

GDPR & Hotelinking

hotelinking



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GDPR & Hotelinking.



The new **European Union General Data Protection Regulation (GDPR)** went into effect on 25 May 2018.

The new regulation features an expanded definition of personal data and a broader scope which affect any company that markets products or services to people in the EU. Each industry, each company and each process can lead to a different interpretation and application of the regulation.

Therefore, it is very important not to apply generalizations to the hotel business and, above all, to the specific case of Hotelinking.

The new European regulation makes manual, non-digital processes much more difficult tasks to perform. For example, data collection for marketing actions with guests during check-in or check-out will be a tedious and nearly impossible task to perform and control under the requirements of the GDPR.

Since 25 May 2018, Hotelinking has become an even more important tool for hotels as customer data collection is done in a completely automatic way, in compliance with all the GDPR requirements and specifically adapted to the hotel Wi-Fi casuistry.

The project was led by Jorge Morell from the firm Términos y Condiciones. Jorge is a prestigious attorney who specializes in Technology Law and Legaltech and is recognized nationwide as a reference on the issue.



Actions Hotelinking has taken to adjust to GDPR after 25 May 2018.

Upon application on 25 May of this year of **Regulation 2016/679** of 27 April 2016, on the protection of individuals with regard to the processing of personal data and on the free movement of such data (better known as **GDPR**), **Hotelinking** has adapted to the new regulation.



At Hotelinking, we've been working on the following actions to adequately adapt our services to the GDPR:

- **Updating the service website's terms and conditions.**
- **Creating an informational popup** for users who visit the website.
- **Revising all contracts signed with third party suppliers** (hosting services, analytics services and others).
- **Creating a register of activities.**
- **Determining the need to designate a Data Protection Officer.**
- **Preparing analyses of the pertinent risks and HR adjustments** with respect to present and future employees.
- **Reviewing and updating security and technical measures related to the data collected**, their use and access by company personnel and third-party suppliers.
- **Preparing a control and communication protocol** for any security breaches.
- **Revising contracts signed** with each one of the hotels or places where service is provided.
- **Creating a new registration process that clearly segments users who are staying and not staying at the hotel** to differentiate the processing and legal basis.
- **Creating a new specific legal text** for the new registration process.
- In relation to the foregoing, the **new registration process distinguishes between customer and non-customer hotel users.**



Under the assignment contract established between **Hotelinking** and the corresponding hotel, Hotelinking will assign customer data to the hotel so it may send commercial communications. The legal basis for this processing by the hotel will be the contract it has with the client.

On the other hand, Hotelinking will assign non-customer user data to the hotel, but it may only send them commercial communications if the user expressly agreed to this in the new checkbox included for this purpose during the reworked registration process. If they consented to this processing, they may be sent advertising mailings; otherwise, it is not allowed.

Note: In case an adaptation between Hotelinking and the hotel society is necessary, contact the **Key Account** department.

Hotelinking guidelines for adjusting to the GDPR.

As concerns adaptation to the GDPR by hotels using the service, it is important they remember and, to the extent possible, segment leads assigned by Hotelinking by: 1) customer users (hotel guests) and 2) non-customer users (those who have not been guests at the hotel).

If consent was not renewed before 25 May, **sending commercial communications to non-customer users** after that date would involve a greater legal risk as any such processing would not have an adequate legal basis. For **customer users who have been guests at the hotel, there is no problem** as they may be considered customers and the legal basis for sending the commercial communications in such a case would be the contract between the parties.





Guest segmentation.

Users identified as not staying at the hotel must expressly accept the consent to receive future communications. Whereas users who access via the option of a staying guest **do not need to be asked for such consent as they are hotel customers.**

The recruitment portal currently provided by Hotelinking already does the required user segmentation automatically.



Databases generated prior to 25 May 2018 with Hotelinking.

Renewing consent will not be necessary if the guest's data was collected through Hotelinking prior to 25 May 2018. Only the option of cancelling consent for the receipt of future notifications must be considered.

Any communication automatically sent by Hotelinking is always accompanied by the option to cancel consent for future notifications.



Our CRM tool (if contracted) features all the necessary mechanisms to be adapted to the new European regulation.

If the hotel has non-staying users (restaurant, conference room, etc.) that also connected to Wi-Fi through Hotelinking prior to 25 May 2018, and they have not been sent an email to request renewed consent, **not using these data is recommended**. In any case, users connected to the hotel Wi-Fi through Hotelinking represent a percentage of less than 5% at holiday hotels and 10-15% at urban hotels.

Updated and Adapted Privacy Policy.

The privacy policy and new conditions is a service included in **Hotelinking for all of its customers**. Any personalization thereof must be consulted and may lead to an increased monthly fee.

The privacy policy has been adapted to comply with the requirements of transparency, non-legal language, specific and concise explanations of the processing of Wi-Fi user data, third parties involved in data processing as well as all security measures applied.

The text will be available in German, French, English and Spanish. The language of the device is automatically detected to be displayed in the proper language.

Click on the following link to see the [privacy policy](#) accepted by all Wi-Fi users.



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