

**PRIVACY DISCLAIMER**

**In accordance with Regulation (EU) 2016/679 ("GDPR") articles 13 and 14**

**and**

**Information on the processing of personal data in the context of the epidemiological emergency Covid-19**

The purpose of this document ("Disclosure") is to provide you with information regarding the processing of information, as specified below, which will be provided by you to BORGO BRUFA SRL and which will be processed by the same and / or by other subjects identified for the purposes below indicated. The Information note, in particular, is provided pursuant to EU Regulation no. 679/2016 ("GDPR")

**1. Who is the Data Controller and what are the methods for contacting him/her? Are there Joint Data Controllers?** The title holder of such process is: Borgo Brufa srl, Legal representative: Andrea Sfascia, Registered office: via del Colle 38, cap: 06089; city: Torgiano. The following contact details are shown: telephone: 0759883; email address: info@borgobrufa.it certified e-mail box (Pec): borgobrufa@pec.it There are no co-controllers of the processing, i.e. there are no other owners with whom we jointly determine the ways and purposes of the processing of your personal data.

**How do we collect personal information?**

If you contact us directly with the intention to receive information regarding our services, for example, through our websites, via e-mail or by telephone through our direct phone line.

If you purchase one of our services, for example, through our websites.

If you respond to our marketing campaigns, for example, by filling out a response form, or by entering personal data on one of our websites.

If your contact details are communicated to us by a third party with your consent.

If business partners legitimately transfer your personal data to us.

If you participate in an event organized by us.

If you provide personal data on behalf of someone else, it is your responsibility to ensure, before you do so, that you and the person in question have read this Privacy Statement. If the person is under 18, please do not provide us with any personal information.

**What data categories of personal data do we collect?**

**The following categories of personal data concerning you may be collected through the various services and contact channels described in this Privacy Notice:**

a) Contact details - information regarding name, address, telephone number, email address.

b) Payment details - Information related to the payment systems chosen by you, such as credit card number, debit card, IBAN ID, etc.

c) Complete identification data - information relating to your identity deriving from the identity documents required by law such as identity card, passport, driving license, etc.

d) Interest and preferences - information that you provide us with regarding your interests, including the type of hotel treatment you prefer (such as, for example, your telephone availability at the facility, your preferred time for meals or beauty treatments, etc.) or the types of additional services you are interested in concerning the restaurant, the wellness center, the beauty treatments we provide.

e) Other personal data - information that you provide us with regarding your date of birth, education or professional profile for the sole purpose of personalizing the service.

f) Use of Website information relating to the way in which you use our website, open or forward our communications, including information collected through cookies and other tracking technologies.

g) Your account details - information to your account on our website.

h) Images - images that depict your person collected through photos taken and / or videos made at events organized by us at our venue.

i) Data relating to your state of health or other data belonging to particular categories - information that you provide us with pertaining to some of your physical conditions such as food allergies or other ailments for the sole purpose of permitting us to offer you the best possible service such as personalized meals, or the opportunity to enjoy the services of the wellness center or beauty treatments in maximum tranquility and safety.

l) Self-certification attesting dangerous situations of COVID-19 contagion, included data relate to the state of health (body temperature\signs of a flu) and the prohibition to access to those who have been in contact with COVID-19 positive individuals over the past 14 days or come from risk areas.

Therefore, within the limits of the purposes and methods described in this Notice, information that may be considered as "Simple or common personal data", which include your personal details, your bank details, your contact details (such as, mobile phone number, e-mail address, hereinafter referred to as "Personal Data") and as "Special Data" as characterized, in accordance with the GDPR, by a particular nature; they refer, in fact, to physical health and, more generally, they are able to provide information on the state of health of the user.

For convenience of reference, within the present Information Note, the expression "Personal Data" shall be understood as a reference to all your personal data, unless otherwise specified.

