

# ABERCROMBIE AND KENT DESTINATION MANAGEMENT

## PRIVACY NOTICE

### Introduction

Welcome to the Abercrombie & Kent Destination Management privacy notice.

Abercrombie & Kent Destination Management respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) or when you otherwise provide personal data to us via other means (such as over the telephone) (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so that you can easily click through to the specific areas set out below.

Please also use refer to the Glossary that we have set out at the end of the Policy, if there is any terminology used in this privacy notice that you are unfamiliar with or that you don't fully understand.

1. ***IMPORTANT INFORMATION AND WHO WE ARE***
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1. [Important information and who we are](#)

### Purpose of this privacy notice

This privacy notice aims to give you information on how Abercrombie & Kent Destination Management collects, manages and processes your personal data, including any data you may provide through this website or via any other means (such as over the telephone) when you purchase travel arrangements through us or otherwise provide personal data to us.

This website is not intended for children and the only circumstances in which we collect data relating to children, is where you make a booking of arrangements and you have children in your party.

It is important that you read this privacy notice together with any other privacy notice or fair processing 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.

### **Data Controller\Data Processor**

Abercrombie & Kent Destination Management can be considered both a controller and a processor and remains responsible for your personal data (collectively referred to as ["Abercrombie & Kent Destination Management"], "we", "us" or "our" in this privacy notice).

When we work with agents to process itinerary requests, travel bookings or travel services on behalf of their clients, we would be considered the data processor. This is because we act on the instruction of the agents, and process their clients personal data in order to provide services that the agents requests on behalf of their client.

When we work with other Abercrombie & Kent companies, such as our US Tour Operating Company, we are considered to be a co-controller, as we are able to determine and manage the means and purpose of processing a guest's personal data.

We have appointed a data protection compliance manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise *your legal rights*, please contact the data protection compliance manager using the details set out below.

### **Contact details**

Our full details are:

Full name of legal entity:	Abercrombie & Kent Destination Management
Name:	Data Protection Compliance Manager
Email address:	datacompliance@abercrombiekent.co.uk
Postal address:	St George's House, Ambrose Street, Cheltenham, GL50 3LG

You have the right to make a complaint at any time. There are many data protection supervisory bodies around the world however, we would suggest that you make any complaints to the United Kingdom data protection supervisory body ("the Information Commissioner's Office") (ICO), ([ico.org.uk](http://ico.org.uk)). This would allow us to handle your complaint more effectively and

quickly. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to the privacy notice and your duty to inform us of changes**

This version was last updated on 18th July 2018 and historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if any of the details you provide to us should change, during the course of your relationship with us.

### **Third-party links**

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.

## **2. [The data we collect about you or your clients](#)**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

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

#### **(A) Identity Data**

This includes data relating specifically to your identity, such as your first name, maiden name, last name or similar identifier, marital status, title, date of birth and gender.

#### **(B) Contact Data**

This includes data relating to how you may be contacted, such as your home address, business address, email address and telephone numbers.

#### **(C) Financial Data**

This includes data relating to your means and methods of payment, such as your bank account and payment card details. We don't retain or store credit card details unless as authorised to retain as a security deposit.

#### **(D) Transaction Data**

This includes data relating to the transactions you have carried out with us, such as details about payments to and from you and other details of products and services you have purchased from us.

**(E) Technical Data**

This includes more technical data that we may obtain when you make use of our website, such as your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

**(F) Profile Data**

This includes the data that we receive if and when you create a profile on our website and make use of that profile, such as your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.

**(G) Usage Data**

This includes information about how you use our website, products and services.

**(H) Marketing and Communications Data**

This includes your preferences in relation to whether or not you want to receive marketing from us and our third parties and also your communication preferences.

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 will treat the combined data as personal data which will be used in accordance with this privacy notice.

**Special Categories of Personal Data**

During our interactions we may collect special categories of personal data about you as detailed below. This may be because you want us to have the information or inadvertently as result of a group you travel with. It may also be because we need to know certain personal data about you which is special category data in order that we can provide you with the best possible service and advise you whether a trip is suitable for you. Health is one of the best examples of this.

E.g. If we receive a group booking from a specific religious association we will inadvertently have details of religious beliefs of those individuals. The same can be said for groups from political associations and trade union associations.

E.g. We are sometimes asked whether certain medication is allowed to be taken into certain jurisdictions which discloses certain medical conditions.

Other special category of personal data which we may end up receiving from you include details about your:

- dietary requirements which may disclose your religious or philosophical beliefs;
- health;
- race or ethnicity;
- sex life or your sexual orientation;
- political opinions;
- trade union membership;
- genetic and biometric data.

You are not under any obligation to consent to us processing or disclosing your sensitive information in the manner described above and in our privacy policy. However, if you don't agree, then we won't be able to process your data or transfer your data to our Suppliers.

As you will appreciate it would then be difficult to actually provide your holiday because making your holiday arrangements involves processing your data and transferring your data to our Suppliers in order that they can provide the services.

If you have concerns with us processing or transferring your data then please discuss that with us at your earliest convenience in order that we can book your holiday and provide you with the necessary services.

If you are happy to consent to our use of your sensitive information, you will also be able to withdraw your consent at any time. However, as this will prevent us from providing your holiday, we will be required to treat any withdrawal of consent as a cancellation of your booking and the cancellation charges in clause 2b of our Booking Terms and Conditions will become payable.

