

# **Brodie Neill Limited Privacy Policy**

## **Your personal information**

This privacy policy explains how we collect and process your personal data. Personal data, or personal information, means any information about an individual from which that person can be identified. This includes information that you tell us, what we learn from you and the choices you make about the marketing you want us to send to you. This policy explains how we do this, what your rights are and how the law protects you.

## **Changes to data protection law**

The law in relation to data protection is changing on the 25 May 2018 when the General Data Protection Regulation comes into force in the United Kingdom and across Europe.

This privacy policy tells you about most of your rights under the new law.

There may be changes which we will be required to make to this privacy policy after the 25 May; we will publish updated versions accordingly. We may need to ask you to agree to the changes, or refresh your consent to us using your personal information.

### **1. Who we are and how you can contact us**

We are Brodie Neill Ltd, trading as "Brodie Neill". Our registered office is at 70 Paul Street, London, EC2A 4NA.

You can contact us by email at [info@brodieneill.com](mailto:info@brodieneill.com) or by calling us on +44 (0)20 7033 3626. If you need to you can write to us at 70 Paul Street, London, EC2A 4NA.

Our representative for all queries in relation to this policy and your data protection rights is our Studio Manager.

When we refer to our website, we mean our website at <https://www.brodieneill.com>

### **2. Where we collect your personal information from**

We may collect personal information about you in the following ways:

#### **Data you give to us:**

- Data you give to us when you register to receive information from us on our website
- When you talk to us on the phone,
- When you leave your details with us at an event, exhibition or trade fair.
- In emails or letters to us.

### **3. Data we collect about you**

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Identity data – name.

Contact data – address, email address or telephone numbers

Technical data - location.

Usage data – information about how you use our website.

We may also collect, use and share aggregated data such as statistical for business purposes. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any special categories of personal data about you. This includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **4. How we use your personal information**

Your privacy is protected by law.

We are only allowed to use personal information about you if we have a legal basis to do so, and we are required to tell you what that legal basis is. We have set out in the table below: the personal information which we collect from you, how we use it, and the legal ground on which we rely when we use the personal information.

In some circumstances we can use your personal information if it is in our legitimate interest to do so, provided that we have told you what that legitimate interest is. A legitimate interest is when we have a business or commercial reason to use your information which, when balanced against your rights, is justifiable. If we are relying on our legitimate interests, we have set that out in the table below.

<b>What we use your personal information for</b>	<b>What personal information we collect</b>	<b>Our legal grounds for processing</b>	<b>Our legitimate interests (if applicable)</b>
To register you as a new customer	<ul style="list-style-type: none"> <li>· Identity</li> <li>· Contact</li> </ul>	<ul style="list-style-type: none"> <li>· Performance of a contract with you</li> <li>· Your consent</li> </ul>	
To manage our relationship with you, including notifying you about changes to our terms or privacy notices	<ul style="list-style-type: none"> <li>· Identity</li> <li>· Contact</li> </ul>	<ul style="list-style-type: none"> <li>· Performance of a contract with you</li> <li>· Necessary to comply with a legal obligation</li> <li>· Legitimate interests</li> </ul>	To keep our records up to date
To administer and protect our business and our website	<ul style="list-style-type: none"> <li>· Transaction</li> <li>· Technical</li> <li>· Usage</li> </ul>	<ul style="list-style-type: none"> <li>· Legitimate interests</li> </ul>	Running our business efficiently and effectively, provision of administration and IT services, network security
To use data analytics to improve our website, products / services, marketing, customer relationships and experiences	<ul style="list-style-type: none"> <li>· Technical</li> <li>· Usage</li> <li>· Profile</li> </ul>	<ul style="list-style-type: none"> <li>· Legitimate interests</li> </ul>	To define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy

To make suggestions and recommendations to you about products and services that may be of interest to you	<ul style="list-style-type: none"> <li>· Identity</li> <li>· Contact</li> <li>· Marketing</li> <li>· Technical</li> <li>· Profile</li> <li>· Usage</li> </ul>	<ul style="list-style-type: none"> <li>· Legitimate interests</li> <li>· Consent</li> </ul>	To develop our services and grow our business, and help ensure we provide excellent service to you
To make suggestions and recommendations to you, and to invite you to, events (including new product / collection launches) that may be of interest to you	<ul style="list-style-type: none"> <li>· Identity</li> <li>· Contact</li> <li>· Marketing and communications</li> <li>· Technical</li> <li>· Profile</li> <li>· Usage</li> </ul>	<ul style="list-style-type: none"> <li>· Legitimate interests</li> <li>· Consent</li> </ul>	To develop our services and grow our business, and help ensure we provide excellent service to you

## 5. Who we share your personal information with

We may share your personal information with any of the following organisations, for the purposes of providing the products which you have requested from us:

- Courier companies who deliver products that you have ordered.
- Direct marketing companies who help us manage our electronic communications with you such as Mailchimp and Campaign Monitor.
- Third party organisations that provide applications/functionality, data processing or IT services to us. For example we use third parties to help provide, run and manage our internal IT systems, manage payments on our behalf, email marketing campaigns and customer analytics. These include providers of IT services, cloud-based software as services providers, data analysis, security and storage services (these include Mailchimp).
- From time to time we will employ freelance and contract workers to assist our business and these people may have access to personal information in the course of their activities. We will always minimise the scope of such access and will ensure that appropriate confidentiality agreements are in place.

