

## **PRIVACY POLICY -EXTENDED INFORMATION**

LAST UPDATED: 18/ 02/ 2021

The Privacy Policy forms part of the General Terms and Conditions that govern the Website [www.lagaiaibiza.com](http://www.lagaiaibiza.com), together with the Cookies Policy and the Legal Notice.

La Gaia (hereinafter, Cálida Ibiza SA), reserves the right to amend or adapt this Privacy Policy at any time. We therefore recommend that you check it each time you access the Website. Users who have registered with the website will be informed if there have been substantial changes in relation to the processing of personal data on accessing their account or profile.

### **Who controls your data?**

The data collected or voluntarily provided to us through the Website, even by just browsing such, in addition to any data you should provide on the contact forms, via email or by telephone will be collected and processed by the File Controller, the details of which are as follows:

CÁLIDA IBIZA SA Tax ID No.: A07059058

Address: Paseo Juan Carlos I, 17, 07800, IbizaTel. 971806806

Mail Data Protection Officer: [gdpr@ibizagranhotel.com](mailto:gdpr@ibizagranhotel.com)

Registered in the Commercial Register of the Balearic Islands, Volume 322, Folio 89, Book 253, Section 3, Page 6068, Entry no. 1.

Should you wish to contact us (our Data Protection Officer) regarding any matter in relation to the processing of your personal data or privacy for whatever reason, you can do so through any of the channels indicated above.

### **What data do we collect through the website?**

Simply by your browsing the website, CÁLIDA IBIZA SA will collect information in relation to the following:

- IP address.
- Browser version.
- Operating system.
- Duration of your visit or browsing of the website.

This information is stored by Google Analytics, for which reason we must refer you to Google's Privacy Policy, as this is the party that collects and processes said information. <http://www.google.com/intl/en/policies/privacy/>

Likewise, the Website provides the Google Maps tool, which may have access to your location, if you have allowed this, in order to provide you with more accurate information regarding the distance to and/or routes to reach our offices. In this respect, we refer you to the Privacy Policy used by Google Maps for more information on the usage and processing of said data: <http://www.google.com/intl/en/policies/privacy/>

The information we handle shall not be related to a specific user and shall be stored in our databases for the purpose of performing statistical analyses and improving the Website and our products and/or services and will help us to improve our sales strategy. The data will not be communicated to third parties.

### **Registration of users on the website/Sending of forms**

In order to access certain products and/or services, the user must register on the Website or fill in a form. The registration form requests a series of data for this purpose. The necessary, obligatory data to be provided by users to carry out said registration is marked with the \* symbol. If these fields are not filled in, registration will not be carried out.

The username and password generated are personal and non-transferable, the user being responsible for custody thereof. We recommend these not be written down anywhere or revealed to third parties. In this

case, the browsing data will be associated with the user's registration data, identifying the same specific user who is browsing the Website. This allows us to personalise the offer of products and/or services to offer that which we believe best suits the user, in addition to recommending specific products and/or services.

The registration data of each user will be incorporated into the databases of CÁLIDA IBIZA SA, together with a record of the operations carried out by said user, and will be stored in said record unless the registered user's account is deleted. Once said account has been deleted, said information will be separated from our databases and any data in relation to the transactions carried out kept separate for 10 years, without being accessed or altered, for the purpose of complying with the current legal periods. Any data not linked to the transactions carried out will be kept unless you should withdraw your consent, in which case it shall be immediately deleted (always taking the legal periods into account).

The legal basis for the processing of your personal data is the execution of a contract between the parties. In relation to the sending of electronic communications and promotions and answers to requests for information, the legitimisation for the processing is the consent of the affected party.

The purposes of the processing shall be as follows:

- a) To manage your registration with the user area and access to the Website.
- b) To manage the purchasing of the products and/or services made available to you through the Website.
- c) To keep you informed of the processing and status of your requests, purchases and/or reservations.
- d) To respond to your request for information.
- e) To manage all the tools and/or services the platform offers users.

We also inform you that you may receive communications via email and/or on your phone to inform you of possible incidents, errors, problems and/or the status of your requests.

