

General Data Protection Regulation (GDPR) and Achard Holiday Lets

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Many of my guests will have heard of the General Data Protection Regulation (GDPR) which comes into force across Europe on 25th May 2018. You may think this applies only to large / commercial organisations, but it covers any organisation that keeps personal data – and thus it applies to my holiday lettings business. This article explains my responsibilities, describes how I discharge them in a compliant manner and informs you of your rights under the new legislation.

What is GDPR?

GDPR expands existing Data Protection Regulations and widens their scope. It requires that personal data on members (“data subjects”) must be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

How does my holiday lettings business comply?

(a) Records of Paying Guests

Under the legislation, I become the ‘Data Controller’ for the personal data I hold on guests who have booked to stay in Achard. My policy for compliance with GDPR is as follows:

- (i) **I have a legitimate reason to hold your personal data:** When you book to stay in Achard you are entering a contract with me to stay in Achard for a defined period in return for a payment. To fulfil the contract, I therefore have a legitimate business reason to contact you to communicate relevant information about the house, the surrounding area, balance of payments reminder, arrival procedures etc. I also need to retain financial/accounting data to comply with HMRC requirements.
- (ii) **I hold your personal data securely:** All data is stored on a removable memory stick with secure password access. The PC on which I process your data has firewall protection and secure access. However, please note that information you provide in the Visitors’ Book is visible to other guests and may be used on my website under “Guest Comments”

for advertising purposes in a manner that protects your personal information. Written correspondence is kept securely until scanned, filed electronically for retention, and is then shredded.

- (iii) **I use your personal data responsibly:** I use personal data solely for the purposes of fulfilling my contract with you to provide services associated with my letting of Achard. I do not disclose, share, sell or otherwise distribute personal data in my database.
- (iv) **I allow those whose data I keep to know what I keep and why:** I keep some or all the following personal data in my database: a) name, address, e-mail address, telephone number b) information relating to booking period, and payment of deposits and balance. C) e-mail correspondence from my guests for reference to enhance the service I provide.
- (v) All the information I keep on my database has been supplied to me by current or past guests.
- (vi) **I allow those whose personal data I keep to request some or all of it to be updated or deleted:** If any person would like personal data removed from their database record they should contact me at aileen@achardholidaylets.co.uk with a request. Whilst it is the right of any person to have their personal data deleted, removal of personal data might prevent me from maintaining an informed ongoing interaction. The law may require me to retain some information, for example to comply with HMRC requirements.
- (vii) **I do not retain personal data for longer than is necessary for the reasons it was held in the first place:** I retain information for the period shown below to allow me to provide a high standard of ongoing customer service:
 - Guest data will be retained for a period of 7 years after a guests' stay in Achard, and will then be deleted

(b) Enquiries

If I receive an enquiry from a potential guest I will respond using the same method of contact. I will respond only to the question being asked and will save any e-mail correspondence for future reference for no longer than 12 months.

(c) Data Protection Officer

I am the nominated Data Protection Officer:

The Data Protection Officer will be responsible for informing the Information Commissioners Office within 72 hours if there is a suspected breach of security affecting personal data.

What needs to be done by 25th May 2018?

I will delete personal data on past guests or potential guests where that data is aged by the amounts shown above.

What do guests and past guests need to do?

Guests and past guests need do nothing if they are content for me to continue to hold the personal data described above. If you would like to see any data I hold on you or require any of that data to be updated or deleted, then please contact me at ailen@achardholidaylets.co.uk .