

## **SECTION 1 – GENERAL INFORMATION**

### **1 Introduction**

Ashculme Limited, (referred to in this Privacy Notice as we, us, or our) is a controller and processor for the personal information that it collects and uses about you. Our contact details are set out in section 12 of this Privacy Notice. Any reference in this Privacy Notice to you or your refers to anyone whose personal information we process. This Privacy Notice is to inform you how we will use your personal information, the legal basis which allows us to use your personal information, how we share your personal information and inform you of your rights in accordance with the laws in place that protect your personal information, including the Data Protection Act 1998, the Privacy and Electronic Communications (EC Directive) Regulations 2003) and the General Data Protection Regulation 2016/679 and any subsequent data protection legislation which is implemented in the United Kingdom (together, "Data Protection Legislation").

We will treat all of your personal information as confidential and in accordance with the Data Protection Legislation and your personal information will only be shared with others in accordance with this Privacy Notice.

We keep this Privacy Notice up to date, so if there are any changes to the way in which your personal information is used this Privacy Notice will be updated and we will ensure a notice of such changes is displayed on our website homepage for a reasonable period of time.

### **2 How to use this Privacy Notice**

Section 1: general information applicable to all individuals;

Section 2: information only applicable to actual customers who purchase a product or service from us. We do not collect information on visitors to our website who do not purchase from us.

Please note, in the event you use the Website services offered by us and purchase a product from us, all sections of this Privacy Notice will be applicable to you. If you have any questions as to what sections of this Privacy Notice are relevant to you, please contact our Privacy Officer via [info@ashculme.co.uk](mailto:info@ashculme.co.uk) for more information.

### **3 What is personal information?**

Personal information is any information that tells you something about a living individual. This could include information such as name, contact details, address and bank account details.

### **4 For how long do we keep your personal information?**

We will keep your personal information for 7 years commencing on the date of our last transaction with you to comply with our regulatory obligations. Your personal information will be retained in accordance with our retention policy, your rights under Data Protection Legislation and in line with our regulatory obligations. Any personal information will be deleted in accordance with our data retention policy.

### **5 What is the legal basis of our data processing?**

Under Data Protection Legislation we are only permitted to use your personal information if we have a legal basis for doing so as set out in the data protection legislation. We rely on the following legal bases to use your personal information:

- where you have provided consent for us to process your personal information;
- where processing is necessary to enable us to perform our contract with you or take steps to enter into a contract with you at your request;
- where we need to comply with a legal obligation; and
- where it is necessary for our legitimate interests (of those of a third party) and your interests and fundamental rights do not override those interests.

In some cases we will need your consent to obtain and use your personal information. When this is the case, we will ask for your consent and we will explain why we need the personal information at the time when we ask for your consent. If we are relying on consent, you can withdraw your consent to our processing of your personal information at any time by contacting us using the contact details below.

### **6 How do we share your personal information?**

We will keep your personal information confidential and only share it with others for the purposes set out below and elsewhere in this Privacy Notice.

We will share your personal information in the following ways:

- we share your personal information with any person working within the business on a need to know basis to ensure we are able to perform our obligations to you;
- we share your personal information with any organisation which you have given us permission to share it with;
- we share your personal information with any organisation which we have sub-contracted or engaged to provide services on our behalf including software providers and hosts, postal fulfilment, hauliers for product deliveries, enquiry management, tax compliance, legal and audit and payment processing.
- we pass your personal information to selected third parties and agents who provide administrative support to us and who agree to only hold such personal information for the

purposes set out in this Privacy Notice and under strict conditions to safeguard your personal information;

- we share personal information with our regulators and law enforcement authorities and with courts, tribunals and arbitrators in order to comply with our regulatory and legal obligations; and
- we share personal information in connection with any sale, merger, acquisition, disposal, reorganisation or similar change of our business.

## **7 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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breaches and will notify you and any applicable regulator of a breach where we are legally required to do so.

Please note that as no data transmission over the Internet can be guaranteed to be 100% secure we cannot ensure or warrant the security of any information you transmit to us and you do so at your own risk.

## **8 Recording telephone calls**

Telephone calls into and out of our business are not recorded other than answerphone messages which are deleted once listened to.

