

# SMITH'S (GLOUCESTER) LIMITED

## The "Company"

### ***EXTERNAL PRIVACY POLICY***

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We are committed to protecting and respecting your privacy.

Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities we will collect, store and process personal data about our customers, suppliers and other third parties, and we recognise that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

This policy sets out the basis on which any personal data we collect from you, or that 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.

For the purpose of UK data protection laws, the data controller is **Smiths (Gloucester) Limited** of Alkerton Court, Eastington, Stonehouse, GL10 3AQ.

#### **DATA PROTECTION PRINCIPLES**

When processing your information, we must comply with the six enforceable principles of good practice. These provide that your information must be:

- processed lawfully, fairly and in a transparent manner;
- processed for specified, explicit and legitimate purposes;
- adequate, relevant and limited to what is necessary;
- accurate and kept up-to-date;
- kept for no longer than is necessary; and
- processed in a manner than ensures appropriate security.

#### **INFORMATION YOU GIVE TO US**

We may collect, use, store and transfer different kinds of personal information about you, including:

- **Identity Data**, such as your name, marital status, title, date of birth, gender, job title and your employer
- **Contact Data**, such as your home and work addresses, personal and work email addresses and personal and work telephone numbers

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Dated *3rd January 2022*

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- **Document Data**, such as delivery consignments, order forms
- **Medical Data**, including your physical and mental medical history, and details of any medical conditions
- **Third Party Data**, namely Identity Data, Contact Data, Document Data and Medical Data relating to your family members, business colleagues and other contacts
- **Financial Data**, such as bank account and payment card details
- **Transaction Data**, including details about payments to and from you, and other details of services you purchase from us
- **Technical Data**, including IP addresses, your log-in 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
- **Profile Data**, such as your username, password, purchases or orders made by you, your interests, preferences, feedback and survey responses
- **Usage Data**, including information about how you use our website, products and services
- **Marketing Data**, such as your preferences in receiving marketing from us and our third parties, and your communication preferences.

#### **'SPECIAL CATEGORY' DATA**

Information relating to your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, criminal convictions, sex life or sexual orientation, or certain types of genetic or biometric data is known as 'special category' data.

During the course of dealing with you, we do not expect to collect any 'special category' data about you.

#### **HOW WE COLLECT YOUR PERSONAL INFORMATION**

You may give us information (such as your name, address, email address, phone number, financial and credit card information, details about your organisation, job

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title) by:

- meeting with you in our offices or sites
- placing an order for services through the website, phone call, letter or email
- filling in forms on our website
- participating in discussion boards on social media platforms
- giving us your business card
- attending events or seminars
- requesting a service or contract
- entering a competition, promotion or survey organised by us, or
- corresponding with us by phone, email, letter or otherwise.

We may also collect personal information about you from third parties or publicly-available sources,  
such as:

- your business colleagues and other contacts
- delivery consignment documentation
- sub-contractors for which we're acting on your behalf
- official bodies such as Companies House, HM Land Registry
- credit reference agencies
- your professional advisers and business networks with which both you and we are connected
- analytics providers (such as Google)
- advertising networks
- providers of technical, payment and delivery services, and
- by conducting searches of publicly-available databases or social media sites, such as DueDil, Facebook, Twitter, and LinkedIn

When you visit our website, we may collect information about you (such as the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types

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and versions, operating system and platform).

We may also obtain information about you in the course of providing services from other customers, your business partners and employees and your professional advisers.

#### **HOW WE USE YOUR PERSONAL INFORMATION**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- you have given us consent,
- we need to perform a contract we are about to enter into, or have entered into, with you,
- where it is necessary for our or a third party's legitimate interests, and your interests and rights do not override those interests, or
- where we need to comply with a legal or regulatory obligation.

We will only use 'special category' information:

- provided we have your explicit consent to use it,
- where we believe that we need to use that data to protect your vital interests where you are not able to provide us with your explicit consent,
- where it is necessary for reasons of substantial public interest,
- where you have previously made that data public knowledge, or
- if we need to use that data to establish, exercise or defence legal claims.

#### **PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL INFORMATION**

We may use the information you give to us for a number of different purposes. For each purpose, we are required to confirm the 'legal basis' that allows us to use your information, as follows:

<b>Purposes for which we will use the information you give to us</b>	<b>Legal basis</b>
To register you as a new customer	It will be necessary for the performance of the contract between you and us
To perform the services that you have requested from us	It will be necessary for the performance of the contract between you and us.

