

UK-ITwww02

## **Website privacy notice**

## Privacy Notice

This is the privacy notice of [Caroline Gent Catering Ltd](#) . In this document, we, refer to [Caroline Gent Catering](#) We are company number [6930392](#) registered in [The UK](#)

Our registered office is at [OLD MILL, Maltravers House, Petters Way, Yeovil, Somerset BA20 1SH](#)

## Introduction

1. This is a notice to inform you of our policy about all information that we record about you. It sets out the conditions under which we may process any information that we collect from you, or that you provide to us. It covers information that could identify you (“personal information”) and information that could not. In the context of the law and this notice, “process” means collect, store, transfer, use or otherwise act on information.
2. We regret that if there are one or more points below with which you are not happy, your only recourse is to leave our website immediately.
3. We take seriously the protection of your privacy and confidentiality. We understand that all visitors to our website are entitled to know that their personal data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party.
4. We undertake to preserve the confidentiality of all information you provide to us, and hope that you reciprocate.
5. Our policy complies with UK law accordingly implemented, including that required by the EU General Data Protection Regulation (GDPR).
6. The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now, by requesting that you read the information provided at [www.knowyourprivacyrights.org](http://www.knowyourprivacyrights.org)
7. Except as set out below, we do not share, or sell, or disclose to a third party, any information collected through our website.

## The bases on which we process information about you

The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

If the basis changes then if required by law we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

## **1. Information we process because we have a contractual obligation with you**

When you create an account on our website, buy a product or service from us, or otherwise agree to our terms and conditions, a contract is formed between you and us.

In order to carry out our obligations under that contract we must process the information you give us. Some of this information may be personal information.

We may use it in order to:

- 1.1. verify your identity for security purposes
- 1.2. provide you with our services
- 1.3. provide you with suggestions and advice on how to obtain the most from using our website

We process this information on the basis there is a contract between us, or that you have requested we use the information before we enter into a legal contract.

Additionally, we may aggregate this information in a general way and use it to provide class information, for example to monitor our performance with respect to a particular service we provide. If we use it for this purpose, you as an individual will not be personally identifiable.

We shall continue to process this information until the contract between us ends. Information we process with your consent

Through certain actions when otherwise there is no contractual relationship between us, such as when you browse our website or ask us to provide you more information about our business, including [\[job opportunities and\]](#) our catering services, you provide your consent to us to process information that may be personal information.

Wherever possible, we aim to obtain your explicit consent to process this information, for example, by asking you to agree to our use of cookies.

Sometimes you might give your consent implicitly, such as when you send us a message by e-mail to which you would reasonably expect us to reply.

Except where you have consented to our use of your information for a specific purpose, we do not use your information in any way that would identify you personally. We may aggregate it in a general way and use it to provide class information, for example to monitor the performance of a particular page on our website.

We continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

## **2. Information we process for the purposes of legitimate interests**

We may process information on the basis there is a legitimate interest, either to you or to us, of doing so.

Where we process your information on this basis, we do after having given careful consideration to:

- whether the same objective could be achieved through other means
- whether processing (or not processing) might cause you harm
- whether you would expect us to process your data, and whether you would, in the round, consider it reasonable to do so

For example, we may process your data on this basis for the purposes of:

- record-keeping for the proper and necessary administration of our [business](#)
- responding to unsolicited communication from you to which we believe you would expect a response
- protecting and asserting the legal rights of any party
- insuring against or obtaining professional advice that is required to manage [business](#) risk
- protecting your interests where we believe we have a duty to do so

### **3. Information we process because we have a legal obligation**

We are subject to the law like everyone else. Sometimes, we must process your information in order to comply with a statutory obligation.

### **4. Information relating to your method of payment**

4.1. We do not keep all your payment information so as:

4.1.1 to prevent the possibility of our duplicating a transaction without a new instruction from you;

4.1.2 to prevent any other third party from carrying out a transaction without your consent

4.2. Access to your payment information is restricted to authorised staff .

### **5. Job application and employment**

If you send us information in connection with a job application, we may keep it for up to [three years] in case we decide to contact you at a later date.

If we employ you, we collect information about you and your work from time to time throughout the period of your employment. This information will be used only for purposes directly relevant to your employment. After your employment has ended, we will keep your file for [six years] before destroying or deleting it.

### **6. Affiliate and business partner information**

This is information given to us by you in your capacity as an affiliate of us or as a business partner.

