GDPR: DATA PRIVACY NOTICE FOR CLIENTS, CONSULTANTS AND SUPPLIERS

Introduction

AD Architects Ltd are committed to protecting and respecting your privacy.

This policy (together with standard terms and conditions and any other documents referred to on it) 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.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

1. Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

2. Who are we?

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AD Architects Ltd is the data controller. This means we decide how your personal data is processed and for what purposes. Our contact details are: AD Architects Ltd, 63-65 Fore Street Hertford, SG14 1AL, Tel No. 01992 554983. Email: info@adarchitects.co.uk.

For all data matters and for the purposes of this document the data processor is the Office Manager, Contact Paul Wilkinson on 01992 554983 email paul.wilkinson@adarchitects.co.uk.

3. The purpose(s) of processing your personal data

We use your personal data for the following purposes:

To maintain contact and communication with you during the course of a potential or new project.

To maintain our own records and accounts

To inform you of news, events or activities

To purchase goods, materials and services from you

4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

- Personal data ay include your name, address, e-mail address, phone number, financial data for payments such as VAT registration and bank details.

We have obtained your personal data from you, your employees or from publicly available data from websites.

5. What is our legal basis for processing your personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

☐ Consent of the data subject;	N/A – Legitimate Interest
✓ Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	• For the legitimate purposes of running the business – see below
☐ Processing necessary for compliance with a legal obligation	N/A
☐ Processing necessary to protect the vital interests of a data subject or another person	N/A
☐ Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	N/A
✓ Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	• Contact details of clients and design team members for project contacts and for marketing purposes. • Data used for the purposes of purchasing supplies, materials and services for the legitimate running of the business.

b) Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your special categories of data:

✓ Explicit consent of the data subject	FOR EMPOLYEES
✓ Processing necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement	Consent forms issued and signed by employees
☐ Processing necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent	N/A
☐ Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided that the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and there is no disclosure to a third party without consent	N/A
☐ Processing relates to personal data manifestly made public by the data subject	N/A
☐ Processing necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity	N/A
☐ Processing necessary for reasons of substantial public interest on the basis of EU or Member State law	N/A
✓ Processing necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional	Consent forms issued and signed by employees
☐ Processing necessary for the reasons of public interest in the area of public health	N/A
☐ Processing necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes	N/A

6. Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with directors, HR administrative and finance staff where necessary, and contact details with members of the design team for project contacts.

7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary but may be for for a period of 12 or 7 years beyond the end of the contract with you. Examples include: in case of any legal claims/complaints; accounting etc. for example for accounting purposes we must keep records for 6 years from the end of the last company financial year they relate to. For Contracts under seal details need to be kept for 12 years for legal purposes.

8. Providing us with your personal data

You are under no statutory or contractual requirement or obligation to provide us with your personal data. But failure to do so will have the following consequences. Reduce or prevent communication with you during the contract; delay or prevent payment for goods and services.

9. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- THE RIGHT TO WITHDRAW YOUR CONSENT TO THE PROCESSING AT ANY TIME, WHERE CONSENT WAS YOUR LAWFUL BASIS FOR PROCESSING THE DATA;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

10. Transfer of Data Abroad

We do not generally transfer personal data outside the EEA, unless on a project by project basis the client or main supplier is a company based outside the EEA, in which case project team contact details may be shared with them for communication purposes only.

11. Automated Decision Making

WE DO NOT USE ANY FORM OF AUTOMATED DECISION MAKING IN OUR BUSINESS.

12. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

13. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

14. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact the data processor who is the Office Manager, Paul Wilkinson on 01992 554983 email paul.wilkinson@adarchitects.co.uk. .

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the Information Commissioners Office on 03031231113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.

For AD Architects Ltd

April 2018