us at: www.simonsaysdance.com

Simon Says Dance Ltd is registered with the ICO as a Data Processor and Data Controller.

3. The legal bases in which we rely on to collect your data

Data protection law outlines a number of reasons for which a company may collect and process your data, including:

CONSENT

In certain circumstances, we can collect and process the data you provide us with your positive consent.

For example, like when you 'tick' a box to receive monthly newsletters.

CONTRACTUAL OBLIGATION

In some cases, we need you or your child's personal data to comply with our contractual obligation to you.

For example, if you book your child into a class with us, we require your contact details including home address and phone number as well as your child's notable medical information in the event of an emergency.

LEGAL COMPLIANCE

If the law requires us to, we may need to collect and process your data.

For example, we may need to pass on your data to the police if by chance, you or your child is involved or subject to criminal activity. During Covid-19, we may be required legally to collect, process and share your data for track & trace purposes as requested by the Scottish Government.

LEGITIMATE INTERESTS

In specific situations, we require your data to pursue our legitimate interests in a way that may reasonably be expected, to be able to run our business. Such action does not materially impact on your rights, freedom or interests.

For example, we may use your email address to contact you with specific information relating to your child/our services in which they take part, important notices or changes and any other relevant information that is fundamental in our contractual obligation to you as our customer.

4. When do we collect your data?

- When you book a class for either yourself or your child
 - This is done through the third-party booking system 'Class4Kids'
- When you book a service/offering with us, including holiday camps and birthday parties
 - Holiday camps are booked through the third-party booking system 'Class4Kids'
- When you hire our premises
- When you buy any merchandise or other items we sell at any given time
- When you contact us with a query or complaint via email, telephone, social media or in person
- When you complete any surveys or questionnaires
- When you complete any online forms (when applicable) for specific reasons
- When you use our premises (or any premises that we operate in) that uses CCTV – these systems may record your image during your visit but only for safety reasons within public areas
- Whilst Covid-19 restrictions and guidelines exist, we may be required to collect data for test & trace purposes for certain offerings

5. What sort of data do we collect?

We use three third-party companies to support our business. For our website hosting, we use 'Weebly'. For class bookings, we use 'Class4Kids' and for online payments through Class4Kids, we use 'Stripe'. From time-to-time, we use Mailchimp, SurveyMonkey and Google Forms for marketing purposes.

Please note that any third-party company we use has their own and separate Privacy Policy, viewable on the links below - beware when using external sites:

Weebly: <https://www.weebly.com/uk/privacy>

Class4Kids: <https://www.class4kids.co.uk/privacy>

Stripe: <https://stripe.com/gb/privacy>

Mailchimp: <https://mailchimp.com/legal/privacy/>

SurveyMonkey: <https://www.surveymonkey.co.uk/mp/legal/privacy-policy/>

Google Forms: <https://policies.google.com/privacy>

If you open a Class4Kids account and register your child on the Class4Kids/Simon Says Dance database, we will ask you (as the parent) for:

- Your full name
- Home address
- Email address
- Telephone number
- Emergency contact number(s)

We will also ask for details in relation to your child (if applicable, for U18s) including:

- Full name
- Gender
- Date of birth
- Notable medical information relevant (in cases of emergency)
- Passport/Birth certificate details (for Competition and Examination purposes only)

In the interest of clarity, children or young adults under the age of 18 are not permitted to sign themselves up to any Simon Says Dance Ltd offering or service, due to the financial tie attached. Parental consent is required for admission to any offering or service with us and therefore parents/legal guardians must act on their behalf when registering.

If you pay via our Class4Kids booking site, you will use another third-party company called 'Stripe' to process and safely handle your payment. You will be required to issue your personal data through their secure site, including payment details.

