

THE HEYGATE GROUP OF COMPANIES

PRIVACY POLICY

DATA PRIVACY & FAIR PROCESSING NOTICE

1. INTRODUCTION

- 1.1 Heygates Limited and its associated companies within the Heygate Group of companies respects your privacy and are committed to protecting your personal data. This Privacy Policy will inform you as to how we look after your personal data when you do business with us, and will tell you about your privacy rights and how the law protects you.

2. IMPORTANT INFORMATION AND WHO WE ARE

2.1 Controller

- (a) Heygates Limited and its associated companies within the Heygate Group of companies (collectively referred to as "**Heygates**", "**we**", "**us**" or "**our**" in this Privacy Policy) is the controller of and is responsible for your personal data.
- (b) Our Company Secretary is our appointed data privacy manager who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact our data privacy manager using the details set out below.

2.2 Contact details

- (a) If you have any questions about this Privacy Policy or our privacy practices, please contact our data privacy manager in the following ways:
- (i) Full name of legal entity: Heygates Limited;
 - (ii) Email address: privacy@heygates.co.uk; and
 - (iii) Postal address: Bugbrooke Mills, Bugbrooke, Northampton, NN7 3QH.
- (b) You have the right to make a complaint at any time to the Information Commissioner's Office ("**ICO**"), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

2.3 Changes to the Privacy Policy and your duty to inform us of changes

- (a) We keep our Privacy Policy under regular review.
- (b) It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

3. THE DATA WE COLLECT ABOUT YOU

3.1 **"Personal data"**, or personal information, means any information about an individual from which that person can be identified. It does not include data where the personal identity has been removed (anonymous data).

3.2 We may collect, use, store and transfer different kinds of data about you which we have grouped together as follows:

"Identity Data" includes first name, maiden name, last name, title, date of birth and gender;

"Contact Data" includes business billing address, business delivery address, email address and telephone numbers;

"Financial Data" includes bank account and payment card details;

"Technical Data" includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices which you use to access our Company Website.

"Transaction Data" includes details about payments to and from you and other details of products and services you have purchased from us;

"Usage Data" includes information about how you use our website, products and services;

"Marketing and Communications Data" includes your preferences in receiving marketing from us, our third parties and your communication preferences.

3.3 We also collect, use and share **"Aggregated Data"** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

3.4 We do not collect any **"Special Categories of Personal Data"** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

4. IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods). In this case, we may have to cancel a sale but we will notify you at the time if this is the case.

5. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you:

5.1 Direct interactions

You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- (a) complete an enquiry form online;
- (b) request marketing to be sent to you;
- (c) give us feedback or contact us.
- (d) provide New Account Forms

5.2 Automated technologies or interactions

As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies.

5.3 Third parties or publicly available sources

We will receive personal data about you from various third parties as set out below:

- (a) analytics providers
- (b) search information providers
- (c) Contact, Financial and Transaction Data from providers of technical, payment and delivery services
- (d) Identity and Contact Data from data brokers or aggregators
- (e) Identity and Contact Data from publicly available sources

6. HOW WE USE YOUR PERSONAL DATA

6.1 We will only use your personal data when the law allows us. Most commonly, we will use your personal data in the following circumstances:

- (a) where we need to perform the contract we are about to enter into or have entered into with you;
- (b) where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights, do not override those interests; and
- (c) where we need to comply with a legal obligation.

6.2 We do not rely on consent as a legal basis for processing your personal data. We will obtain your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

7. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

7.1 We have set out below, in a table format, a description of all the ways we plan to use your personal data, together with the legal bases on which we rely. We have also identified our legitimate interests.

7.2 Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis which we are relying on to process your personal data where more than one basis has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or Privacy Policy (b) Asking you to take part in a review or survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
	(d) Usage (e) Marketing and Communications	them and grow our business)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

8. MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly in the area of marketing and advertising.

9. PROMOTIONAL OFFERS FROM US

9.1 We may use your Identity, Contact, Technical data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

9.2 You will receive marketing communications from us if you have requested information from us or purchased goods from us.

10. OPTING OUT

10.1 You can ask us to stop sending you marketing messages at any time by contacting us at any time.

10.2 Should you opt out of receiving these marketing messages, your data will continue to be retained if it was provided to us as a result of purchase or other transactions.

11. CHANGE OF PURPOSE

11.1 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

11.2 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

11.3 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

12. INTERNATIONAL TRANSFERS

We do not transfer your personal data outside the European Economic Area ("EEA").

13. DATA SECURITY

13.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, altered, disclosed or accessed in an unauthorised way. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

13.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable Regulator of a breach where we are legally required to do so.

14. DATA RETENTION

- (a) We will only retain your personal data for as long as reasonably necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.
- (b) To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and, the applicable legal, regulatory, tax, accounting or other requirements.

15. YOUR LEGAL RIGHTS

Under certain circumstances, you have Rights under data protection laws in relation to your personal data.

16. NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other Rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

17. WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other Rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to a request to speed up our response.

18. TIME LIMIT TO RESPOND

We expect to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

19. GLOSSARY - LAWFUL BASIS

"Legitimate Interest" means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to do so by law). You can obtain further information about how we assess our

legitimate interests against any potential impact on you, in respect of specific activities, by contacting us;

"Performance of Contract" means processing your data where it is necessary for the performance of a contract to which you are a party, or, to take steps at your request before entering into such a contract;

"Comply with a legal obligation" means processing your personal data where it is necessary for compliance with a legal obligation which we are subject to.

20. THIRD PARTIES

20.1 Internal Third Parties

Other companies in the Heygate Group acting as joint controllers or processors and which are based in the UK.

20.2 External Third Parties

- (a) Service providers acting as processors based in the UK who provide IT and system administration services.
- (b) Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- (c) HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the UK who require reporting of processing activities in certain circumstances.

21. YOUR LEGAL RIGHTS

You have the right to:

- 21.1 **request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it;
- 21.2 **request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us;
- 21.3 **request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request;

- 21.4 **object to the processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to the processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms;
- 21.5 **request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
- (a) if you want us to establish the data's accuracy;
 - (b) where our use of the data is unlawful but you do not want us to erase it;
 - (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; and
 - (d) where you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it;
- 21.6 **request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use, or where we used the information to perform a contract with you;
- 21.7 **withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.