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To invite you to corporate events, such as seminars	We will only do this if you agree, either by ticking the relevant box on the accompanying letter or email, or by updating your preferences online or by some other specific, informed and unambiguous method.
To provide you with information about other services we offer that are similar to those that you have already received from us	Where you have previously received marketing communications from us, then it will be necessary for our legitimate business interests, namely to ensure you continue to receive communications that you have previously agreed to receive  In all other cases, we will only do this if you give us your consent
To provide you with information about the latest developments that we feel may be of interest to you by electronic means (email or SMS)	Where you have previously received marketing communications from us, then it will be necessary for our legitimate business interests, namely to ensure you continue to receive communications that you have previously agreed to receive  In all other cases, we will only do this if you give us your consent
To provide you with updates on pricing and opening times	It will be necessary for the performance of the contract between you and us
To collect and recover money owed to us	It will be necessary for our legitimate business interests, namely to ensure we receive payment for services that you have ordered from us

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To provide you with information about special offers and other products we sell that are similar to those that you have already received from us	Where you have previously received marketing communications from us, then it will be necessary for our legitimate business interests, namely to ensure you continue to receive communications that you have previously agreed to receive  In all other cases, we will only do this if you give us your consent
To process your order and, if accepted, to deliver the service / products to you (including managing payments, fees and charges)	It will be necessary for the performance of the contract between you and us
To enable you to participate in a prize draw, competition or complete a survey	It will be necessary for our legitimate business interests, namely to study how customers use our products, to develop them and help grow our business

We will only use your personal information for the purpose(s) 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

**WHAT IF YOU CANNOT OR WILL NOT PROVIDE US WITH YOUR PERSONAL INFORMATION**

It is a contractual requirement for you to provide us with certain information, namely the information that we need in order to perform the services that you have requested from us. If you do not provide us with that information, we will not be able to perform the services that you request from us.

All other information you give us is given entirely as your discretion. If you do not provide that information, then we may be unable to notify you about changes to our services, invite you to corporate events, or keep you updated with regards to

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construction developments.

#### **COOKIE POLICY**

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
- **Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

You can find more information about the individual cookies we use and the purposes for which we use them by reviewing our cookie policy.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

You block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of

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our website.

**DISCLOSURE OF YOUR INFORMATION**

We may share your personal information with the parties set out below:

any other parties in relation to your instructed service to the extent we reasonably consider that it is appropriate or in your best interests for us to do so

business partners, suppliers and sub-contractors to the extent it is necessary for the performance of any contract between you and us

analytics and search engine providers that assist us in the improvement and optimisation of our website

credit reference agencies for the purpose of assessing your credit score where this is a condition of us entering into a contract with you

our professional advisers (including solicitors, bankers, auditors, insurers)

insurance providers where credit score presents a high risk

our IT providers

Health and Safety Executive, Vehicle and Operator Services Agency, Environment agency

We will disclose your personal information to third parties:

in the event that we enter into negotiations to sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets;

if Smith's (Gloucester) Limited or substantially all of its assets are acquired by a third party, in which case personal data held by it about our clients will be one of the transferred assets; or

if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply any contract between you or us, or our website terms of use, or to protect the rights, property, or safety of employees, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud and crime protection, and credit risk reduction.

We require all third parties to respect the security of your personal information and to treat it in

accordance with the law. We do not allow our third-party service providers to use your personal

information for their own purposes and only permit them to process your personal

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information for specified purposes and in accordance with our instructions.

#### **IDENTIFYING YOU AS A CLIENT OF SMITH'S (GLOUCESTER) LIMITED**

If you are a business client, we may identify you as a client of the firm in our marketing material, although we will never publicly disclose any confidential information about your instruction without having obtained your prior consent. If you do not agree to us identifying you as a customer of the firm, please notify our Executive Officer by writing to the address at the top of this policy, or by emailing us at [dataprivacy@smiths-gloucester.co.uk](mailto:dataprivacy@smiths-gloucester.co.uk)

#### **WHERE WE STORE YOUR PERSONAL DATA**

All information you provide to us is stored on our secure servers in the United Kingdom, or on secure cloud-based servers in a country within the European Economic Area that the European Commission has designated as having adequate levels of data protection.

We will take all steps reasonably necessary to ensure that your data is treated securely, including taking the following safeguards:

- **Entry controls.** The main building reception is staffed at all times, and our office is staff during normal working hours.
- **Secure lockable desks and cupboards.** Desks and cupboards are kept locked when not in use if they hold confidential information of any kind.
- **Methods of disposal.** Paper documents are disposed of by shredding in a manner that ensures confidentiality.
- **Equipment.** Users lock or log-off from their computer when it is unattended.
- **Firewalls and encryption.** We apply industry-standard firewall protection and encryption technology.
- **Training.** We ensure our employees are trained in the importance of data security.
- **Electronic access.** All data stored electronically is password-protected. Where we have provided an authorised user with a password, that user is responsible for keeping this password confidential and is not permitted to share the password with anyone.
- **Payment details.** Where appropriate, we will send payment and banking details by securely to reduce the risk of those emails being unlawfully

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intercepted.

