



## SWISSOTEL ESTONIA OÜ PÜROVEL SPA & SPORTS PRIVACY TERMS

Swissotel Estonia OÜ (hereinafter **Swissotel** or **we**) highly values privacy of its customers (hereinafter **you**). In these privacy terms we explain how we collect and use your personal data as well as what we do to ensure the protection of your personal data when you use the services of Pürovel Spa & Sport (hereinafter **Spa & Sport**) operated by us in Swissotel Tallinn.

These privacy terms are applicable to you if you use our Spa & Sport services under membership contract, without specific contract, e.g. under single-entry ticket, gift card or our hotel quest, subscribe to our newsletter or have expressed the interest to receive our offers.

We may unilaterally change these privacy terms from time to time, especially in case of changes in the legal acts regulating protection of personal data or in our own data processing practices. In case of material changes we will inform you in advance. The updated and valid version of the privacy terms is always available at our website [www.swissotel.com/hotels/tallinn/spa-fitness](http://www.swissotel.com/hotels/tallinn/spa-fitness).

### Definitions

In order for you to understand these privacy terms better we hereby explain the main data protection terms used herein.

**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, by 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.

**Processing** means 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.

**Controller** means the entity that decides why and how the personal data is processed.

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

**Special categories of personal data** are types of personal data that *inter alia* reveal person's health data - data related to the physical or mental health of a person, including the provision of health care services, which reveal information about his or her health status.

### 1. The controller of your personal data

Swissotel Estonia OÜ  
Tornimäe 3, Tallinn 10145  
Data protection contact: Gilles Felgen  
E-mail: [privacy.tallinn@swissotel.com](mailto:privacy.tallinn@swissotel.com)

### 2. What type of personal data do we collect and process?

- Personal data – first name and family name, personal ID code/date of birth, number of identification document
- Contact data – phone number, e-mail address

- Contact for emergency – name and phone number of a person who should be contacted by us in case of emergency
- Surveillance camera recordings – surveillance camera recordings set-up in our hotel and Spa & Sports rooms to protect people and property
- Service data – the data which reveals your activities in using our services, e.g. your purchases of goods and services from but also data concerning your potential violations and the agreements concluded between you and us.
- Health data – a special category of personal data which we may process only upon your consent. When offering certain treatments, we want to make sure that these will not affect your health negatively. Hence, we ask you to fill in our Lifestyle Consultation form revealing your health data.

### 3. What are the purposes and legal basis for processing your personal data?

We are processing your personal data for various purposes, based on the different legal basis:

#### ✓ Data processing required for performance of contract

We process data relying on this legal basis if it is necessary for performance of the contract concluded with you or for taking measures required prior to signing the contract at your request. The following data are used for the following purposes to enable and ensure you the provision of contractual services.

Purpose of processing	Personal data categories
Pre-contractual relations (offer requests and responses thereto)	Personal data, Contact data
Payments (invoice preparation, issuing and collecting payments)	Personal data, Contact data
Maintaining and developing client relationship (signing contracts, passing information on performance of contract, etc)	Personal data, Contact data, Service data
Client identification	Personal data

#### ✓ Data processing needed for performance of our legal obligations

In some cases, we need to process your personal data because we are obliged to do so under applicable laws. If the data processing is required by law, neither we nor you can influence the processing of such data. Based on this legal basis we process your personal data for example for the following purposes:

Purposes of processing	Personal data categories
Accounting (incl. retaining of accounting base documents)	Personal data, Contact data
Informing the Estonian Data Protection Inspectorate about personal data violations	Personal data, Contact data, Service data
Responding to public authorities' and state institutions' information requests	Personal data, Contact data

### ✓ Data processing based on our legitimate interest

A legitimate interest means that we do not directly need to process your data to fulfil contractual obligations nor our legal obligations, but the processing is still necessary. The processing may be needed to develop our services and products making them better for you, protect our property, clients and employees, using surveillance cameras, make business decisions and compile statistics. As under the legitimate interest we are not obligated to process your data by law or for performance of our contractual obligations and we also do not ask for your permission for the processing – we give you the right to ask for explanations as well as to present objections, if you consider that processing of your data for the following purposes breaches your rights.

Purpose of processing	Personal data categories
Service development	Personal data, Contact data, Service data
Disclosing personal data to our service providers on need-to-know basis	Personal data, Contact data, Service data
Profiling for marketing purposes ( <i>see below for explanation</i> )	Personal data, Contact data, Service data
Protection of our property, employees and clients – use of surveillance cameras in the hotel, gym and spa ( <i>use of surveillance cameras described in more detail in section 8</i> )	Surveillance camera recordings
Maintaining and developing client relationship (responding to queries, general client service, information exchange)	Personal data, Contact data, Service data
General service statistics	Service data

#### *Profiling for marketing purposes*

We use different data processing technologies to process your data for marketing purposes. Using mathematical analysis, statistics or other methods enable us to create marketing profiles, establish probabilities and make marketing predictions. The information received gives us an opportunity to evaluate and predict client expectations concerning our goods and services and develop our services according to these expectations. The information also allows us to make personal offers to you and personalise our services.

### ✓ Data processing based on your consent

When offering certain treatments, we want to make sure that these will not affect your health negatively, therefore we ask you to fill in our Lifestyle Consultation form revealing your health data. We ask your consent for processing the health data for the purposes to assess whether the treatment chosen by you is safe and suitable for you. In case you do not disclose the health, data or grant your consent for processing it we have the right to decline respective treatment.

In order to provide services based on your concrete needs and ensure personalised service, we may under certain circumstances need your consent for processing your personal data. If you consent to this, we will send you our Spa & Sport newsletters and offers on our products and services.

