

## GDPR Privacy Notice

For the purposes of the General Data Protection Regulation ("GDPR") and UK data protection laws, the controller is **Optipoint Consulting Ltd.** of 40 Bloomsbury Way, Lower Ground Floor, London, United Kingdom, WC1A 2SE.

### About this document

This Privacy Notice sets out the way we process your personal data and we've created this Privacy Notice to make sure you are aware of how we use your data.

Optipoint Consulting Ltd. is committed to protecting the privacy and security of your personal data.

### Important information

If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact us in writing, either:

by email to: [info@optipointconsulting.co.uk](mailto:info@optipointconsulting.co.uk)

by post to: Optipoint Consulting Ltd. 40 Bloomsbury Way, Lower Ground Floor, London, United Kingdom, WC1A 2SE

You have the right to make a complaint at any time to the ICO ([www.ico.org.uk](http://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. Your duty to inform us of changes. It is important that the data we hold about you is accurate and current, therefore please keep us informed of any changes to your personal data.

### How we collect your information

We may collect your personal data by means of a form on our website or by telephone, email, fax, or post. We may collect this data in the following ways:

- Directly from you, when you contact us
- When we, from time to time, contact you regarding administrative matters
- We may collect personal data from publicly available sources such as Companies House and the Electoral Register and credit reference agencies, based inside the EU
- From someone else who is submitting an order on your behalf
- From someone else who is seeking administrative support on your behalf

### The types of information we collect

We may collect the following types of personal information about you:

- Contact information, including email addresses, telephone numbers and postal addresses
- Records of communications and interactions we have had with you
- Financial information, including bank account details, debit card details, and credit card details
- Identity data; first name, maiden name, last name, username or similar identifier, marital status, title, place and date of birth, gender, nationality, NI Number, UTR, tax references, ID number, Passport number
- Transaction data; details about payments to and from you and other details of products and services you have purchased from us

We do not collect any special categories of personal data or any information about criminal convictions and offences.

#### Failure to provide personal data

If we are required by law, or under the terms of a contract we have with you, to collect your personal data and you fail to provide it, we may not be able to enter into or perform the contract with you and, we may have to cancel a product or service. We will notify you of this at the relevant time.

#### Why and how we use personal data

We use your personal data in order to enable us to deliver the services we provide in accordance with our contractual obligations. For the purposes of the General Data Protection Regulation ("GDPR") and UK data protection laws, when processing your personal data we are relying on the legal basis of:

- Our contract with you
- Our legitimate interest in being able to take payment from you by debit or credit card. We rely on this legitimate interest when we take your debit or credit card details and pass them to our card payment services provider for processing
- To comply with a legal obligation; and
- Where it is necessary to carry out our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

The information we collect and process is required for us to be able to perform our contractual obligations and receive payment from you for the services we provide. Should you fail to provide this information, we would not be able to deliver under the terms of our contract with you.

We do generally only rely on consent as a legal basis for processing your personal data and you have the right to withdraw your consent at any time by contacting us. Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your information.

#### Change of purpose

We will only use your personal data for the purpose that we originally collected it for, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

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 use your personal data in this manner.

We may process your personal data (without your knowledge or consent) where this is required or permitted by law.

#### Disclosure of your personal data

We may have to share your personal data with third parties. 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 service providers to use your personal data for their own purposes. They can only process your personal data for specified purposes and in accordance with our instructions.

## **International transfers**

We may transfer your personal data outside the European Economic Area (EEA).

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- 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 European Commission.
- we may transfer data to US based service providers under the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.]

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## **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. We also limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know and they can only process your personal data on our instructions and will be subject to a duty of confidentiality.

We have procedures in place 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.

## **Data retention**

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.

However, we are legally required to keep basic information about our customers (including contact, identity, financial and transaction data) for six years after they cease being customers, for tax purposes.

We may also anonymize your personal data (so that it can no longer be associated with you) for re-search or statistical purposes. We can use anonymized information indefinitely without further notice to you.

## **Your legal rights**

You have certain rights in certain circumstances under data protection law.

You will not have to pay a fee to exercise any of your rights. However, if your request is clearly unfounded, repetitive or excessive, we may charge a reasonable fee for this information or refuse to comply with your request.

We may request specific information from you to help us confirm your identity when you contact us and ensure. This is a security measure to ensure that personal data is not disclosed to any person who does not have the right to receive it.

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

Under certain circumstances, by law you have the right 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 information we hold about you corrected
- 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 to continue processing it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below)
- Object to processing of your personal data in particular ways, including processing based on the lawful basis of legitimate interests and direct marketing. Optipoint Consulting Ltd. does not use your data for direct marketing
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it
- Request the transfer of your personal data to yourself or another party in a safe and secure way, without affecting its usability, for example in a format that is structured, commonly used, and machine-readable

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. Further details regarding these rights can be found on the Information Commissioner's Office website:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner. You can find out more about your rights under applicable data protection laws from the Information Commissioner's Office website:

<https://ico.org.uk/>

**Schedule 1****Part 1 Types of personal data**

<b>contact data</b>	billing address, delivery address, email address and telephone number
<b>financial data</b>	bank account and payment card details
<b>identity data</b>	first name, maiden name, last name, username or similar identifier, marital status, title, place and date of birth, gender, nationality, NI Number, UTR, tax references
<b>marketing and communication data</b>	your preferences in receiving marketing from us and our third parties and your communication preferences
<b>profile data</b>	your username and password, purchase or orders made by you, preferences, feedback and survey responses
<b>technical data</b>	internet protocol (IP) address, your login data, 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 you use to access our website
<b>transaction data</b>	details about payments to and from you and other details of products and services you have purchased from us