Express consent for the sending of commercial communications will be requested of users during registration. In this respect, users may revoke their consent by contacting CÁLIDA IBIZA SA using the means indicated previously. In any case, each sales communication will include the option to opt out of these by means of a link and/or email address.

### **Sending of Newsletter**

On the Website, there is the option to subscribe to the Newsletter of CÁLIDA IBIZA SA. You will need to provide us with an email address for this to be sent to.

Said information will be stored in a database belonging to CÁLIDA IBIZA SA where it will remain until the interested party should request that this be deleted or, if applicable, until CÁLIDA IBIZA SA should cease sending this.

The legal basis for the processing of this personal data is the express consent given by all interested parties who subscribe to this service by ticking the box provided to this effect.

The email data will be processed and stored solely for the purpose of managing the sending of the Newsletter to the users who request such.

For the sending of the Newsletter, express consent will be requested of users during registration through the ticking of the box provided for this purpose. In this respect, users may revoke their consent by contacting CÁLIDA IBIZA SA using the means indicated previously. In any case, each communication will include the option to opt out of these by means of a link and/or email address.

**If you belong to any of the following groups, please check the drop-down information:**

#### **+ AGENTS**

For what purposes will your personal data be processed?

- Tracking your activity.
- Performing the corresponding transactions.
- Invoicing and declaration of the corresponding taxes.

- Control and recovery management.

What is the legal basis for the processing of your data?

The legal basis is contractual; the acceptance of an agency contract.

#### **+ INTERNET OR EMAIL CONTACTS**

For what purposes will your personal data be processed?

- Managing your queries and requests.
- Managing the requested service and answering and processing requests.
- Information via electronic means relating to your request.
- Sales information or information on events via electronic means, provided there is express authorisation.

What is the legal basis for the processing of your data?

The acceptance and consent of the interested party: In cases where you need to fill in a form to make a request and click on the send button, this will necessarily imply that you have been informed and have consented to the content of the clause annexed to said form or accepted the privacy policy.

All our forms have a tick box with the following sentence, in order to send the information: " I have read and accept the privacy policy."

#### **+ CUSTOMERS**

For what purposes will your personal data be processed?

- Preparation of quotes and follow-up through communication between the two parties.
- Information relating to your request via electronic means.
- Sales information or information on events via electronic means, provided there is express authorisation.
- Management of administrative, communication and logistic services performed by the Data Controller.
- Invoicing.
- Performing the corresponding transactions.
- Invoicing and declaration of the corresponding taxes.
- Control and recovery management.

What is the legal basis for the processing of your data?

The legal basis is your consent and the execution of the service contract.

#### **+ SUPPLIERS**

For what purposes will your personal data be processed?

- Information relating to your request via electronic means.
- Sales information or information on events via electronic means, provided there is express authorisation.
- Management of administrative, communication and logistic services performed by the Data Controller.
- Invoicing.
- Performing the corresponding transactions.
- Invoicing and declaration of the corresponding taxes.
- Control and recovery management.

What is the legal basis for the processing of your data?

The legal basis is the acceptance of a contractual relationship, or in the absence thereof, your consent in contacting us or offering us your products through any channel.

#### **+ SOCIAL NETWORK CONTACTS**

For what purposes will your personal data be processed?

- Managing your queries and requests.
- Managing the requested service and answering and processing requests.
- Connecting with you and creating a community of followers.

#### What is the legal basis for the processing of your data?

The acceptance of a contractual relationship in the context of the social network in question and in accordance with its Privacy Policies:

Facebook <http://www.facebook.com/policy.php?ref=pf>;

Instagram <https://help.instagram.com/155833707900388>

LinkedIn [http://www.linkedin.com/legal/privacy-policy?trk=hb\\_ft\\_priv](http://www.linkedin.com/legal/privacy-policy?trk=hb_ft_priv)

YouTube <https://www.youtube.com/yt/policyandsafety/es/policy.html>

#### How long will we keep your personal data for?

Our consultation or removal of your data is restricted according to the profile it belongs to. We will process it for as long as you allow us to do so by following us, being our friend, "liking" us or similar.

Any rectification of your data or restricting of information or posts must be done through your profile or user settings within the social network itself.

