

## R A Brown Heating Services Ltd Privacy and Data Retention Policy

### 1. Introduction

- 1.1 We are committed to safeguarding the privacy of our website visitors and service users.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our customers and potential customers; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 By using our website and agreeing to this policy, you consent to our use of cookies in accordance with the terms of this policy.
- 1.4 Our website incorporates privacy controls which affect how we will process your personal data. By using the privacy controls, you can specify whether you would like to receive direct marketing communications and limit the publication of your information.
- 1.5 In this policy, "we", "us" and "our" refer to R A Brown Heating Services Ltd. For more information about us, see Section 12.

### 2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

### 3. How we use your personal data

- 3.1 In Section 3 we have set out:
  - (a) the general categories of personal data that we may process;
  - (b) the purposes for which we may process personal data; and
  - (c) the legal bases of the processing.
- 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 google analytics. 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 "**account data**". The account data may include your name and email address. The source of the account data is you. The account data may be processed for the purposes of; providing our services, ensuring the security of our website and services, maintaining back-ups of our CRM and communicating with you. The legal basis for this processing is our the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.4 We may process your personal data that is provided in the course of the use of our services "**service data**". The service data may include; your name, address, email, phone numbers, project address (if applicable). The source of the service data is you. The service data may be processed for the purposes of, providing our services, ensuring the security of our website and services, maintaining back-ups of our CRM and communicating with you. 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.
- 3.5 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 and selling relevant goods and/or services to you]. 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.
- 3.6 We may process information relating to transactions, including purchases of goods and services; that you enter into with us or through our websites "**transaction data**". The transaction data may include your contact details, your debit card 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 our interest in the proper administration of our website and business.
- 3.7 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. Our website will generate the metadata associated with communications made using the website contact forms. 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 websites and business and communications with users.

- 3.8 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.
- 3.9 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 3.10 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.
- 3.14 Please do not supply any other person's personal data to us, unless we prompt you to do so.

#### **4. Providing your personal data to others**

- 4.1 We may disclose *your personal data such as* contact details and address/site address to our suppliers or subcontractors, insofar as reasonably necessary for supplying estimates, quotes and/or fulfilling our contract with you.
- 4.2 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.
- 4.3 Financial transactions relating to our services may be handled by our payment services providers, Xero cloud based accounting software. We will share transaction data with our accounting services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies and practices at <https://www.xero.com/uk/about/terms/privacy/>
- 4.4 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. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

## **5. International transfers of your personal data**

- 5.1 In this Section 5, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 5.2 The hosting facilities for our CRM – Prosperworks (<https://www.prosperworks.com/privacy>), Microsoft Office Cloud based services (see privacy information: <https://privacy.microsoft.com/en-gb/privacystatement>) and Xero Accounting cloud based services are situated in the US. The European Commission has made an "adequacy decision" with respect to the data protection laws of each of these countries. Transfers to these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission, a copy of which you can obtain from; <https://www.xero.com/uk/campaigns/xero-and-gdpr/>

## **6. Retaining and deleting personal data**

- 6.1 This Section 6 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data. The scope of this policy covers all company data stored via all methods, whether paper based, cloud based, in e-mails or documents stored on a PC hard drive. The need to retain certain information can be mandated by local, industry regulations and will comply with EU General Data Protection Regulation GDPR and the Data Protection Act 1988 and the Data Protection (Amendment) Act 2003.
- 6.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 6.3 The need to retain data varies widely depending on the type of data. Some data can be immediately deleted and some must be retained until reasonable potential for future need no longer exists. Since this can be somewhat subjective, a retention policy is important to ensure that the company's guidelines on retention are consistently applied throughout the organisation.

#### 6.4 We will retain your personal data as follows:

Retention requirements; our guidelines for retaining the different types of company data are as follows.