## Part 2 Lawful basis for processing and processing activities

The lawful basis upon which we may rely on to process your personal data are:

<b>consent</b>	you have given your express consent for us to process your personal data for a specific purpose
<b>contract</b>	the processing is necessary for us to perform our contractual obligations with you under our contract, or because you have asked us to take specific steps before entering into a contract with you
<b>legal obligation</b>	the processing is necessary for us to comply with legal or regulatory obligation.
<b>legitimate interests</b>	the processing is necessary for our or a third party's legitimate interest e.g. in order for us to provide the best service to you via our website. Before we process your personal data on this basis we make sure we consider and balance any potential impact on you, and we will not use your personal data on this basis where such impact outweighs our interest

Set out below are specific details of the processing activities we undertake with your personal data and the lawful basis for doing this.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing</b>
to register you as a new customer	identity & contact	to perform our contract with you
to process and deliver your order, manage payments, fees and charges and debt recovery	identity, contact, financial, transaction and marketing & communications	(i) to perform our contract with you;  (ii) as necessary for our legitimate interest in recovering debts due to us.

<p>to manage our relationship with you, notifying you about changes to our Terms or Privacy Notice and ask you to leave a review or take a survey</p>	<p>identity, contact, profile &amp; marketing &amp; communications</p>	<p>(i) to perform our contract with you</p> <p>(ii) as necessary to comply with a legal obligation</p> <p>(iii) as necessary for our legitimate interests in keeping our records updated and analysing how customers use our products/services.</p>
<p>to administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>identity, contact &amp; technical</p>	<p>(i) as necessary for our legitimate interests in 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</p> <p>(ii) as necessary to comply with any legal obligations</p>



### Part 3 Your legal rights

You have the following legal rights in relation to your personal data:

<p><b>access your data</b></p>	<p>you can ask for access to and a copy of your personal data and can check we are lawfully processing it</p>
<p><b>correction</b></p>	<p>you can ask us to correct any incomplete or inaccurate personal data we hold about you</p>
<p><b>erasure</b></p>	<p>you can ask us to delete or remove your personal data where:</p> <ul style="list-style-type: none"> <li>(a) there is no good reason for us continuing to process it;</li> <li>(b) you have successfully exercised your right to object (see below);</li> <li>(c) we may have processed your information unlawfully; or</li> <li>(d) we are required to erase your personal data to comply with local law.</li> </ul> <p>We may not always be able to comply with your request for specific legal reasons, which will be notified to you at the time of your request</p>
<p><b>object</b></p>	<p>you can object to the processing of your personal data where:</p> <ul style="list-style-type: none"> <li>(a) where we are relying on our legitimate interest (or those of a third party) as the basis for processing your personal data, if you feel it impacts on your fundamental rights and freedoms;</li> <li>(b) where we are processing your personal data for direct marketing purposes.</li> </ul> <p>In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms and in such circumstances, we can continue to process your personal data for such purposes</p>





<b>restrict processing</b>	<p>you can ask us to us to suspend or restrict the processing of your personal data, if:</p> <ul style="list-style-type: none"><li>(a) you want us to establish the accuracy of your personal data;</li><li>(b) our use of your personal data is unlawful, but you do not want us to erase it;</li><li>(c) you need us to hold your personal data (where we no longer require it) as you need it to establish, exercise or defend legal claims; or</li><li>(d) you have objected to our use of your personal data, but we need to verify whether we have overriding legitimate grounds to use it</li></ul>
<b>request a transfer</b>	<p>you can request a transfer of your personal data which is held in an automated manner and which you provided your consent for us to process such personal data or which we need to process to perform our contact with you, to you or a third party. We will provide your personal data in a structured, commonly used, machine-readable format.</p>
<b>withdraw your consent</b>	<p>you can withdraw your consent at any time (where we are relying on consent to process your personal data). This does not affect the lawfulness of any processing carried out before you withdraw your consent</p>



**Part 4 Third Parties**

<b>service providers</b>	acting as processors or controllers based in the EEA but also around the world who provide services and IT and system administration services.
<b>professional advisors</b>	acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services
<b>HM Revenue &amp; Customs, regulators and other authorities</b>	acting as processors or joint controllers based in the EEA who require reporting of processing activities in certain circumstances
<b>third parties</b>	third parties 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

## Part 5 Glossary

<b>aggregated data</b>	information such as statistical or demographic data which may be derived from personal data but which cannot by itself identify a data subject
<b>controller</b>	a body that determines the purposes and means of processing personal data
<b>data subject</b>	an individual living person identified by personal data (which will generally be you)
<b>personal data</b>	information identifying a data subject from that data alone or with other data we may hold but it does not include anonymised or aggregated data
<b>processor</b>	a body that is responsible for processing personal data on behalf of a controller
<b>special categories of personal data</b>	information about race, ethnicity political opinions, religious or philosophical beliefs, trade union membership, health, genetic, biometric data, sex life, sexual orientation.
<b>ICO</b>	Information Commissioner's Office, the UK's supervisory authority for data protection issues