If you get in touch with us for any other reason, specifically through our website 'contact form', we collect the following personal data through our website host, Weebly:

- Full name (and on occasions, your child's full name)
- Email address

We may collect certain personal data from you when using Mailchimp/SurveyMonkey services - including but not limited to:

- Full name(s)
- Contact number(s)
- Email addresses
- Opinions/Feedback (through surveys or questionnaires)

If you wish to hire our premises for any reason, we will collect the following information from you:

- Full name/Company name
- Contact number plus emergency contact number
- Email address
- Signature for proof of identity/agreement to our Terms & Conditions

Further to the above, it may be necessary for us to request further information from you for health, safety and security purposes. For example, if you are a Zumba teacher hiring our premises, we may ask you to produce a proof of public liability insurance to comply with our own insurance policies in place at the time of intended hire.

It's at your own discretion which information you choose to share with us - whether it be directly or via one of the third-party companies we use. Remember, some or all platforms may require essential information to meet contractual obligations to you, as a customer.

We operate CCTV at our premises, **32 Inglis Green Road, Edinburgh EH14 2ER**, for the purposes of student & staff safety and crime prevention. Your image, including vehicle registration, may be recorded if you attend the above address.

Throughout the Covid-19 Pandemic, we may collect personal information from you for the purposes of track & trace as requested by the Scottish Government. This may include your full name and contact number.

6. How and why do we use your data?

We only collect the data about you that is absolutely essential. It is important, given the vulnerable nature of our clientele, that we collect reasonable contact details from parents or guardians, to be able to make prompt contact with them in the event of an emergency for any reason.

To meet our contractual obligation to you as a customer, we will use your email address and mobile number to:

- Send confirmations of class bookings you have made
- Send confirmations of class bookings that you have requested we make on your behalf
- Send invoices of payments/outstanding payments
- Inform you of any class changes or urgent notices
- Notify you of any notable changes in Simon Says Dance policies or procedures
- Notify you of any other relevant information that directly affects you as a customer

We will only use your email address to send you marketing/promotional material if we have your consent to do so. Just so you know, we sometimes use Mailchimp to send email marketing campaigns.

Of course, you can change how we use your data and request that we do so by emailing info@simonsaysdance.com but please remember that some changes may result in us not being able to provide you with the services you have originally requested and may therefore result in request refusal.

For example, if your child is an active student and you've asked us to remove your email address and telephone number from our records we would be unable to contact you about class changes, new term notices, outstanding balances and other important information relating to you/your child's class. In scenarios like this and depending on your individual situation, we may reasonably refuse any request you make. Read more about requests in section 12.

Information you provide (especially your child's personal data) will be used for the purposes of class placement and class registers (name and age) – if you do not provide us with certain details, we are unable to fulfil our contractual obligations to you.

For example, if you fail to provide your child's correct date of birth, we are unable to place your child in the correct class for their age group – meaning we are unable to fulfil our service to you.

To ensure the maximum safety and protection of our business premises, we operate 24hr CCTV – which is recorded and stored for up to 2 weeks after live recording. We do this on the basis of our legitimate business interests.

If we, by chance, discover any criminal activity through our CCTV recordings, we will contact the relevant authorities accordingly and transfer any recordings in line with any lawful request. This is to protect the individuals who use our premises.

On the subject of law, we may use your data and share this with law enforcement.

For example, when a court order is submitted to share data with law enforcement agencies or a court of law – we are obliged to provide the personal data we have collected about you.

We may need to share your personal data with other appropriate organisations/authorities such as the NHS/Government/Local Council, especially during Covid-19 for track and trace purposes.

For example, if there is a Covid-19 case discovered at our premises and you were on the premises on the day/time, we may pass your details to the appropriate organisations for them to contact you and advise you on the specific measures to take.

Only Simon Says Dance staff or duly authorised sub-contracted staff or volunteers can access or view your personal data – and only under legitimate business interests.

7. Direct marketing and opt-out

Simon Says Dance will only ever contact you with relevant and honest marketing material if we have your consent to do so. If we do have your consent, we may periodically contact you via email or text, to offer you our services in which we feel you would be genuinely interested in.

To support our marketing efforts, we may also use Mailchimp. To be able to use this service, we must upload your email address to their website for us to be able send out marketing campaigns or similar. You will not receive marketing or promotional emails through Mailchimp if we do not have your consent and you can opt-out at any time after consenting.