**3. What are the purposes and legal requirements for processing your personal data (purposes and legal basis of processing)?**

The Personal Data collected will be processed for the purposes and on the basis of the following legal bases:

|  |  |
| --- | --- |
| ***The Purpose*** | ***The legal basis of the processing*** |
| **Categories a), b) (when relevant):** for the management of your contractual relationship or to execute pre-contractual measures (such as, for example, the request for information or the estimate, the provision of the service). In this case, you are free to provide your data; however, failure to provide it will not allow you to establish the aforementioned relationship and satisfy your request. | The treatment is necessary in relation to the execution of a contract of which you are a part |
| **Category c):** for communications required by the public security standards (PS communication). Failure to provide data implies the impossibility of providing the hotel service in your favor. | The treatment is necessary due to a legal obligation |
| **Category l):** Failure to provide data implies the impossibility of providing the hotel service in your favor. | The treatment of personal data provided is necessary for the [performance of a task](https://context.reverso.net/traduzione/inglese-italiano/performance+of+a+task) carried out in the public interest (Art. 6 (1), of Regulation EU 2016/679) and for reasons of public interest in the area of public health (Art. 9 (2), letter i) as part of the implementation of anti-contagion safety protocols (“Shared protocol of appropriate measures to contrast and contain the spread of coronavirus in the workplace of 26 April 2020”) and for the implementation of a legal obligation (Art. 32 Constitution; Art. 20 Legislative Decree 81/2008). |
| **Categories d), e), f), g), h) and i**) are subject to your specific consent, for the personalization and improvement of the service with specific reference to the catering service, wellness center and beauty treatments. The lack of data communication does not prevent the service, but it prevents the personalization and improvement. | Your consent |
| **Categories d), e), f), g), h) and i**) are subject to your specific consent for the **completion (and subsequent use) of surveys** and to contact you, at the addresses provided, in order to **verify the quality of service rendered to you and your degree of satisfaction**; these activities will however be limited, in the spirit of discretion of our structure (together with **"satisfaction verification")** Failure to consent prevents us from knowing your degree of satisfaction. | Your consent |
| **Categories a), d), e, i)** are subject to your specific consent, to send you reminders and promotional announcements; communications relating to events organized by the title holder or his business partners are solely **for "marketing purposes". These activities will be limited and contained within the spirit of discretion of our structure**. Failure to consent prevents us from being able to contact you in relation to our initiatives. | Your consent |

**4. How is the processing of your personal data managed?**

Personal Data will be processed using manual, computerized or telematic tools, appropriate to guarantee security and confidentiality, and will be carried out by personnel duly trained in the compliancy rules of the Applicable Regulations.

In addition to cases in which it is necessary to contact you for needs related to the management of your stay with us, where you consent to the processing of your data for the purposes referred to in point 3, you may be contacted by e-mail, text message or any equivalent electronic instrument or by postal service or called by an operator to all the contact details provided. If you prefer to be contacted only to one or some of these addresses, you may make a specific written request to the following e-mail address:

If you express your consent in relation to the purposes set out in point 3, your personal data will be made visible and stored in a *Customer Relationship Management* database (CRM), as well as possibly stored in one or more designated company archives or databases.

**5. To whom do we communicate your data?**

Your personal data may be transferred to:

|  |  |
| --- | --- |
| ***Recipients of Personal Data*** | ***Purpose*** |
| Specifically trained and authorized internal personnel | Operational management of the activity |
| Third-party companies that provide support services to the company's activities, or to professionals with whom specific agreements have been signed pursuant to the Regulations | Support in managing activities |
| Bodies and / or Authorities possibly established by law | Regulatory obligation |
| Health Authority | Prevention of COVID-19 contagion |

The information may also be communicated whenever such communication is deemed necessary in order to comply with requests made by Judicial Authority or Public Security bodies. The collected data will, in no circumstances, be disseminated. No transfer takes place in areas outside the EU, nor for the use of “cloud” services.

**6. Data retention period (determination criteria)**.

The table below contains the indications of the retention times (i.e. is the criteria of determination) of Personal Data:

|  |  |
| --- | --- |
| ***The Purpose*** | ***Period of retention*** |
| **Categories a), b) (contract)** | For the entire duration of the relationship and subsequently for 10 years (ordinary limitation period) |
| **Categories c), (PS communications)** | Period prescribed by law |
| **Categories d), e), f), g), h), i), service improvement** | Immediately after the end of the service or stay |
| **Category l)** | 14 days |
| **Categories d), e), f), g), h), i), service verification** | Four years from collection, due to the likeliness of relations with you in the future. Nevertheless, the possibility remains for you to modify and / or revoke your consensus of such data at your own free will and at any time. |
| **Categoria d), e), f), g), h), i), marketing** | Four years from collection, due to the likeliness of relations with you in the future. Nevertheless, the possibility remains for you to modify and / or revoke your consensus of such data at your own free will and at any time. |

The data are retained for the period prescribed by the mandatory rules and regulations, when foreseen.

