

# Privacy Policy

This Privacy Policy sets out our commitment to protecting the privacy of personal information provided to us, or otherwise collected by us, offline or online, including through this website. In this Privacy Policy we, us or our means Steers McGillan Eves Design Ltd, its successors and assignees. When we collect, store and use your personal information, we do so in accordance with the rules set down in the UK Data Protection Act which includes the changes set out by the General Data Protection Regulation (EU) 2016/279 (the GDPR).

## Personal information

**Personal information:** The types of personal information or personal data we may collect about you include:

- your name
- your business name(s)
- images
- your contact details, including email address, mailing address, street address and/or telephone number; your demographic information, such as postcode
- information you provide to us through customer surveys
- details of products and services we have provided to you and/or that you have enquired about, and our response to you
- your browser session and geo-location data, device and network information, statistics on page views and sessions, acquisition sources, search queries and/or browsing behaviour; information about your access and use of our Site, including through the use of Internet cookies, your communications with our Site, the type of browser you are using, the type of operating system you are using and the domain name of your Internet service provider and your IP address
- additional personal information that you provide to us, directly or indirectly, through your use of our Site, associated social media platforms; and any other personal information requested by us and/or provided by you or a third party.
- we may collect these types of personal information directly from you or from third parties.

## Collection and use of personal information

**We may collect, hold, use and disclose personal information for the following purposes:**

- to enable you to access and use our website and associated social media platforms
- to contact and communicate with you
- for internal record keeping and administrative purposes
- for analytics, market research and business development, including to operate and improve our Site and associated social media platforms; to run competitions and/or offer additional benefits to you
- for advertising and marketing, including to send you promotional information about our products and services and information about third parties that we consider may be of interest to you
- to comply with our legal obligations and resolve any disputes that we may have
- to consider your employment application or engagement of freelance services

## Disclosure of personal information to third parties

**We may disclose personal information to:**

- third party service providers to enable them to provide their services, including and without limitation; IT service providers, data storage, web-hosting and server providers, debt collectors, maintenance or problem-solving providers, marketing or advertising providers, professional advisors and payment systems operators
- our employees, contractors and subcontractors
- our existing or potential agents or business partners
- sponsors or promoters of any competition we run
- anyone to whom our business or assets (or any part of them) are, or may (in good faith) be, transferred
- credit reporting agencies, courts, tribunals and regulatory authorities, in the event you fail to pay for goods or services we have provided to you
- courts, tribunals, regulatory authorities and law enforcement officers, as required by law, in connection with any actual or prospective legal proceedings, or in order to establish, exercise or defend our legal rights
- third parties, including agents or sub-contractors, who assist us in providing information, products, services or direct marketing to you. This may include parties located, or that store data, outside of the United Kingdom and third parties to collect and process data, such as Google Analytics, or other relevant businesses. This may include parties that store data outside of the United Kingdom.

Where we disclose your personal information to third parties, including data processors, we will request that the third party handle your personal information in accordance with this Privacy Policy. The third party will only process your personal information in accordance with written instructions from us and we require that the third party either complies with the principles set out in the GDPR data protection laws for the transfer and processing of personal information. When we refer to 'processing' in this clause and this Privacy Policy in general, we mean any operation or set of operations which is performed on personal information, whether or not by automated means, such as collecting, recording, organising, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available personal information.

### **Lawful Basis for collection**

For the above stated collection, we will be using Legitimate interest as our lawful basis as we believe that we have a lawful business interest in processing the data and the impact resulting from that processing on the individual's rights and freedoms is minimal. In addition to that, where you are already a client we have a relevant and appropriate relationship and there will be a reasonable expectation for us to process the data in the course of business. Where we collect your IP address it will be processed for the purposes of fraud protection, security measures and crime prevention. For additional collections outside the above stated purposes we may change the basis for these specific collections if a different lawful basis is deemed more appropriate.

