

PRIVACY NOTICE

1 Who we are

We are Owen Gibb & Sons Ltd, a company registered in Scotland (company number SC449914) whose registered office is at 34 Bridge Road, Edinburgh, Scotland, EH13 0LQ.

We are a **controller** for the purposes of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 (the UK GDPR), the Data Protection Act 2018 and related data protection legislation.

2 How to contact us

If you have any questions about this privacy notice or our data protection policies generally please contact us at admin@owengibbandsons.co.uk.

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.

3 Privacy notice

We are committed to protecting your personal data and your privacy. This privacy notice sets out the basis on which any personal data we collect from you, or that you provide to us, or that we acquire through a third party, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

Before we process your personal data, we are obliged to inform you of who we are, why we need to process your personal data, what we will do with your personal data and to whom we will pass your personal data.

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.

This privacy notice does not apply to employees, workers or other staff of Owen Gibb & Sons Ltd.

This version of our privacy policy was last updated on 1 March 2022.

4 What personal data do we collect and process?

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 identity of the individual has been removed (**anonymous data**).

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

- **Identity Data** includes first name, last name, marital status, title, date of birth and gender.
- **Contact Data** includes home or work address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.
- **Employment Data** includes job title and role.
- **Usage Data** includes information about your visit and how you use our website at <https://owengibbandsons.co.uk> (**Website**).

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, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

5 **How is your personal data obtained?**

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

- **Direct interactions.** You may give us your identity, contact, financial, transactional or similar personal data when you use our Website, use our services, or correspond with us by post, phone, e-mail or otherwise.
- **Automated technologies or interactions.** As you interact with our Website, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - we may obtain your identity and contact data from publicly available sources such as social media (such as LinkedIn), Companies House or other organisations' websites.
 - we may obtain your contact, financial and transaction data from providers of payment and credit card services.
 - we may obtain usage data (relating to the use of our Website) from analytics providers or search information providers.

6 **Failure 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 services for you.

7 Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

8 Marketing

If you are an individual, a sole trader or another type of non-corporate data subject we will only provide you with direct marketing communications where you have consented to receive such communication or you have contacted us directly to request specific information about our services. You can subscribe to such marketing communications, and you can adjust your marketing preferences at any time by contacting us at admin@owengibbandsons.co.uk.

If you represent another business, we may provide you with direct marketing communications where we feel that this may be relevant to your business (provided that you have not opted out of such communications). When we use your personal data for such purposes, we do so on the basis that it is in our legitimate interests to pursue direct marketing, provided that it constitutes fair processing of your personal data to do so.

You can also opt-out or unsubscribe from all or some of these marketing communications at any time by contacting us at admin@owengibbandsons.co.uk.

Where you opt out of receiving these marketing communications, this opt-out will not apply to personal data provided to us for any other purpose.

9 How will we use your personal data?

Personal data may be processed by us where you consent to the processing or where that processing is necessary for 1) the performance of a contract with you and/or to provide services to you; or 2) compliance with a legal obligation to which we are subject; or 3) the purposes of our legitimate interests (or those of a third party).

Legitimate interests 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 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.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need

details about the specific legal ground or grounds we are relying on to process your personal data.

Purpose/Activity	Type of data	Lawful basis for processing (including basis of legitimate interest)
Where you are an individual customer	(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 and to manage customer relationships) (c) Necessary to comply with a legal obligation (d) With your consent where we provide marketing information to you
Where you are a business customer	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications (f) Employment	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us and to manage customer relationships) (c) Necessary to comply with a legal obligation (d) With your consent where we provide marketing information to you and you are a, sole trader
Where you are a business contact (other than a customer)	(a) Identity (b) Contact (c) Marketing and Communications (d) Employment	(a) Necessary for our legitimate interests (to manage our business relationships) (b) Necessary to comply with a legal obligation (c) With your consent where we provide marketing information to you and you are a sole trader
Where you use our Website	(a) Identity	(a) Necessary for our legitimate interests (to

	(b) Contact (c) Marketing and Communications (d) Usage (e) Employment	maintain network security and Website relevance for visitors to our Website) (b) Necessary to comply with a legal obligation (c) With your consent where we provide marketing information to you and you are an individual or sole trader
To establish, exercise and defend our legal rights	All data	Necessary for our legitimate interests (in protecting our legal rights)

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 at admin@owengibbandsons.co.uk.

10 With whom do we share your personal data?

We may have to share your personal data with the parties set out below for the purposes set out in the table above.

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- Any relevant accreditation body or trade association.
- Any relevant regulatory authority or law enforcement agency, including HM Revenue & Customs and courts or tribunals who require reporting of processing activities in certain circumstances.
- Our employees, agents, contractors and other third parties so we can provide our services to you.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party processor service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

Any sharing of your personal data will only take place:

- to maintain network and information security;
- to provide our services;
- to protect and defend our legal rights;
- to prevent an unlawful or dishonest act;
- to pursue our commercial objectives where this does not override your rights and freedoms as a data subject;
- to develop and improve our services in order to remain competitive;
- with your consent; or
- where we need to comply with a legal obligation.

11 **International transfers**

We generally do not transfer your personal data out of the UK. However, whenever we are required to transfer your personal data out of the UK (for example where a third-party supplier is located outside of the UK), we ensure a similar degree of protection is afforded to it by ensuring that appropriate safeguards are implemented, including any of the following:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the UK government.
- Where we use certain service providers based outside of the UK, we may use specific contracts approved by the ICO which give personal data the same protection it has in the UK.
- You have provided your explicit consent to the transfer of your personal data outside of the UK.
- The transfer is necessary for the purposes of performing a contract between us and you.

Where you use the Website in a country outside the UK, your personal data will be transferred to and processed in the country from where you have accessed it. You acknowledge and agree that such a transfer of your personal data outside the UK in such circumstances is entirely your responsibility.

12 **Automated decision making and profiling**

We do not use automated decision-making (including profiling) to make any decisions which would produce a legal effect or similarly significantly affect a data subject.

13 **How long do we retain your personal data?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 requirements.

For tax purposes, we retain basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers.

14 **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. 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.

We have put in place procedures to deal with any suspected personal data breach and will notify you and the Information Commissioner's Office of a breach where we are legally required to do so.

15 **Your rights**

Your personal data is protected by legal rights, which include your rights to:

- **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.
- **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.
- **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. 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, following your request.
- **Object to 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 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.
- **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: if you want us to establish the data's accuracy; where our use of the data is unlawful but you do not want us to erase it; 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; or you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- **Request the transfer of your personal data to you or to a third party (data portability).** 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.
- **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.

If you wish to exercise any of these rights, please contact us using the details above.

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 your request to speed up our response.

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 may refuse to comply with your request in these circumstances.

We try to respond to all legitimate requests within one month. Occasionally it may 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.