**7. What are your rights?**

**Below are the rights recognized to the interested parties:**

requests for access, correction and cancellation; **you have the right to:**

ask us to confirm if we are processing your personal information

receive information on how we process your data

obtain a copy of your personal information

request us to update or correct your personal information

ask us to delete personal information in certain circumstances

**Right to oppose treatment of data; the right to request the interruption of processing your personal information**:

* for marketing activities
* statistical purposes
* where such processing is based on our legitimate business interests, unless we are able to demonstrate a legitimately grounded reason for such processing, or if the processing of your personal information is necessary to ascertain, exercise or defend a right in court.

**Right to process treatment of data; the right to request the processing of your personal information:**

* while evaluating or taking steps to respond to your request to update or correct your personal information
* where such treatment is contrary to the law and the elimination of such data is not foreseen
* if they are no longer required or needed by us, but we wish to keep the data to ascertain, exercise or defend a right in court

if you have submitted an opposition to the processing on the basis of our legitimate business interests and are awaiting our response to this request.

If we proceed in processing your personal information, in accordance with your request, we will inform you before involving you again in such processing.

**Data portability requests:** You have the right to request us to provide you or a third party designated by you with some of your personal information in a commonly used electronic format. However, we inform you that the data portability rights only apply to personal information that we have obtained directly from you and only if our processing is performed automatically, based on consent or execution of a contract.

**Sending requests:** your requests can be sent to marketing@borgobrufa.it  
We will respond to all such requests within 30 days of receipt of the request, unless there are mitigating circumstances, in which case it may take up to 60 days for the response. We will inform you, however, if we foresee that more than 30 days are necessary to respond to your request. Nevertheless, some personal information could be excluded from these rights in compliance with the currently applied data protection laws. Furthermore, we will not respond to any request unless we can adequately verify the applicant's identity. When required by the rules, you may be charged a reasonable amount for the subsequent copies of the data you are requesting.

**Right of withdrawal of consent:** you have the right to withdraw your consent to any processing that we conduct exclusively on the basis of your consent (such as sending direct marketing materials to your personal email address). You can revoke your consent to marketing activities by following the instructions given in any marketing e-mail or by contacting the marketing@borgobrufa.it address. Withdrawal of consent, however, does not prejudice the lawfulness of the treatment based on the consent made before the revocation.

**Right to lodge a complaint with the supervisory authority:** the right to lodge a complaint in the manner and terms of the law before the supervisory authority.

**We do not use automated decision systems and we do not resort to profiling.**  
Our services are not intended for minors and we do not knowingly collect personal data concerning them.

**Consent requests:**

1. **CUSTOMIZATION AND IMPROVEMENT OF SERVICE**

1. Request for consent for the processing of the data referred to in **Categories d), e), f), g), h) and i) of this Information Note** for the personalization and improvement of the service. Failure to provide this data does not prevent the service, but it prevents us from personalizing and improving the service.

I consent I don’t consent 

*Specifically*: Communicate food allergies / intollerences \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I consent I don’t consent 

* 1. **VERIFICATION OF CUSTOMER SATISFACTION**

Request for consent for the treatment of **Categories d), e), f), g), h) and i) of this Information Note** for verification of customer satisfaction. Failure to provide this data does not prevent the service, but it prevents us from verifying your satisfaction.

I consent I don’t consent 

* 1. **MARKETING**

Request for consent for the treatment of **Categories d), e), f), g), h) and i) of this Information** **Note** for marketing. Failure to provide this data does not prevent the service, but it prevents us from verifying and remaining in contact with you.

E-mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I consent I don’t consent 

The undersigned Name  Surname  has read and understood the present **“privacy note”.**

DATE\_\_\_\_\_\_\_\_\_\_\_\_\_ SIGNATURE\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_