However, some of the data that we collect from you may be transferred to third parties who will store the data at a destination outside the United Kingdom. By submitting your personal data, you agree to this transfer, storing or processing. We will let you know when we engage any overseas associates. If you are concerned about the levels of data security in those countries, please let us know and we will endeavour to advise what steps will be taken to protect your data when stored overseas.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

**HOW LONG WE WILL STORE YOUR PERSONAL DATA**

The length of time that we will store your data will depend on the applicable 'legal basis' in relation to that data, as follows:

<b>Legal basis</b>	<b>Length of time</b>
Where we use/store your data because it is necessary for the performance of the contract between you and us	We will use/store your data for as long as it is necessary for the performance of the contract between you and us
Where we use/store your data because it is necessary for us to comply with a legal obligation to which we are subject	We will use/store your data for as long as it is necessary for us to comply with our legal obligations
Where we use/store your data because it is necessary for our legitimate business interests	We will use/store your data until you ask us to stop. However, if we can demonstrate the reason why we are using/storing your data overrides your interests, rights and freedoms, then we will continue to use and store your data for as long as it is necessary for the performance of the contract between you and us (or, if earlier, when we no longer have a legitimate interest in using/storing your data)

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Where we use/store your data because you have given us your specific, informed and unambiguous consent	We will use/store your data until you ask us to stop
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To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

**YOUR RIGHTS**

You have various legal rights in relation to the information you give us, or which we collect about you, as follows:

- You have a right to access the information we hold about you free-of-charge, together with various information about why and how we are using your information, to whom we may have disclosed that information, from where we originally obtained the information and for how long we will use your information.
- You have the right to ask us to rectify any information we hold about you that is inaccurate or incomplete.
- You have the right to ask us to erase the information we hold about you (the 'right to be forgotten'). Please note that this right can only be exercised in certain circumstances and, if you ask us to erase your information and we are unable to do so, we will explain why not.
- You have the right to ask us to stop using your information where: (i) the information we hold about you is inaccurate; (ii) we are unlawfully using your information; (iii) we no longer need to use the information; or (iv) we do not have a legitimate reason to use the information. Please note that we may continue to store your information, or use your information for the purpose of legal proceedings or for protecting the rights of any other person.
- You have the right to ask us to transmit the information we hold about you to another person or company in a structured, commonly-used and machine-readable format. Please note that this right can only be exercised in certain circumstances and, if you ask us to transmit your information and we are unable to do so, we will explain why not.
- Where we use/store your information because it is necessary for our

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legitimate business interests, you have the right to object to us using/storing your information. We will stop using/storing your information unless we can demonstrate why we believe we have a legitimate business interest which overrides your interests, rights and freedoms.

- Where we use/store your data because you have given us your specific, informed and unambiguous consent, you have the right to withdraw your consent at any time.
- You have the right to object to us using/storing your information for direct marketing purposes.

If you wish to exercise any of your legal rights, please contact the Executive Officer by writing to the address at the top of this policy, or by emailing us at [mailbox@smiths-gloucester.co.uk](mailto:mailbox@smiths-gloucester.co.uk)

You also have the right, at any time, to lodge a complaint with the Information Commissioner's Office if you believe we are not complying with the laws and regulations relating to the use/storage of the information you give us, or that we collect about you.

#### **OPTING OUT OF RECEIVING MARKETING COMMUNICATIONS**

You can ask us to stop sending you marketing communications at any time by contacting the Executive Officer by writing to the address shown on our website, or by emailing us at [mailbox@smiths-gloucester.co.uk](mailto:mailbox@smiths-gloucester.co.uk)

#### **AUTOMATED DECISION-MAKING**

We do not use automated decision-making processes.

#### **CHANGES TO OUR POLICY**

Any changes we make to our policy in the future will be posted on our website and, where appropriate, notified to you by post, email or via social media. Please check our website frequently to see any updates or changes to our policy.

#### **CONTACT**

Questions, comments and requests regarding this policy are welcomed and should be addressed to the Executive Officer by writing to the address at the top of this policy, or by emailing us at [mailbox@smiths-gloucester.co.uk](mailto:mailbox@smiths-gloucester.co.uk)

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