## **9 Your rights in relation to your personal information**

You have a number of rights in relation to your personal information, these include the right to:

- Be informed about how we use your personal information;
- Obtain access to your personal information that we hold;
- Request that your personal information is corrected if you believe it is incorrect, incomplete or inaccurate;
- Request that we erase your personal information in the following circumstances:
- If we are continuing to process personal information beyond the period when it is necessary to do so for the purpose for which it was originally collected;
  - If we are relying on consent as the legal basis for processing the personal information and you withdraw consent;
  - If we are relying on legitimate interests as the legal basis for processing the personal information and you object to this processing and there is no overriding compelling ground which enables us continue with the processing;
  - If the personal information has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation); or
  - If it is necessary to delete the personal information to comply with a legal obligation.
- Ask us to restrict our data processing activities where you consider that:
  - Personal information is inaccurate;

- Our processing of your personal information is unlawful;
- Where we no longer need the personal information but you require us to keep it to enable you to establish, exercise or defend a legal claim; or
- Where you have raised an objection to our use of your personal information;
- Request a copy of certain personal information that you have provided to us in a commonly used electronic format. This right relates to personal information that you have provided to us that we need in order to perform our agreement with you and personal information where we are relying on consent to process your personal information;
- Object to our processing of your personal information where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal information; and
- Not be subject to wholly automated decisions which produce legal effects or which could have a similarly significant effect on you.

If you would like to exercise any of your rights or find out more, please write to use at [info@ashculme.co.uk](mailto:info@ashculme.co.uk). The tables at the end of this notice provide more detail about the personal information that we use, the legal basis that we rely on in each case and your rights.

## **10 Processing your personal information based on consent - Marketing**

We will not use your personal information for marketing.

## **11 Complaints**

If you have any complaints about the way we use your personal information please contact our Privacy Team who will try to resolve the issue. If we cannot resolve any issue, you have the right to complain to the data protection authority in your country (the Information Commissioner in the UK) via their website [www.ico.org.uk](http://www.ico.org.uk). If you need more information about how to contact your local data protection authority please let us know by contacting [info@ashculme.co.uk](mailto:info@ashculme.co.uk), call 01823 353302 or write to us at Byes Farm, Hemyock, Cullompton, Devon EX15 3TA

## **12 Contact details**

If you have any questions, comments or requests regarding any aspect of this Privacy Notice, please do not hesitate to contact us at:

Privacy Officer, Byes Farm, Hemyock, Cullompton, Devon EX15 3TA or via email, at [info@ashculme.co.uk](mailto:info@ashculme.co.uk)

## **SECTION 2 – ACTUAL CUSTOMERS**

### **1 How do we collect personal information from you?**

We collect personal information about you from various sources including:

- through the provision of a sale of a product or service;
- the personal information you provide us when any contact is made with you (by way of telephone call, email or by any other means) in accordance with the provision of our services;
- any personal information we already hold about you;

### **2 What personal information do we collect during the potential or actual sale of a product?**

We collect the following types of personal information:

- your name, date of birth, email address, postal address, telephone or mobile number;
- bank details;
- details of any contact made with you (either initiated by us or by yourself);

If you give us personal information about somebody else, such as a colleague, we will assume you have their permission to do so, and their data will also be subject to this Privacy Notice.

### **3 For what purposes do we use your personal information during a potential or actual sale of a product?**

We use your personal information for the following purposes:

- to provide our services to you and to manage our business;
- to comply with our legal obligations and professional codes and to identify, prevent or detect fraud or other crimes; and
- in connection with any sale, merger, acquisition, disposal, reorganisation, restructuring or similar change to our organisation.

### **4 Using your personal information for profiling/automated decision making**

We do not use your personal information for profiling or for automated decision making.

***Quick check of Ashculme's use of your personal information: Customers***

To comply with our legal obligations and professional codes	Your name, date of birth, email address, telephone or mobile number, bank details and details of any contact made with you	Legal obligation	The generally applicable rights
To identify, prevent or detect fraud or other crimes	Your name, date of birth, email address, telephone or mobile number, bank details and details of any contact made with you	Legitimate interest. It is in both our interest as well as your interest to ensure the prevention of fraud and other crime is monitored.	The generally applicable rights plus the right to object
In connection with any sale, merger, acquisition, disposal, reorganisation, restructuring or similar change to our organisation	Your name, date of birth, email address, telephone or mobile number, bank details and details of any contact made with you	Legitimate interest. It is in Ashculme's interest to ensure that in the event of any sale, merger or any other reorganisation, the appropriate parties post the reorganisation can provide services to you without any significant disruption	The generally applicable rights plus the right to object
To record personal details in the event of non-payment at point of sale	Your name, date of birth, email address, telephone or mobile number, bank details and details of any contact made with you	Contractual necessity	The generally applicable rights plus the right to data portability

The following generally applicable rights always apply: right to be informed, right of access, right to rectification, right to erasure, right to restriction and rights in relation to automated decision making. Please see the "Your rights in relation to your information" section above for more detail of your rights and how to exercise them.