### + VIDEO SURVEILLANCE

#### For what purposes will your personal data be processed?

- Video surveillance of our facilities.
- Monitoring of our employees.
- This may occasionally be provided to courts and tribunals for the exercising of **legitimate action**.

#### What is the legal basis for the processing of your data?

The unequivocal consent of the interested party on accessing our facilities after seeing a sign regarding the area subject to video surveillance.

### + JOB APPLICANTS

#### For what purposes will your personal data be processed?

- Organisation of selection processes for the hiring of employees.
- To arrange employment interviews and assess your candidacy.
- If you have given us your consent, we will be able to pass this on to collaborating or similar entities for the sole purpose of helping you find employment.

#### What is the legal basis for the processing of your data?

The legal basis is your unequivocal consent in sending us your CV and receiving and signing information in relation to the processing we carry out.

#### How long will we keep your personal data for?

Your CV will be stored for a period of one year after which it will be deleted if we have not contacted you.

### + HR

#### For what purposes will your personal data be processed?

- Management of the employment relationship and employee file.
- To perform all necessary administrative, tax and accounting tasks in order to fulfil our contractual obligations and those in relation to employment legislation, Social Security, occupational risk prevention, taxes and accounting.
- Management of the payment of wages through a financial entity.
- Timetable control through the fingerprint/card access control system (if applicable).
- Management of the entity's collective insurance/pension plans.

- To perform ongoing training, both subsidised and non-subsidised.

#### What is the legal basis for the processing of your data?

The legal basis for the processing of your data is the execution of your employment contract. Fulfilment of the corresponding legal obligations. The consent of the interested party.

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#### Do we include personal data in relation to third parties?

No, as a general rule we only process data provided to us by the owner thereof. If you provide us with data belonging to third parties, you must have informed and requested the consent of said people beforehand, otherwise you exempt us from any liability for failure to comply with this requirement.

#### And personal data in relation to minors?

We do not process data in relation to minors under 14 years of age and therefore ask you not to provide us with your data if you are under this age.

#### Do we send communications through electronic means?

- These will only be sent to manage your request, if this is one of the contact means you have provided us with.
- If we send sales communications, these will have been expressly authorised by you beforehand.

#### What security measures do we apply?

You can rest easy: we have implemented an optimum level of protection of the Personal Data we handle and have installed all the technical means and measures available to us, according to the state of the art, to avoid the loss, misuse, alteration, unauthorised access to and theft of the Personal Data.

#### To what extent is decision-making automated?

CÁLIDA IBIZA SA does not use completely automated decision-making processes to initiate, develop or end contractual relationships with users. Should we use these processes in a particular case, we will keep you informed and inform you of your rights in this respect if required to do so by law.

#### Does the company use profiling?

In order to be able to offer you products and/or services according to your interests and improve your user experience, we may create a "sales profile" based on the information provided. Nonetheless, no automated decisions will be made based on said profile.

#### Who will receive your data?

Your data may be passed on to collaborating entities to offer the services offered on the website.

Your data shall also be disclosed when there is a legal obligation. Specifically, it shall be disclosed to the State Tax Administration Entity and to banks and financial entities in order to charge for the service rendered or product acquired, in addition to data processor companies as necessary for the execution of the agreement.

In the event of a purchase or payment, if you choose any application, website, bank card or any other online service, your data will be passed on to this platform or processed within such, always with maximum security.

In the event that you have given your consent for the processing of your name and images and other information in relation to the activity of CÁLIDA IBIZA SA, these will be published on the various social networks and website of CÁLIDA IBIZA SA.

#### International transfer.

If it is necessary to carry out international data transfers, it will ensure that such transfers are possible in accordance with the General Data Protection Regulations or any other requirement established by applicable regulations. For this purpose, the company will adopt the agreements that are necessary to guarantee a level of data protection equivalent to that provided for in European regulations.

In case of working in a system of shared folders in applications such as Dropbox, Google Drive, Microsoft OneDrive, Amazon, Apple, HubSpot, etc ... an international transfer will be made to the United States under the enabling of article 49.c) of the General Regulations of Data Protection or any other mechanism that guarantees a level of data protection equivalent to that provided for in European regulations.