It allows us to recognise visitors that you have referred to us, and to credit to you commission due for such referrals. It also includes information that allows us to transfer commission to you.

The information is not used for any other purpose.

We undertake to preserve the confidentiality of the information and of the terms of our relationship.

We expect any affiliate or partner to agree to reciprocate this policy.

## **Use of information we collect through automated systems when you visit our website**

### **7. Cookies**

Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit any website. They allow information gathered on one web page to be stored until it is needed for use on another, allowing a website to provide you with a personalised experience and the website owner with statistics about how you use the website so that it can be improved.

Some cookies may last for a defined period of time, such as one day or until you close your browser. Others last indefinitely.

Your web browser should allow you to delete any you choose. It also should allow you to prevent or limit their use.

Our website uses cookies. They are placed by software that operates on our servers, and by software operated by third parties whose services we use.

When you first visit our website, we ask you whether you wish us to use cookies. If you choose not to accept them, we shall not use them for your visit except to record that you have not consented to their use for any other purpose.

If you choose not to use cookies or you prevent their use through your browser settings, you will not be able to use all the functionality of our website.

We use cookies in the following ways:

- 7.1. to track how you use our website
- 7.2. to record whether you have seen specific messages we display on our website
- 7.3. to keep you signed in our site

- 7.4. to record your answers to surveys and questionnaires on our site while you complete them
- 7.5. to record the conversation thread during a live chat with our support team

## **Disclosure and sharing of your information**

### **8. Access to your personal information**

- 8.1. At any time you may review or update personally identifiable information that we hold about you, by signing in to your account on our website.
- 8.2. To obtain a copy of any information that is not provided on our website you may send us a request at [\[email address\]](#).
- 8.3. After receiving the request, we will tell you when we expect to provide you with the information, and whether we require any fee for providing it to you.

### **9. Encryption of data sent between us**

We use Secure Sockets Layer (SSL) certificates to verify our identity to your browser and to encrypt any data you give us.

Whenever information is transferred between us, you can check that it is done so using SSL by looking for a closed padlock symbol or other trust mark in your browser's URL bar or toolbar.

### **10. Retention period for personal data**

Except as otherwise mentioned in this privacy notice, we keep your personal information only for as long as required by us:

- 10.1. to provide you with the services you have requested;

10.2. to comply with other law, including for the period demanded by our tax authorities;

## **11. Compliance with the law**

Our privacy policy has been compiled so as to comply with the law of every country or legal jurisdiction in which we aim to do business. If you think it fails to satisfy the law of your jurisdiction, we should like to hear from you.

However, ultimately it is your choice as to whether you wish to use our website.

## **12. Review of this privacy policy**

We may update this privacy notice from time to time as necessary. The terms that apply to you are those posted here on our website on the day you use our website. We advise you to print a copy for your records.

If you have any question regarding our privacy policy, please [contact us](#).



# Explanatory notes

## Privacy policy notice

## General notes

The EU Data Protection Directive (95/46/EC), implemented as the General Data Protection Regulation, or the GDPR, comes into force from May 2018.

In the UK, the Data Protection Bill enshrines the law in the GDPR, making it applicable even after the UK leaves the European Union.

The requirements under the new law are similar in extent to existing data protection law in the UK. If your business complies with existing law, then the changes you need to make are likely to be small.

The possible implications for non-compliance are now much more severe. In theory, the Information Commissioner's Office (the ICO) has the power to fine a business 4% of its annual worldwide turnover.

However, as with other EU law regarding selling to consumers we believe that the ICO in practice is unlikely to fine many small businesses and organisations without having first given a warning. Having a privacy notice (such as one based on this template) that shows some effort to comply with the law is likely, in our opinion, to generate enough goodwill with the ICO to avoid a fine in the first instance.

Updating your website privacy notice is not the only requirement for compliance with the GDPR. You are also likely to need to change how customers and visitors can access personal data held about them, and create new procedures for obtaining compliance to collect and use personal data.

You may also need to update other legal documents, in particular, your website terms and conditions. Free versions of these are also available from our website.

More information can be found at: <https://www.netlawman.co.uk/ia/gdpr>

### Using this template as the basis for your privacy notice

Your privacy policy should be concise (while also being comprehensive), transparent, easy to understand and easily accessible.

We aim to balance those qualities in this document. However, we cannot know exactly how your business works, so you may need to edit the document significantly in certain places.

We offer this template free as an example of a Net Lawman document. We hope that you like it, and that you may buy other documents and services from us in the future.