You can find details of how these third parties use your personal information by looking at their privacy policies, all of which should be available on the relevant websites, or on request.

We require all organisations who we share your data with to respect the security of your personal data and to treat it in accordance with the law. We do not allow any of our service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

#### **6. Failing to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with products or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

#### **7. Third party links**

Our website may include links to third party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice or policy of every website you visit.

#### **8. Transferring your personal information outside the EEA**

The EEA is the European Economic Area, which consists of the EU Members States, Iceland, Liechtenstein and Norway. If we transfer your personal information outside the EEA we have to tell you.

We will only send your data outside of the EEA if:

- You have instructed us to do so
- To comply with a legal duty

To work with our suppliers who help us provide our services. We may share your personal data with some third-party companies such as data processors to provide technology for email, subscription and payment support. Some of these companies may be based outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We may transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 9. **Data 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 data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data 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 breach and will notify you and any applicable regulator (including the ICO) of a breach where we are legally required to do so.

### • **How long do we keep your personal information**

We will keep your personal information for as long as you are our customer or our services remain relevant to you.

After you stop being a customer, because you have stopped regularly purchasing our products, we may keep your personal information for so long as necessary to fulfil the purposes we collected it for, including, for one of the following reasons:

- To respond to any questions or complaints from you
- To ensure our lifetime guarantee can be fulfilled
- To maintain our records
- To comply with laws applicable to us

### • **Marketing**

We may use your personal information to tell you about relevant products and events.

We can only use your personal information to send you marketing messages if we have either your consent or a legitimate interest to do so.

You can ask us to stop sending you marketing messages at any time – you just need to contact us on [info@brodieneill.com](mailto:info@brodieneill.com) or use the unsubscribe links on any marketing message sent to you.

We will get your express opt-in consent before we share your personal data with any company other than us for marketing purposes. You can ask a third party company to stop sending you

marketing messages at any time, by adjusting your marketing preferences in relation to that company or by using the opt-out links on any marketing message sent to you.

Where you opt out of receiving marketing messages, this will not apply to personal data provided to us as a result of purchasing our products or any other transaction between you and us.

- **Your rights**

You have certain rights which are set out in the law relating to your personal information. The most important rights are set out below.

#### Getting a copy of the information we hold

You can ask us for a copy of the personal information which we hold about you, by writing to us at [info@brodieneill.com](mailto:info@brodieneill.com). This is known as a data subject access request.

You will not have to pay a fee to access your personal data, unless we believe that your request is clearly unfounded, repetitive or excessive. In such circumstances we can charge a reasonable fee or refuse to comply with your request.

We will try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month and in that case we will notify you and keep you updated.

#### Telling us if information we hold is incorrect

You have the right to question any information we hold about you that you think is wrong or incomplete. Please contact us at [info@brodieneill.com](mailto:info@brodieneill.com) if you want to do this and we will take reasonable steps to check its accuracy and, if necessary, correct it.

#### Telling us if you want us to stop using your personal information

You have the right to:

- object to our use of your personal information (known as the right to object); or
- ask us to delete the personal information (known as the right to erasure); or
- request the restriction of processing; or
- ask us to stop using it if there is no need for us to use it (known as the right to be forgotten).

There may be legal reasons why we need to keep or use your data, which we will tell you if you exercise one of the above rights.

#### Where we rely on our legitimate interest

In cases where we are processing your personal data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation. We must then do so unless we believe we have a legitimate overriding reason to continue processing your personal data.

## Withdrawing consent

You can withdraw your consent to us using your personal information at any time. Please contact us at [info@brodieneill.com](mailto:info@brodieneill.com) if you want to withdraw your consent. If you withdraw your consent, we may not be able to provide you with certain products or services.

## Request a transfer of data

You may ask us to transfer your personal information to a third party. This right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Making a complaint**

Please let us know if you are unhappy with how we have used your personal information by contacting us at [info@brodieneill.com](mailto:info@brodieneill.com).

You also have a right to complain to the Information Commissioner's Office. You can find their contact details at [www.ico.org.uk](http://www.ico.org.uk). We would be grateful for the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.