#### What rights do you have?

- The right to know whether or not we are processing your data.
- The right to access your personal data.
- The right to the rectification of your data if it is incorrect.
- The right to the erasure of your data if it is no longer necessary for the purposes for which it was collected or if you withdraw your consent.
- The right to the limitation of the processing of your data, in some cases, in which case we will only retain this in accordance with current legislation.
- The right to port your data, which will be provided to you in a commonly used, machine-readable, structured format. If you prefer, we can send this to your designated new data processor. This is only valid in certain circumstances.
- The right to make a complaint with the Spanish Data Protection Agency if you believe we have failed to correctly address any request.
- The right to withdraw your consent at any time for any processing you may have given your consent for.

If any of your data should change, we would ask that you inform us so we can keep this up to date.

#### Would you like a form to exercise your rights?

- We have forms you can fill in to exercise your rights. Ask us for one via email or if you prefer, you can use those provided by the Spanish Data Protection Agency or third parties.
- These forms must be signed electronically or accompanied by a photocopy of your National Identity Document.
- If you are representing someone, you need to attach a copy of their National Identity Document, or they need to sign using their electronic signature.
- Forms may be submitted in person or sent by mail or by email to the address of the Data Controller at the start of this text.

You have the right to file a complaint with the Spanish Data Protection Agency should you consider that your request to exercise your rights has not been dealt with appropriately.

The maximum period CÁLIDA IBIZA SA has to deal with a request is one month from effective receipt of your request.

You have the right to revoke your consent for any of the processing for which you may have granted such at any time.

#### Do we use cookies?

If we use any type of cookies that are not necessary, you can check the cookies policy at the corresponding link from the home page of our website.

#### How long will we keep your personal data for?

- Your personal data will be kept for as long as you remain connected to us.
- Once you cease to be connected to us, your personal data processed for each purpose will be retained for the legally established periods, including the period during which a judge or tribunal may request such according to the statute of limitations for legal action.
- The data processed will be retained until the expiry of the legal periods mentioned above, where there is a legal obligation to retain such, or where there is no legal period, until the interested party should request the erasure thereof or revoke their consent given.

- We will retain all information and communications in relation to your purchase or the provision of our service for as long as the guarantees for the products or services should remain in force in order to deal with any claims.
- There is a specific period provided for each type of processing or data which you can consult in the following table:

File	Document	Storage
Customers	Bills. Forms and coupons. Contracts	10 years. 15 years. 5 years
Human Resources	Pay slips, TC1, TC2, etc. CVs. Dismissal compensation docs. Contracts. Data of temporary workers. Worker's file.	10 years. Until the end of the selection process, and 1 year more with your consent. 4 years. For up to 5 years after leaving.
Marketing	Databases or web visitors	While processing is taking plac
Suppliers	Bills. Contracts.	10 years. 5 years
Access control and video surveillance	Visitors list. Videos	30 days. 30 days block. 3 years destruction
Accounting	Accounting books and documents. Partner and management boards agreements, company bylaws, minutes, board of directors regulation and delegated committees. Financial statements, audit reports. Records and documents related to grants.	6 years
Fiscal	Running the administration of the Data Controller, rights and obligations related to the payment of taxes. Administration of dividend payments and tax withholdings.	10 years
Health and safety	Medical Records	5 years
Insurance	Insurance policies	6 years (general rule). 2 years (damages). 5 years (personal). 10 years (life)
Purchases	Register all deliveries of goods or services, intra-community acquisitions, imports and exports for VAT purposes.	5 years
Legal	Documents Intellectual and Industrial Property. Contracts and agreements. Permits, licences, certificates. Confidentiality and non-competition agreements	5 years. 6 years from expiry date of permit, licence or certificate. 10 years (limitation period for bringing criminal action). Always the term of the obligation or confidentiality.
Protection of personal data	Processing of personal data, if different from the processing notified to the AEPD (Spanish Data Protection Agency). Personal data of employees stored in the networks, computers and communications equipment used by them, access controls and internal management/administration systems.	3 years. 5 years