For example, if your child enjoys their current dance class and we launch a new offering that we feel you/your child would be interested in – we may contact you to see if you would like to know more about the service. This includes holiday camps and events.

It's worth noting that we do not share your data with any other third party than those mentioned above in part 5 under our contractual obligation to you.

Of course, if you no longer wish to receive direct marketing through email, text or Mailchimp regarding Simon Says Dance offerings that may be of interest to you, then you can request to **opt-out** by either:

- Emailing: **info@simonsaysdance.com**
- Clicking 'Unsubscribe' at the foot of an email (Mailchimp platform only)

Remember, by opting-out, we may be unable to offer some of our services to you and you may miss out on some exciting stuff that goes on from time-to-time with Simon Says Dance.

For example, if you ask us to remove you from the email/text mailing list(s), you will only receive information that is specific to your/your child's class and you will not receive any updates regarding new classes, upcoming holiday camps, special offers or similar.

If you are in any doubt however, please say hello as we'd be happy to clarify.

8. How we protect your data

Security of your data is extremely important to us and we have tried our best to ensure that the third-party companies we use to support our business, hold sufficient security procedures and protection.

Class4Kids - the data processor - who collects and stores your personal data on behalf of Simon Says Dance – the data controller – have their own security statement within their Privacy Policy, viewable at: <https://www.class4kids.co.uk/privacy>

Weebly – our website host and data processor – who collects some of your personal data on behalf of Simon Says Dance, have their own security statement within their Privacy Policy, viewable at: <https://www.weebly.com/uk/privacy>

Stripe - our online payments handler through the Class4Kids booking site have their own security statement within their Privacy Policy, viewable at: <https://stripe.com/gb/privacy>

Mailchimp – the online email marketing tool we sometimes use, have their own security statement within their Privacy Policy, viewable at: <https://mailchimp.com/legal/privacy/>

SurveyMonkey – the online survey/questionnaire tool we sometimes use, have their own security statement within their Privacy Policy, viewable at: <https://www.surveymonkey.co.uk/mp/legal/privacy-policy/>

Google Forms – the online survey/questionnaire tool we sometimes use, have their own security statement within their Privacy Policy, viewable at: <https://policies.google.com/privacy>

Main Simon Says Dance computing equipment is password-protected, as is the access to the third-party websites we use to support our business, highlighted above.

Only staff or duly authorised volunteers/sub-contractors (e.g. teaching staff) are able to view any personal data you provide to us – the aforementioned can only access or process any information you provide if they have signed a GDPR compliant data protection/confidentiality agreement.

9. How long will we keep your data?

We only keep the data you've provided to us for as long as is necessary.

For example, if you book a class through Class4Kids with us from April to June 2020, we will hold your details on our side of the Class4Kids system until the end of June 2020 as we will use your personal data to get in touch and offer to re-enrol your child to the following term.

Of course, you can decline such an offer whereby we remove your details from our active class registers. From that point, your details will be held on our Class4Kids database for up to 12 months, unless you request otherwise. Beyond this point, we may still retain certain information regarding any payments/transactions you have made to us to meet our own legal obligations.

Any contractual documents such as room hire agreements in which you share personal data with us, will be kept for up to 6 years after final hire due to our own legal obligations regarding retention of financial records.

Financial data, including payroll documents and transaction details, may be stored for a period of up to 6 years after you cease activities with us due to our own legal obligations regarding retention of financial records.

Any other personal data you share with us like contact information via alternate methods such as track and trace, email or text are deleted 18 months after collection, unless you request us to remove such details before then.

Please note, when you register any details with Class4Kids, Stripe, Weebly or Mailchimp you hereby follow their Privacy Policy and their duration of data retention may differ from ours.

We can remove your details via the Class4Kids database at any time - to request to have your details removed, please email us at info@simonsaysdance.com or contact Class4Kids at support@class4kids.co.uk.

Remember, if your child is a current student of ours and you request to remove some or all of your/their personal data you shared with us, we may be unable to offer some or all of the services you requested when originally signing up and we may be unable to carry out your request if you:

- **1)** Are still an active student with us – we need to have essential details about you/your child to fulfil our contractual obligation to you
- **2)** Have an outstanding financial balance due to us, linked to a service we have provided to you – until such an amount is settled

Note: web data is electronically deleted/removed and any data in hard-copy format is disposed of via an appropriate confidential waste method.

