

## GDPR: DATA PRIVACY NOTICE FOR CLIENTS AND SUPPLIERS

### **YOUR PRIVACY IS IMPORTANT TO US**

At Quest Garden Management we take your privacy very seriously and are committed to protecting and respecting your privacy. We fully appreciate and respect the importance of data protection and security on the Internet.

This policy sets out the basis on which any personal data we collect from you or you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

### **1. Definitions**

**Data controller** - A controller determines the purposes and means of processing personal data.

**Data processor** - A processor is responsible for processing personal data on behalf of a controller.

**Data subject** – Natural person

### **Categories of data: Personal data and special categories of personal data**

- **Personal data** - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers may include IP addresses and cookies.
- **Special categories personal data** - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

**Processing** - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Third party** - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

### **2. About us**

Quest Garden Management is the data controller. This means we decide how your personal data is processed and for what purposes. Our address is: Chalkhill, 2 Southward Lane, Aldbourne, Marlborough, Wiltshire. SN8 2DF. For all data matters contact our Data Protection Officer at this address.

We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and services we will ask you to consent to our use of cookies when you first visit our website.

### 3. How we use your personal data

3.1 In this section we have set out:

- the general categories of personal data that we may process
- the purposes for which we may process personal data
- the legal basis for the processing

We use your personal data for the following purposes:

- 3.2 We may process data about your use of our website and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.
- 3.3 We may process your account data ("**account data**"). The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business.
- 3.4 We may process information contained in any enquiry you submit to us regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.
- 3.5 We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website ("**transaction data**"). The transaction data may include your contact details, and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely the proper administration of our website and business.
- 3.6 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.7 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings

or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.

- 3.8 In addition to the specific purposes for which we may process your personal data set out in this Section 3, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 3.9 Please do not supply any other person's personal data to us, unless we prompt you to do so.

#### **4. How we use your sensitive personal data**

We do not seek to collect sensitive personal information (i.e. information relating to ethnic origin, political opinions, religious or other beliefs, trade union membership, physical or mental health, sexual orientation or criminal records). We ask that you do not provide such information to us.

#### **5. Sharing your personal data**

- 5.1 We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 5.2 We may disclose personal data to our suppliers or subcontractors insofar as reasonably necessary for operating our website and services.
- 5.3 In addition to the specific disclosures of personal data set out in this Section 4, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

#### **6. International transfer of your personal data**

- 6.1 In this Section 6, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 6.2 The hosting facilities for our website are situated in Europe and the USA.
- 6.3 You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

#### **7. How long do we keep your personal data?**

Usage data will be retained for a minimum period of 1 year following your last visit to our website and for a maximum period of 2 years

All remaining information you provide will be retained for as long as is necessary to fulfil the terms of our agreement with you and for a period of five years after the date this agreement ceases. After this time it will be permanently deleted from all systems and back-ups.

Notwithstanding the provisions of this section we may retain your personal data where such retention is necessary for the compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the interests of another natural person.

## **8. About cookies**

- 8.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 8.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 8.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

## **9. Cookies that we use**

- 9.1 We use cookies for the following purposes:
  - authentication - we use cookies to identify you when you visit our website and as you navigate our website
  - analysis - we use cookies to help us to analyse the use and performance of our website and services
  - cookie consent - we use cookies to store your preferences in relation to the use of cookies more generally

## **10. Cookies used by our service providers**

- 10.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.
- 10.2 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.

## **11. Managing cookies**

- 11.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

(a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);

- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

11.2 Blocking all cookies will have a negative impact upon the usability of many websites.

## 12. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to withdraw your consent to the processing at any time, where consent was your lawful basis for processing the data.
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

## 9. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

## 10. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

## 11. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our Data Protection Officer by writing to: Data Protection Officer, Chalkhill, 2 Southward Lane, Aldbourne, Marlborough, Wiltshire. SN8 2DF

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the Information Commissioners Office on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.