### **How long will we keep personal information?**

Your personal data shall be kept for no longer than is necessary for the purposes for which it is being processed. There are some circumstances where personal data may be stored for longer periods, such as but not limited to accounting and tax purposes, which will be kept for a minimum of 7 years before erasure.

### **How we treat personal information that is also sensitive information**

For clarity sensitive information is a sub-set of personal information that is given a higher level of protection under GDPR. Sensitive information means information relating to your racial or ethnic origin, political opinions,

religion, trade union or other professional associations or memberships, philosophical beliefs, sexual orientation, sexual practices or sex life, criminal records, health information or biometric information. Provided you consent, your sensitive information may only be used and disclosed for purposes relating to the primary purpose for which the sensitive information was collected. Sensitive information may also be used or disclosed if required or authorised by law.

Our responsibilities as a 'controller' under the GDPR. Controllers are defined by the GDPR as natural or legal persons, a public authority, agency or other body to which personal information or personal data has been disclosed, whether via a third party or not, and who determines the purposes and means of processing personal information. We are a collector under the GDPR as we collect, use and store your personal information to enable us to provide you with our goods and/or services.

As a collector, we have certain obligations under the GDPR when collecting, storing and using the personal information of EEA citizens. If you are an EEA citizen, your personal data will be processed lawfully, fairly and in a transparent manner by us:

- only be collected for the specific purposes we have identified in the 'collection and use of personal information' clause above and personal information will not be further processed in a manner that is incompatible with the purposes we have identified
- be collected in a way that is adequate, relevant and limited to what is necessary in relation to the purpose for which the personal information is processed
- be kept up to date, where it is possible and within our control to do so (please let us know if you would like us to correct any of your personal information)
- be kept in a form which permits us to identify you, but only for so long as necessary for the purposes for which the personal data was collected
- be processed securely and in a way that protects against unauthorised or unlawful processing and against accidental loss, destruction or damage
- we also apply these principles to the way we collect, store and use the personal information of our customers or clients outside of the EEA.

**Specifically, we have the following measures in place, in accordance with the GDPR:**

**Data protection policies:**

We have internal policies in place which set out where and how we collect personal information, how it is stored and where it goes after we get it, in order to protect your personal information.

**Right to ask us to erase your personal information:**

You may ask us to erase personal information we hold about you.

**Right to ask us to restrict data processing:**

You may ask us to limit the processing of your personal information where you believe that the personal information we hold about you is wrong (to give us enough time to verify if the information needs to be changed), or where processing data is unlawful and you request us to restrict the processing of personal information rather than it being erased.

**Maintain Records of Processing Activities:**

Notification of data breaches: we will comply with the GDPR in respect of any data breach.

**Our responsibilities as a 'processor' under the GDPR**

Where we are a processor, we have contracts containing certain prescribed terms in our contracts with controllers. Depending on circumstances, we can be a controller or processor or controller and processor.

**In addition to:**

- our contractual obligations with controllers (where we are solely a processor); and
- our legal obligations under the GDPR as a controller (where we are both a controller and processor)

**As a processor we also have the following direct responsibilities:**

- not to use a sub-processor without the prior written authorisation of the data controller
- to co-operate with supervisory authorities
- to ensure the security of its processing
- to keep records of processing activities
- to notify any personal data breaches to the data controller
- to the extent the GDPR applies to our processing of your personal data, you agree that the GDPR Data

Processing Schedule set out on our Site governs such processing.

- your rights and controlling your personal information
- Information from third parties: If we receive personal information about you from a third party, we will protect it as set out in this Privacy Policy. If you are a third party providing personal information about somebody else, you represent and warrant that you have such person's consent to provide the personal information to us.

**Restrict:**

You may choose to restrict the collection or use of your personal information. If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us using the details below. If you ask us to restrict how we process your personal information, we will let you know how the restriction affects your use of our Site or products and services.