10. Who do we share your data with?

Other than the companies mentioned above who support our business activities (Weebly, Class4Kids, Stripe, Mailchimp, SurveyMonkey, Google Forms) we **DO NOT** share or sell your personal data to any other third party company, unless the specific circumstance below applies to you/your child:

If you are a student who takes part in Examinations and/or Competitions, we are sometimes required to share personal information with external organisations such as Educational Bodies and Competition Providers. This may include a copy of either your Passport or Birth Certificate for proof of identity. We only share this information if you (as a parent/guardian or responsible adult) permit us to.

Your personal data is important to us, so it's important that we only use it for our specific business purposes – nothing else.

Remember, it may be necessary for us to share your information with local authorities, law enforcement and for any other legal reason and in such cases, **we do not require your consent to do so.**

11. Where your data may be processed

As a business, Simon Says Dance Ltd only operates inside the European Economic Area (EEA) and therefore does not process the data that we receive from our operational support companies (Weebly, Class4Kids, Stripe, Mailchimp, SurveyMonkey and Google Forms) outside the EEA.

Of course, as we use third-party companies to support our business, there is a chance that your data is processed outside the EEA before it reaches Simon Says Dance Ltd. Please refer to the respective company Privacy Policies for further guidance, links in Part 5.

Otherwise, it may be necessary from time-to-time for staff or volunteers to process your personal data (such as a name) privately between you and/or staff on social media platforms like Facebook, Instagram or WhatsApp for the purposes of:

- Amending or updating class details and/or registers at short notice
- Informing teaching staff or similar of any important changes at short notice
- Co-ordinating events, competitions or similar quickly and easily
- Updating any records, with information you've provided via the above platforms

For example, your child may suddenly be unable to attend one of our classes – 15 minutes before it starts. You get in touch with us by messaging via Facebook and tell us insert child name here cannot attend – sharing personal data. In this case, it is too-short notice to inform the teacher via email about the change and they may be unable to take a phone call, so we may have to message the teacher your child's name to inform them of the absence – simply so the teacher is aware and so as not to raise any wellbeing concerns for the child.

Our staff will only process data like this between other staff on social media/messaging platforms, privately. This will only be done if considered absolutely essential - under reasonable and sometimes urgent circumstances

As a parent, student or attendee you can also, at your own discretion and responsibility, join any Facebook/Instagram group or page that is created by Simon Says Dance Ltd. By doing so, you accept that you are wilfully sharing your own personal data on a Simon Says Dance Ltd associated group or page that is either publicly viewable or viewable to other private group members through:

- 1) Sharing your name (via your Facebook/Instagram username)
- 2) Sharing your image (via a profile photograph of yourself)
- 3) Sharing any other personally identifiable data yourself, wilfully

For example, we have our public Facebook page which is viewable to anyone, publicly, who visits online. If you choose to comment or share any personal data (like names, addresses, phone numbers etc) on our public feed, other Facebook users may be able to see this data too. If you were to instead message us privately on Facebook through Messenger, this information is held strictly between the staff member and data subject only.

Remember, Facebook, Instagram and WhatsApp operate their own privacy policies which are applicable when you use their respective sites/apps:

Facebook: <https://www.facebook.com/about/privacy/update>

Instagram: https://help.instagram.com/519522125107875?helpref=page_content

WhatsApp: <https://www.whatsapp.com/legal?eea=1#privacy-policy>

Such social media pages or groups associated with Simon Says Dance Ltd are only created for genuine business purposes and to assist the efficient and informative service we provide to our customers.

You, as a data subject, should not wilfully share any specific personal or sensitive data about yourself publicly on any Simon Says Dance Ltd associated social media platform – only do so at your own discretion and awareness of the potential risks of sharing such data.