Regardless of the price, we assert our copyright in the document. Our standard licence terms apply. While you may not distribute the template without including our copyright, you may remove our copyright notice from the version you edit and use.

In addition to these paragraph specific guidance notes to help you edit the template, we also publish a free, more general guide to editing our legal documents, which you can download at: [https://www.netlawman.co.uk/uploads/Editing\\_Legal\\_Document\\_Templates.pdf](https://www.netlawman.co.uk/uploads/Editing_Legal_Document_Templates.pdf)

If you have any questions, please contact us at [support@netlawman.co.uk](mailto:support@netlawman.co.uk)

## Paragraph specific notes

Numbered notes refer to specific numbered paragraphs in the template.

### **Identification of the owner of the website**

The GDPR requires that you identify the business or the organisation that operates the website. Using the domain name as the business name is not enough. You need to provide a business or organisation name and an address.

In practice, you may decide that you do not want to provide your name and address (for your own privacy reasons). You may be more likely to get away with doing this if you don't trade from your website.

### **Introduction**

Leave these items in place unless there is a good reason to edit or remove. Each of these items has been carefully considered in the context of this document and has been included for a purpose.

1. This paragraph sets out the purpose of the document and explains terms used throughout it.
2. If a visitor is not happy with your privacy policy, there is little he or she can do except leave your website. This paragraph reminds him or her of that recourse.
3. This is a statement of intent, designed to reassure visitors, but also any regulator.
4. As above.

5. This statement demonstrates awareness of the GDPR and compliance. It should also reassure visitors.
6. A key requirement of the law is that you tell your visitors and customers that they have rights with respect to how their personal information is processed. Rather than cluttering your privacy notice with an explanation of the law, we recommend referring your visitors to this explanatory website.
7. A statement designed to reassure site visitors.

### **The bases on which we process information about you**

A requirement of the GDPR is that you tell the data subject why you process the data and which legal basis you have chosen to use as the justification to process his or her data.

Most websites will process different types of data on different bases. The two most likely to apply are “Contract” (after the visitor has accepted your terms and conditions) and “Consent” (after the visitor has agreed to your use of his or her data – usually by taking some affirmative action such as clicking on a button). Some data may also be processed because of a legal requirement or a legitimate interest.

All the bases are described at:

<http://www.knowyourprivacyrights.org/legitimate-uses/>

The reasons why you process the data arise as a result of the basis. If there is a contract, there is a contractual obligation to carry out the service. If the basis is consent, then there will probably be some benefit to the data subject of you using the information.

You may want to edit these sections in minor ways (certainly where we have highlighted in blue).

More importantly, you should make design changes to how your website works so as to obtain explicit consent, or have a visitor agree to your terms earlier in your relationship.

For most websites, contract is the strongest basis for processing. If you can design your website experience such that a visitor agrees to your terms early on, before providing personal information, you will have fewer grounds for complaints. For example, you might reduce the requirement to provide detailed information when a visitor registers a basic account on your website, but place more content or functionality in an area of the website that requires the visitor to have such an account. At the registration point, the visitor must

tick a box to say that he or she has read and agrees to your terms and conditions.

If you are relying on consent, then you might design a banner to appear when a visitor first arrives at your site (for example, encouraging him or her to read your cookies policy). That banner might have two buttons – one that gives explicit agreement and one that doesn't. If the visitor does not give explicit consent, then you redirect him or her to another "safe" website or state that certain functionality will be limited.

Positive action needs to be taken by the visitor when agreeing to anything – pre-ticked boxes or close buttons don't count as affirmative action.

Legitimate Interests is a basis that is fairly subjective. For it to be used, you must have decided that there is a legitimate interest, that processing the data is necessary to protect that interest, and that the data subject's interests (or other interests) do not override it. In some circumstances, it is most appropriate, but if possible, we would recommend using Contract or Consent as better alternatives. The reason is simply that the data subject is less likely to complain if he or she has clearly asked you to process his or her data.

Data subjects have a legal right to see the personal information you hold about them. You need both an internal process as to how to provide this, and a means for the data subject to request the information.

If the data subject is a registered visitor, then providing his or her data in an account area is a good way of providing this data. You can also provide a way of giving consent to use of the data in the same place.

If the data subject does not have an account, then you should give either an e-mail address or a physical address to which the data subject can send a request for his or her information.

Lastly, for each basis you need to state when you stop processing the data. We suggest that you don't edit our text.