- Personal customer data: Personal data will be held for as long as the individual is a customer of the company plus six full tax years from the date of the last invoice. At that point paper files and electronic files will be destroyed or deleted and CRM record will be archived and will only be made live again if the customer contacts us again in the future.
- Personal employee data: General employee data will be held for the duration of employment and then for six full tax years after the last day of contractual employment. Employee contracts will be held for six full tax years after last day of contractual employment.
- Tax payment records of employees will be held for six complete tax years.
- Records of staff leave will be held for three tax years.
- Health and Safety: the records of major accidents and dangerous occurrences will be retained for seven years.
- Critical data including tax and VAT: Critical data must be retained for 6 full tax years.
- Customer debit card details will not be retained but destroyed immediately after the payment has been processed on the card machine. The company does not accept payments by credit card.

6.5 Data Duplication; When monitoring the storage and processing of customer's data, it is important to bear in mind where that data may be stored, particularly duplicate copies, so that this policy may be applied to all duplicates of the information.

6.6 Retention of Encrypted Data; If any information retained under this policy is stored in an encrypted format, considerations must be taken for secure storage of the encryption keys. Encryption keys must be retained as long as the data that the keys decrypt is retained.

6.7 Data Destruction; this is a critical component of a data retention policy. Data destruction ensures that the company will use data efficiently thereby making data management and data retrieval more cost effective. When the retention timeframe expires, the company will actively destroy the expired personal data covered by this policy. If a user feels that certain data should not be destroyed, he or she should identify the data to his or her supervisor so that an exception to the policy can be considered. The company specifically directs users not to destroy data in violation of this policy. Destroying data that a user may feel is

harmful to himself or herself is particularly forbidden, or destroying data in an attempt to cover up a violation of law or company policy.

- 6.8 Enforcement; this policy will be enforced by the Directors. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of company property (physical or intellectual) are suspected, the company may report such activities to the applicable authorities.
- 6.9 Notwithstanding the other provisions of this Section 6, we may retain your personal data where such retention 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

#### Definitions;

- Backup: To copy data to a second location, solely for the purpose of safe keeping of that data.
- Encryption: The process of encoding data with an algorithm so that it is unintelligible and secure without the key. Used to protect data during transmission or while stored. Encryption Key: An alphanumeric series of characters that enables data to be encrypted and decrypted.

## 7. Amendments

- 7.1 We may update this policy from time to time by publishing a new version on our website.
- 7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 7.3 We may notify you of changes to this policy by email.

## 8. Your rights

- 8.1 In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 8.2 Your principal rights under data protection law are:
- (a) the right to access;
  - (b) the right to rectification;

- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

- 8.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.
- 8.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 8.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 8.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for

the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

- 8.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.8 You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 8.9 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.10 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
  - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,

and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

- 8.11 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

8.12 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

8.13 You may exercise any of your rights in relation to your personal data by written notice to us.

## **9. About cookies**

9.1 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. Please follow this link for user friendly information about cookies: <https://cookies.insites.com/>

9.2 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.

9.3 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.

## **10. Cookies used by ourselves and our digital marketing service providers**

10.1 The company and service providers use cookies and those cookies may be stored on your computer when you visit our website.

10.2 We use Google Analytics and Google Tag Manager 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/>.

10.3 We use Mouseflow to measure our website performance. This service uses cookies. You can view information for data subjects at <https://mouseflow.com/gdpr/>.

## **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.

11.3 If you block cookies, you will not be able to use all the features on our website.

## **12. Our details**

12.1 This website is owned and operated by R A Brown Heating Services Ltd

12.2 We are registered in England and Wales under registration number 7261447 and our registered office is at 33 Newton Street, Newton St Faith, NR10 3AD.

12.3 Our principal place of business is at Units A7-A8 Abbey Farm Commercial Park, Southwell Road, Horsham St Faith, NR10 3JU.

12.4 You can contact us:

- (a) by post, to the postal address given above;
- (b) using our websites contact forms, URL <https://rabrown.co.uk>;
- (c) by telephone, on 01603 898904 (published on our website); or
- (d) by email, using the email address published on our website.