

# Privacy Statement

## Guest Survey Submission Page

### I. Introduction

This Guest Survey Submission Page is a service operated for and on behalf of the location you have been, or are currently, staying at with or whom you have entered into an agreement about the provision of services (the “**Location**”, in the following also referred to as “**we**”, “**us**”, “**our**” etc.). You can find the Location’s contact details and other information on the Location at the Location’s main website, or via your usual contacts at the Location.

The protection of your personal data (“**Your Data**”) is very important for us. Therefore, we would like to inform you in the following with this Privacy Statement about how and for what purpose Your Data are processed in connection with this Guest Survey Submission Page (the “**Site**”), and what your rights are in respect of it.

This Privacy Statement should be read in conjunction with the [Terms of Use](#) which sets out the rules that you shall consider when submitting a review.

**If you have requests or questions about the processing of Your Data in connection with this Site, please address the Location that is named in the invitation.**

### II. The Location and TrustYou

The Location’s invitation to submit your review at this Site was transmitted to you by TrustYou GmbH, Steinerstrasse 15, 81369 Munich, Germany (“**TrustYou**”), acting on behalf and in the name of the Location.

The Location entrusted TrustYou as its service provider with the review management. As regards the processing of Your Data in connection with the Site, the Location is the responsible data controller. TrustYou acts as data processor on behalf of the Location. The processing of Your Data by TrustYou is subject to a data processing agreement defining the roles, the data and the requirements of the transfer.

### III. Data Processing

#### 1. Invitation to submit reviews

If you have been invited by direct communication to submit a review, the Location as data controller has given TrustYou as processor your contact data (e.g. typically your name, date of stay, email address and/or mobile telephone number, together the “**Contact Data**”) to enable TrustYou to invite you to submit a review. TrustYou will not use Contact Data for any other purpose than the management of your review on behalf of and for the Location.

#### 2. Visiting the Site

If you visit the Site’s landing page (because of an invitation you have received or because you have been made aware of it in another way), your browser transmits to our server the following data, which are technically necessary in order for us to display the Site to you and to guarantee stability and security:

- IP-address,
- Date and time of the request
- Content of the request (specific site/page)
- Access status/HTTP-status code
- Respective amount of data being transferred
- Website that the request is coming from (“Referrer”)
- Language and version of the browser software

These data are anonymized at the beginning of each month by deleting the IP address and then archived for security reasons.

#### 3. Submission of reviews

If you submit a review via the Site by clicking the Submit-Button, the following personal data of yours are stored in order to generate and process a review:

- Your first and last name
- IP address
- Browser type & version
- Type and model of device used
- Date and time of submission
- Referring URL
- Email address and/or phone number
- Your review score
- Review details

- Any other data you may have entered on the Site

#### 4. Analysis and presentation of Reviews

The Location and TrustYou evaluate submitted reviews to enable the Location to improve its services. The Location and TrustYou use submitted reviews also as defined in the [Terms of Use](#).

#### 5. Publishing reviews on third-party portals

In some cases, users are offered the option of having their reviews published on third-party portals. In such cases, you are forwarded to another review form, controlled by the third-party review portal. You may at this point abort the process before any data are shared with third-party portals. And you have the opportunity to review and modify all data before they are submitted to the third party.

Note that these third parties are independent controllers of their respective portals, and their processing of personal data is governed by their own privacy policies that are available on the third-party portals.

#### 6. Social Plug-ins

The Site may contain social plug-ins of

- Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA (“Facebook”), and/or
- Twitter Inc., 1355 Market St, Suite 900, San Francisco, CA 94103, USA (“Twitter”).

If this is the case, your browser will create a direct connection with the US-based servers of Facebook and/or Twitter (as applicable) to load the social plugin, and to exchange certain data with these servers (as described in the respective privacy policies of Facebook and Twitter, as applicable). There is currently no decision of the European Commission that the USA generally provide an adequate level of protection for Your Data. Instead, Facebook and Twitter have each submitted to standard contractual clauses adopted by the European Commission that serves as appropriate safeguards for Your Data.

More detailed information on Facebook social plugins is available at <https://www.facebook.com/help/203587239679209/>. More detailed information on Twitter social plugins is available at <https://developer.twitter.com/en/docs/twitter-for-websites>.

#### 7. Legal basis

Legal basis for the processing of Your Data as described above are the legitimate interests of the Location and TrustYou to operate a review platform, which permits the Location to improve its offerings on the basis of customer feedback, and also permits interested third parties to benefit from the aggregated reviews of multiple visitors.

#### IV. Your right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of Your Data. If you object we shall no longer process Your Data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

Where Your Data are processed for direct marketing purposes, you have the right to object at any time to processing of Your Data for such marketing, which includes profiling to the extent that it is related to such direct marketing. If you object to processing for direct marketing purposes, Your Data shall no longer be processed for such purposes.

#### V. Your other rights

You also have the following rights with regard to Your Data:

- Right of access,
- Right to rectification and erasure,
- Right to restriction of processing,
- Right to data portability.

Furthermore, you have the right to complain to a supervisory authority for data protection about the processing of Your Data.

We would like to point out that any possible consent you have given pertaining to data protection can be withdrawn at any time, effective immediately. The same applies when you have given consent to be approached in a promotional manner. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

#### VI. Transfer of Your Data to third parties and third-party providers

In general, internal access to your personal data on the Site will be restricted to those who have a need to access it in order to carry out their duties (for example our customer services team).

As explained above, we use TrustYou as service provider and data processor for the review management. We may also share your personal data with the following external third parties in some circumstances:

- regulators such as data protection and government authorities, if we are required to do so by law or if the regulator or authority requests it and we regard that request as reasonable or are required to comply by law;
- our insurers, legal advisers or other third parties who need access to it in the context of managing, investigating or defending claims or complaints;
- organisations that process Your Data on our behalf who are not allowed to use your data for any other purpose, for instance our web hosts;
- other companies within our group, for instance where they provide us services; and
- where you have consented to do us doing so.

Where we share Your Data with our service providers, we have contracts with those service providers setting out how they must handle your personal data, including not to use your personal data other than in accordance with our instructions.

Where we anonymise Your Data, we may share such anonymised data with third parties to share market trends or consumer sentiment, or in PR material that we publish.

## **VII. Data erasure, storage period**

1. Your Data that are stored within the review management system shall be deleted as soon as they are no longer needed for the purpose for which they are being stored and the law does not prescribe a statutory duty for the data to be retained.
2. Your Data are anonymized after a period of five (5) years from the submission of the respective review, unless other retention periods are stipulated by law.
3. In the event that Your Data are not deleted or anonymized on grounds that they are still required for other or legally admissible reasons, their processing shall be restricted. This means that the data shall be blocked and shall not be processed for other purposes. This applies, for instance, for user data that have to be kept for reasons pertaining to trade or tax law.
4. Where multiple retention periods apply to the same personal data, the retention period will be the longest one (although we will stop using such personal data for a purpose when the retention period for that purpose expires).
5. Where the legal basis for processing is legitimate interests, you may have the right to object to the processing (see the section titled "Your right to object" above).
6. Other than the personal data set out above, also certain non-personal data may be collected, which might derive from personal data. For instance, we may aggregate statistics about trends in buying habits, or trends in user sentiment. Unless it is impossible to re-identify you from this information, we will treat it as personal data.

## **VIII. Contact**

For questions and requests with regard to the processing of Your Data within the review management, please contact the Location on whose behalf TrustYou sent you the invitation to submit a review. You can find contact data on the website of the Location (e.g. in the Location's Privacy Policy).