### **Specific uses of information you provide to us**

This section provides more information about specific types of information. The paragraphs within it are as much designed to reassure a visitor reading your policy than to aid compliance with the law.

### **5 Information provided on the understanding that it will be shared with a third party**

This paragraph serves as a reminder that information that a visitor posts on your website may be available for public viewing, and that you cannot be held

responsible if someone else copies it and uses it without the author's permission.

It creates a licence for you to use it in any way you wish, which may be useful.

You should provide a way for someone to contact you and request that content is removed. This could be as simple as an e-mail address.

## **6 Complaints regarding content on our website**

This paragraph is a reminder to visitors that moderation of all user generated content is not always viable.

It shows that you take complaints about content seriously, and also that a decision to remove content remains with you.

## **7 Information relating to your method of payment**

There are two options here. Delete whichever is not relevant.

The first covers the situation where you do record card information. You should edit the "measures to protect your information" so that they are relevant to your business.

The second covers the situation where card information stays with the payment service provider.

If you don't take payment at all, of course delete this paragraph completely.

## **89 Job application and employment**

The purpose of this paragraph is to set out for how long personal information is processed. It is a requirement of the GDPR.

## **10 Sending a message to our support team**

We suggest you keep this paragraph in your notice. However, you should edit it to suit how your organisation works.

## **12 Affiliate and business partner information**

Information relating to affiliates is not subject to the GDPR. This paragraph should reassure business partners.

## **13 Cookies**

The start of this paragraph is an explanation of what cookies are.

It is good practice to display a message when a visitor first comes to your website asking whether he or she accepts use of cookies. The paragraph in blue supports this.

We take the approach here of not listing every single cookie.

The reason is that you not know this information yourself, especially if you use third party add-ons or plug-ins to your website. For example, Google provides visitor tracking software (Analytics) that is popular. It could at any point change the name or purpose of the many cookies it uses without telling you.

There are so many cookies that software you use is likely to place that to list them here would increase the size and complexity of the notice, and to keep the notice up-to-date as they change would be time consuming.

Listing every cookie's file name, purpose and expiration period could be done in a separate cookie notice, linked from this paragraph.

We prefer the approach of explaining in what ways they are used. Add or delete to this list as appropriate.

#### **14 Personal identifiers from your browsing activity**

Most web servers log requests for pages. We suggest you leave this paragraph as is, even if you don't use this information.

#### **15 Our use of re-marketing**

Re-marketing is the name given to the practice of advertising your products and services on third party websites based on pages on your website that the visitor has already seen.

It requires you as the website owner to be the client of an advertising service provider.

When a visitor visits a page of your website, the advertiser's software through your website places a cookie on the visitor's computer. When he or she visits another webpage on a third party website, you can choose whether or not to pay to show him or her an advert for your product or service.

For example, you might sell fruit from your website. A visitor visits a page about the health benefits of eating a particular tropical fruit. Later, the same visitor visits another website about cookery, and specifically a page that describes a recipe that requires the tropical fruit. Both your website and the cookery website use the same advertising service provider. You can choose to pay to have your adverts for that tropical fruit to be displayed on the cookery website.

The advertising service provider usually allows you to specify exactly what criteria must be met in order to display your advert, making re-marketing a cost efficient way of advertising.

Some people feel very strongly about re-marketing. It can elicit fears of “being followed around the web”, particularly if the topic of the advert is sensitive.

You can choose to delete this paragraph entirely if you do not use re-marketing. However, keeping it in place will allow you to experiment with different types of display marketing later.

## **Disclosure and sharing of your information**

### **18 Credit reference**

We suggest that you leave this paragraph in place even if you have no immediate intention of liaising with debt collectors. It may be a useful “reminder” to users of your website.

## **Access to your own information**

Under the GDPR, a data subject has a right to access information about him or her, and a right for that information to be kept up-to-date and only for as long as required.

You should leave these three paragraphs in place, editing the addresses.

## **Other matters**

### **26 Retention period for personal data**

It is a requirement of the GDPR to tell data subjects for how long personal information will be kept. This paragraph is a catch-all if the information is not provided elsewhere.

Basic UK law relating to limitation for bringing a claim, contract matters, tax and other areas often requires data to be retained for six years. You will be “safe” if you specify that period for commercial transactions.

### **27 Compliance with the law**

Leave this paragraph in place.

### **28 Review of this privacy policy**

Leave this paragraph in place.

**End of notes**