Any personal data that is wilfully shared with Simon Says Dance Ltd on social media platforms is carefully and professionally collected and processed by staff only. Although we do so to the best of our ability, we do not recommend sharing sensitive data (like addresses, phone numbers, medical records or bank details) this way due to discrepancies and risks in social media security. We recommend that you email any personal/sensitive data instead, if circumstances permit.

PHOTOGRAPHY / VIDEOGRAPHY

We will only process or share personal data such as photography and videography for marketing purposes, if you have permitted us to do so.

12. Your rights to privacy

It's important to know your rights. Let's break things down:

What you can request:

- Access to the personal data we hold about you or your child – free of charge
- That we correct or amend any personal data we hold about you e.g. new phone number or email address
- That we no longer send marketing or promotional material to you

If you wish to access, amend or remove the personal data that we hold about you or your child, please email us: **info@simonsaysdance.com** and allow for up to 30 days for your request to be actioned.

If we cannot satisfy your request for any reason, we will let you know why – this includes refusal of your request and any uncontrollable delays we may face in obtaining your information at short-notice.

Remember, if you've opted-in at any point with us (or any company) to use or process your personal data, it is your legal right to be able to withdraw your consent at any time. You can do this by following the contact method above.

We may, from time-to-time, rely on legitimate interest for using or processing your data however you may ask us to stop doing so in relation to your specific circumstance using the contact method above. We will action such requests only if we do not have a genuine reason to continue using or processing your personal data.

You can request that we stop using your personal data to contact you with marketing/promotional material at any time, even if you have given us previous consent. We will always honour such a request which should be made using the contact method above.

Remember, it may take our (and third-party company) systems a short period of time for any changes to preferences to take effect, which means you may receive some communications in the period of 'cross-over' until systems are fully updated.

13. Cookies (the electronic ones!)

By continuing to use www.simonsaysdance.com, or the "Site", without acknowledging or taking action on the Cookie Notification that appears on the home page, you hereby agree to our/Weebly's use of cookies in the manner described in this notice.

Cookies are small text files that are stored on your browser or hard drive on your computer, or other device, when you visit the Site. This basically allows the Site to recognise you, as a user, for the duration of your Site visit (using a 'session cookie') or for repeat visits (a 'persistent cookie'). These are not harmful in any way and do not contain any sensitive data such as your date of birth, address or card details.

Effectively, cookies are in place to improve user experience when visiting websites, including ours. We use cookies for a number of purposes - some of which are strictly necessary, including but not limited to items such as language preferences and other user settings. Note that some cookies are automatically 'enabled' on browsers/devices, but read on should you need help on how to adjust your preferences regarding cookies.

We use Weebly to host our website, refer to their statement regarding cookies within their privacy policy, here: <https://www.weebly.com/uk/privacy>

Remember, if you are using any external website including Class4Kids, Stripe or Mailchimp, their own privacy and cookies policy should be acknowledged/understood before website use.

You can manage the cookies on your computer or devices through your internet browser/settings - help links provided below. Please note that Simon Says Dance is not responsible for the content of external websites:

Firefox: <http://support.mozilla.org/en-US/kb/>

Internet Explorer: <https://support.microsoft.com/en-us/help/17442/windows-internet-explorer-delete-manage-cookies>

Safari: <https://support.apple.com/kb/PH19214>

Chrome: <http://support.google.com/chrome/bin/answer.py?hl=en&answer=95647>

If you choose to disable cookies use, then you may restrict your user experience on not only our Site, but also the websites of the third-party companies we use to support our business activities.

14. Relevant contact information

We really hope this policy has been clear and helpful in allowing you to understand the way we handle your data, including your rights over it.

If by chance you have a question that hasn't been discussed above, or simply want to discuss our Privacy Policy further, feel free to contact us by:

- **Email:** info@simonsaysdance.com
- **Post:** SSDHQ, 32 Inglis Green Road, Longstone, Edinburgh, Scotland, EH14 2ER

To find out more information regarding the GDPR and to make any complaints, please visit the governing body website at: www.ico.org.uk

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info@simonsaysdance.com

www.simonsaysdance.com



Simon Says Dance Ltd is a VAT registered, limited company in Scotland. Company Reg No. SC559342.