



General Data Protection Regulation (GDPR)

Privacy Notice

We issue this privacy notice in the interests of transparency over how we use (“**process**”) the personal data that we collect from customers/suppliers (“**you**”).

Data for these purposes means any information relating to an identified or identifiable person.

Data Controller

For data protection purposes the “**data controller**” means the person or organisation who determines the purposes for which and the manner in which any personal data are processed.

The data controller is Swan Park Estates Limited and can be contacted on: 01827 63989 with regards any data protection concerns.

Purpose of processing the data

It is necessary for us to process data of both customers and suppliers for the following reasons:

1. We will need the information in order to identify the individual for the purposes of standard business practises;
2. We will need to maintain that information for the general purposes of the ongoing customer/supplier relationship.

Our legal basis for processing personal data of applicants is that:

1. Processing the data is necessary for the purpose of business Terms & Conditions.
2. Processing the data is necessary for the purposes of our “**legitimate interests**” as the data controller (except where such interests are overridden by the interests, rights or freedoms of the individual).



Our “legitimate interests” for these purposes are:

1. the need to gather and process data for the purposes of creating a new customer/supplier record on our data management system.;
2. the need to gather data for the purposes of processing applications for a credit account;
3. the need to gather and process data for administrative and financial purposes;
4. the need to transfer data intra-group for administrative purposes;

There is no strict statutory requirement for you to provide data to us but if you do not provide at least that data that is necessary we will be unable to continue with a customer/supplier relationship.

Recipients of personal data

Your data may be received by the following categories of people:

1. Finance/IT departments;
2. Any individual authorised by us to maintain customer/supplier records;
3. Appropriate external regulators and authorities (such as HMRC and HSE)

We do not envisage that your data would be transferred to a third country. If we perceive the need to do that we would discuss that with you and explain the legal basis for the transfer of the data at that stage.

Duration of storage of personal data

We will keep data for no longer than is strictly necessary, having regard to the original purpose for which the data was processed. In some cases we will be legally obliged to keep your data for a set period. Examples are below:

Income tax and NI returns, income tax records and correspondence with HMRC: We are obliged to keep these records for not less than 3 years after the end of the financial year to which they relate.



Your rights in relation to your data

1. The right to be forgotten

You have the right to request that your data is deleted if:

- a) it is no longer necessary for us to store that data having regard to the purposes for which it was originally collected; or
- b) in circumstances where we rely solely on your consent to process the data (and have no other legal basis for processing the data), you withdraw your consent to the data being processed; or
- c) you object to the processing of the data for good reasons which are not overridden by another compelling reason for us to retain the data; or
- d) the data was unlawfully processed; or
- e) the data needs to be deleted to comply with a legal obligation.

However, we can refuse to comply with a request to delete your personal data where we process that data:

- a) to exercise the right of freedom of expression and information;
- b) to comply with a legal obligation or the performance of a public interest task or exercise of official authority;
- c) for public health purposes in the public interest;
- d) for archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
- e) the exercise or defence of legal claims.

2. The right to data portability

You have the right to receive the data which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided (us) where:

- a) the processing is based on consent or on a contract; and
- b) the processing is carried out by automated means.

Note that this right only applies if the processing is carried out by “automated means” which means it will not apply to most paper-based data.



3. The right to withdraw consent

Where we process your data in reliance on your consent to that processing, you have the right to withdraw that consent at any time. You may do this in writing to the Data Controller.

4. The right to object to processing

Where we process your data for the performance of a legal task or in view of our legitimate interests you have the right to object on “grounds relating to your particular situation”. If you wish to object to the processing of your data you should do so in writing to the Data Controller stating the reasons for your objection.

Where you exercise your right to object we must stop processing the data 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.

5. The right of subject access

So that you are aware of the data we hold on you, you have the right to request access to that data. This is sometimes referred to as making a “subject access request”.

6. The right to rectification

If any of the data we hold on you is inaccurate or incomplete, you have the right to have any errors rectified.

Where we do not take action in response to a request for rectification you have the right to complain about that to the Information Commissioner’s Office.

7. The right to restrict processing

In certain prescribed circumstances, such as where you have contested the accuracy of the data we hold on you, you have the right to block or suppress the further processing of your personal data.

8. Rights related to automated decision making and profiling

The GDPR defines “profiling” as any form of automated processing intended to evaluate certain personal aspects of an individual, in particular to analyse or predict:

- performance at work;
- economic situation;
- health;
- personal preferences;
- reliability;
- behaviour;
- location; or
- movement

You have the right not to be subject to a decision when it is based on automated processing; and it produces a legal effect or a similarly significant effect on you.

However, that right does not apply where the decision is necessary for purposes of the performance of a contract between you and us. We may use data related to your performance or attendance record to make a decision as to whether to take disciplinary action. We consider that to be necessary for the purposes of conducting the employment contract. In any event that is unlikely to be an automated decision in that action will not normally be taken without an appropriate manager discussing the matter with you first and then deciding whether the data reveals information such that formal action needs to be taken. In other words there will be “human intervention” for the purposes of the GDPR and you will have the chance to express your point of view, have the decision explained to you and an opportunity to challenge it.

Complaints

Where you take the view that your data is processed in a way that does not comply with the GDPR, you have a specific right to lodge a complaint with the relevant supervisory authority. The supervisory authority will then inform you of the progress and outcome of your complaint. The supervisory authority in the UK is the ICO.

Helpline: 0303 123 1113