### 3. [How Your Personal Data is Collected](#)

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

#### **(A) Direct interactions**

You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- make a booking of arrangements;
- request a quote for arrangements;
- subscribe to our newsletter or other publications;
- request marketing;

- enter a competition, promotion or survey;
- give us some feedback; or
- use our online payment and client portals.

**(B) Automated technologies or interactions**

As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns.

We collect this personal data by using cookies, or other similar technologies. Please see our [cookie policy](#) for further details.

**(C) Third parties**

We may receive personal data about you from various third parties as set out below:

- Technical Data from the following parties:
  - (i) analytics providers such as Google based outside the EU;
  - (ii) advertising networks based inside the EU; and

**(D)** From time to time we may run competitions with third parties where we would collect data about you however, all participants have the option to opt in or out to receive any information from us.

**4. 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:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us at [datacompliance@abercrombiekent.co.uk](mailto:datacompliance@abercrombiekent.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, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

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 contact us at [datacompliance@abercrombiekent.co.uk](mailto:datacompliance@abercrombiekent.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 in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Register you as a prospect and initial profile creation	(a) Identity; (b) Contact	Necessary for our legitimate interest
Creation of itinerary and trip planning, which includes the transfer of data to other jurisdictions.	(a) Identity; (b) Contact; (c) Special Categories of Personal Data	(a) Performance of a contract with you (b) Necessary for our legitimate interest
To process and deliver your booking including:  (a) Putting final itinerary together and adding additional requests; (b) Transfer of further data to other jurisdictions as requested by the guest; (c) Manage payments, fees and charges; (d) Collect and recover money owed to us.	(a) Identity; (b) Contact; (c) Financial; (d) Transaction; (e) Marketing and Communications. (f) Special Categories of Personal Data	(a) Performance of a contract with you; (b) Necessary for our legitimate interests (to recover debts due to us).
To manage our relationship with you which will include:  (a) Right to rectification of your personal information. (b) Asking you to leave a review or take a survey.	(a) Identity; (b) Contact; (c) Profile; (d) Marketing and Communications; (e) Special Categories of Personal Data.	(a) Necessary to comply with a legal obligation; (b) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services).
To enable you to partake in a prize draw, competition or complete a survey.	(a) Identity; (b) Contact; (c) Profile; (d) Usage; (e) Marketing and Communications.	(a) Performance of a contract with you; (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity; (b) Contact; (c) Technical.	(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.
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	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). To ensure marketing is relevant to your requirements or interests.
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	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)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

## Marketing

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



## **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 (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased services from us and, in each case, you have opted in to receive that marketing.

## **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## **Opting out**

You can ask us to stop sending you marketing messages at any time by following the opt-out unsubscribe links on any marketing message sent to you or by contacting your travel consultant at any time or by send an email to [data@abercrombiekent.co.uk](mailto:data@abercrombiekent.co.uk).

Where you opt out of receiving these marketing messages, this will not apply to personal data that you have provided to us as a result of a purchase of arrangements or other such 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. For more information about the cookies we use, please see our [Cookie Policy](#).

## **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 at [datacompliance@abercrombiekent.co.uk](mailto:datacompliance@abercrombiekent.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.

## 5. Disclosures of your personal data

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.

- (A) Internal Third Parties as set out in the Glossary.
- (B) External Third Parties as set out in the Glossary.
- (C) 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.

## 6. International transfers

We do transfer your personal data outside the European Economic Area (**EEA**) in order to satisfy our contract with you if you are travelling outside of the EEA.

## 7. Data security

We have put in place appropriate technical and operational security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. 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.

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil 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.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us at [datacompliance@abercrombiekent.co.uk](mailto:datacompliance@abercrombiekent.co.uk).

In addition to the above, by law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for ten years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

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.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- (A) Request access to your personal data.
- (B) Request correction of your personal data.
- (C) Request erasure of your personal data.
- (D) Object to processing of your personal data.
- (E) Request restriction of processing your personal data.
- (F) Request transfer of your personal data.
- (G) Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us at [datapcompliance@abercrombiekent.co.uk](mailto:datapcompliance@abercrombiekent.co.uk).

### **No fee usually required**

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 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. You will be required to show your identification at an Abercrombie & Kent Destination Management office in the United Kingdom. Please contact us at [datapcompliance@abercrombiekent.co.uk](mailto:datapcompliance@abercrombiekent.co.uk) to determine your nearest location.

### **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.

## 10. Glossary

### **LAWFUL BASIS**

- **Legitimate Interest**

means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and 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 by contacting us at [datapcompliance@abercrombiekent.co.uk](mailto:datapcompliance@abercrombiekent.co.uk)

- **Performance of Contract**

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.

- **Comply with a legal or regulatory obligation**

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

## **THIRD PARTIES**

- **Internal Third Parties**

Other companies in the Abercrombie & Kent Destination Management Group acting as joint controllers or processors and who are based globally and provide travel related services, IT and system administration, Human Resources Related services, finance and legal.

- **External Third Parties**

- i. Service providers acting as processors based globally and providing travel related services.
- ii. Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, information technology service providers and insurers based globally who provide consultancy, banking, legal, insurance and accounting services.
- iii. HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based globally who require reporting of processing activities in certain circumstances.

## **YOUR LEGAL RIGHTS**

You have the right to:

- **Request access**

to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

- **Request correction**

of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Request erasure**

of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

- **Object to processing**

of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction of processing**

of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- (a) if you want us to establish the data's accuracy;
- (b) where our use of the data is unlawful but you do not want us to erase it;
- (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- **Request the transfer**

of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Withdraw consent at any time**

where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.