You always have the right to withdraw your consent (each separately and all jointly) granted to us by contacting us at the e-mail address provided in section 1 of these privacy terms or in case of direct marketing by using the unsubscribe link at the bottom of every subsequent marketing message. If you

withdraw your consent, we will stop processing your data for the purposes for which the consent was granted. However, withdrawal of the consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Purpose of processing	Personal data categories
Assessing safety and suitability of treatment chosen by the client, storing of health data for 2 years for repetitive treatments	Health data
Direct marketing (e-mails, SMS)	Contact data

#### 4. Who else processes your data?

Your personal data is accessible only to those employees of Swissotel who need the data to perform their work duties (on so-called need-to-know basis). Outside Swissotel, your data (except for the health data) is accessible in very restricted situations which are described below and only if it is necessary for achieving the purposes of processing:

- ✓ Persons providing services to us: Your data may be accessible to persons providing services to us to the extent needed to perform such service: business software provider, IT management and maintenance service provider, mail server provider, website administrator, auditor, lawyers, data analysis software developer.
- ✓ Public authorities and state institutions (e.g. police, courts, alarm centre, Data Protection Inspectorate): we will only disclose your data when we are legally obliged to do it.

We do not store or transfer your data outside the European Economic Area.

#### 5. How long do we retain your personal data?

Your personal data is retained for as long as required by applicable law or as long needed to fulfil the data processing purposes described in these privacy terms. Below are some examples of data retention periods:

Retention period	Examples
2 months (after that rerecording begins)	Surveillance camera recordings
12 months	Data concerning people who have requested an offer or made other inquiries but with whom no client contract exists
4 years (after expiry or termination of contract)	Client contract and service data to protect us against potential claims or to file a claim for protecting ourselves and our own rights
7 years (after expiry or termination of contract)	Accounting base documents (e.g. client's membership agreement and invoices).
2 years or until you withdraw your consent, whichever comes earlier	Processing of health data for treatment purposes
Until you withdraw your consent contacting us at the e-mail address provided in section 1	Processing of contact data for direct marketing purposes



You can obtain more specific information on retention of your personal data by making a corresponding query to the e-mail address provided in section 1 of these privacy terms.

## 6. Your rights concerning your personal data

**Right to access** – You have the right to know which data we hold about you, for what purposes we process your data; to whom we disclose the data, how long the data is retained; what are your rights concerning restricting, correcting, deleting and processing data. In order to respond to your inquiry, we must first authenticate you to avoid granting information to unauthorised persons. We have the right to respond to your inquiry within 30 days.

**Right to rectification** – You have the right to demand correction of your personal data in case it is inaccurate or incomplete.

**Right to deletion of personal data** – You have the right under certain circumstances to request the deletion of your personal data, foremost if the basis for processing your data originates from our legitimate interest or your consent (e.g. if we no longer need the data, you withdraw your consent granted for processing of your personal data).

**Right to restrict processing** – You have the right under certain circumstances to forbid or restrict the processing of your personal data for a certain period (e.g. if you have submitted an objection concerning data processing).

**Right to present objections** – You have the right to present objections concerning such data processing which is based on our legitimate interest incl. profiling based on our legitimate interest. We shall stop processing your personal data when you present an objection, unless your personal data is processed for material legal reasons (which is decided case by case).

**Right to data portability** – In case processing the personal data is based on your consent or on a contract between us and data is processed automatically, you have the right to access data concerning you which you have given to us in a structured, generally usable and in machine readable form. You also have the right to ask us to send such data directly to another service provider if that is technically possible (that means the other service provider is capable of receiving the data in the forwarded format).

If you want to exercise any of the abovementioned rights, please contact us at the e-mail address provided in section 1 of these privacy terms.

## 7. Use of surveillance cameras in sports clubs

Swissotel uses surveillance cameras in the hotel and Spa & Sport rooms to protect the clients and employees as well as their and our own property.

The surveillance cameras are located in the hotel and Spa & Sport rooms as per security concept developed by the security company advising us. For example, the surveillance area includes the hotel reception counter, Spa & Sport area, corridors. Hence, the clients who are active in these areas may also be video recorded. Below is a short description of the main terms of video surveillance:

- Legal basis for camera use – legitimate interest
- Short description of surveillance system - stationary, digital, zoomable, without sound recording
- With whom recordings may be shared – Police and Border Guard Board
- Who has access to the surveillance system and recordings – camera installation and maintenance provider, security service provider, hotel management
- Recording's retention period – recordings are kept for approximately 1 month (depending on server capacity) after which the video system starts automatically rerecording
- Surveillance time – round the clock
- Surveillance type – recording and on-demand viewing



- What is done to protect data collected with the surveillance system – the recordings are located on the hard disk in the server room. Access to the room only to the above-mentioned persons.
- Access right – to access the data collected on you by surveillance please contact us at the e-mail address provided in section 1 of these privacy terms. When requesting access to such data, please take into consideration that the data is retained for 1 month only and that for protection of the interests

and rights of other persons in the recordings they must be made unidentifiable, therefore we cannot grant immediate access to such data. The costs for making persons unidentifiable in the recordings must be borne by yourself.

#### **8. The right to submit a complaint to the Data Protection Inspectorate and the court**

Should you need further information about processing your personal data or exercising your rights, please contact us at the e-mail address provided in section 1 of these privacy terms.

We will treat your personal data and your privacy with great care and respect by following all applicable laws and regulations. However, if you think that the processing of your personal data breaches the legal requirements, you have the right to turn to the Data Protection Inspectorate and the courts to protect your rights and interests.