**Access and data portability:** You may request details of the personal information that we hold about you. You may request a copy of the personal information we hold about you. Where possible, we will provide this information in CSV format or other easily readable machine format. You may request that we erase the personal information we hold about you at any time. You may also request that we transfer this personal information to another third party (data portability).

**Correction:** If you believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us using the details below. We will take reasonable steps to correct any information found to be inaccurate, incomplete, misleading or out of date.

**Complaints:** If you believe that we have breached the UK Data Protection Principles or an article of the GDPR and wish to make a complaint, please contact us using the details below and provide us with full details of the alleged breach. We will promptly investigate your complaint and respond to you, in writing, setting out the outcome of our investigation and the steps we will take to deal with your complaint. You also have the right to contact the UK Information Commissioner if you wish to make a complaint.

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# Steers McGillan Eves

**Unsubscribe:** To unsubscribe from our e-mail database or opt-out of communications (including marketing communications), please contact us using the details below or opt-out using the opt-out facilities provided in the communication.

## **Storage and security**

We are committed to ensuring that the personal information we collect is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures such as the encryption of personal information, to safeguard and secure personal information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

We cannot guarantee the security of any information that is transmitted to or by us over the Internet. The transmission and exchange of information is carried out at your own risk. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that the personal information we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

## **Cookies and web beacons**

We may use cookies on our Site from time to time. Cookies, by themselves, do not tell us your email address or other personally identifiable information. However, they do allow third parties, such as Google and Facebook, to cause our advertisements to appear on your social media and online media feeds as part of our retargeting campaigns. If and when you choose to provide our Site with personal information, this information may be linked to the data stored in the cookie.

We may use web beacons on our Site from time to time. Web beacons (also known as Clear GIFs) are small pieces of code placed on a web page to monitor the visitor's behaviour and collect data about the visitor's viewing of a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.

We may use Google Analytics and other analytics tools to collect and process data. To find out how Google uses data when you use third party websites or applications, please see <https://policies.google.com/privacy/partners> or any other URL Google may use from time to time.

## **Links to other websites**

Our Site may contain links to other websites. We do not have any control over those websites and we are not responsible for the protection and privacy of any personal information which you provide whilst visiting those websites. Those websites are not governed by this Privacy Policy.

## **Amendments**

We may, at any time and at our discretion, vary this Privacy Policy. Any amended Privacy Policy is effective once we display it on our website.

For any questions or notices, please contact our Data Controller at:  
[dataprotection@steersmcgillaneves.co.uk](mailto:dataprotection@steersmcgillaneves.co.uk)

*Last update: 8 May 2018*

# Legitimate Interest Assessment Record

This is a record of the 3-part test confirming Legitimate Interest is the correct lawful basis for our day to day contact information processing for new and existing clients and new and existing suppliers / contractors / freelancers / staff of Steers McGillan Eves Design Limited.

## **Purpose test - is there a legitimate interest behind the processing?**

We have a legitimate interest in processing both new and existing customers personal data to allow our business to operate and sell goods and or services to those clients.

We have a legitimate interest in processing new and existing suppliers / contractors contact information to allow our business to operate and provide goods and or services to our new / existing clients

## **Necessity test - is the processing necessary for that purpose?**

It is necessary to process this personal data to allow day-to-day operation of our business, if we are unable to process the data we would be unable to operate as a business.

## **Balancing test - is the legitimate interest overridden by the individual's interests, rights or freedoms?**

As the personal data primarily contact data (name/ address/email/phone) for our existing or potential business clients there is a reasonable expectation that we will be processing this data and the processing is much less likely to have any significant impact on them personally.

## **Decision**

We believe for the reasons already stated above legitimate interests is the most appropriate legal basis for processing our client data for day-to-day transactions such as invoicing / quoting / provision of goods and / or services, also for dealing with suppliers / dealing with subcontractors / general business administration / staff administration for salary processing and emergency contacts.