

FRESHWATER UK PLC AND FRESHWATER (UK REGIONS) LTD – PRIVACY POLICY

1. Introduction to this Policy

- 1.1. By accessing or using our website at <http://www.freshwater-uk.com/>, any subdomain or any such related website and/or mobile application for such website (together the “**Website**”) or by using our services, you are agreeing to comply with and be bound by this privacy policy (“**Policy**”).
- 1.2. You should read this Policy carefully as it contains important information about how we will use your Information (as defined below in clause 4.1). In certain circumstances (see below) you will be required to indicate your consent to the processing of your Information as set out in this Policy when you first submit such Information to or through the Website. For further information about consent see clause 6 below.
- 1.3. We may update this Policy from time to time in accordance with clause 16 below. This Policy was last updated on 3rd May 2018.

2. About us

- 2.1. The terms “**Freshwater**” or “**us**” or “**we**” refer to Freshwater UK PLC, the owner of the Website a company registered in England and Wales under company number 04059741 whose registered office is at Raglan House, Malthouse Avenue, Pontprennau, Cardiff, Wales, CF23 8BA. It also refers to Freshwater UK Regions Ltd a company registered in England and Wales under company number 02163717 whose registered office is at the above address. Freshwater UK Regions Ltd is a 100% owned subsidiary of Freshwater UK PLC. We also have another company, Waterfront Conference Company Ltd a company registered in England and Wales under company number 02483896 whose registered office is again at the above address. The term “**you**” refers to the individual accessing and/or submitting Information to the Website.
- 2.2. Please note the Waterfront Conference Company Ltd has its own privacy policy that can be found at www.waterfrontconferencecompany.com
- 2.3. We, as the Data Controller, can be contacted via our representative and Data Protection Officer, Haydn Evans, Finance Director via email on haydn.evans@freshwater-uk.com or call 02920 545383.

3. Data Protection

- 3.1. References in this Policy to:
 - 3.1.1. “**Privacy and Data Protection Requirements**” means: the Data Protection Act 1998 (until repealed) (“**DPA**”), the Data Protection Directive (95/46/EC) (until repealed) and, from 25 May 2018, the General Data Protection Regulation 2016/679 (“**GDPR**”) or any equivalent provision which may replace the GDPR following the formal political separation of the United Kingdom from the European Union; the Regulation of Investigatory Powers Act 2000; the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699); the Electronic Communications Data Protection Directive (2002/58/EC); the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2426/2003); and all applicable laws and regulations which may be in force from time to time relating to the processing of Personal Data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner or any other supervisory authority, and the equivalent of any of the foregoing in any relevant jurisdiction; and
 - 3.1.2. “**Personal Data**”, “**Data Controller**” and “**Data Processor**” and “**processing**” shall have the meanings given to them in the DPA or, from 25 May 2018, the GDPR.

- 3.2. For the purposes of applicable Privacy and Data Protection Requirements, we (Freshwater) are a Data Controller and therefore we are responsible for, and control the processing of, your Personal Data in accordance with applicable Privacy and Data Protection Requirements. “Personal Data” has a legal definition but, in brief, it refers to information it refers to information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. Such information must be protected in accordance with applicable Privacy and Data Protection Requirements.

4. Information we may collect about you

- 4.1. When you use the Website and/or when you otherwise deal with us we may collect the following information about you (“**Information**”):
- 4.1.1. personal information including first and last name, date of birth, photograph and/or likeness;
 - 4.1.2. contact information including current residential address, primary email address and/or primary phone number;
 - 4.1.3. technical information including IP address, operating system, browser type and related information regarding the device you used to visit the Website, the length of your visit and your interactions with the Website;
 - 4.1.4. information obtained through our correspondence and monitoring in accordance with clause 4.2 below; and
 - 4.1.5. details of any enquiries made by you through the Website, together with details relating to subsequent correspondence (if applicable).
- 4.2. We may monitor your use of the Website through ‘cookies’ and similar tracking technologies. We may also monitor traffic, location and other data and information about users of the Website. Such data and information, to the extent that you are individually identifiable from it, shall constitute Information as defined above. However, some of this data will be aggregated or statistical, which means that we will not be able to identify you individually. See clause 15 below for further information on our use of cookies.
- 4.3. Occasionally we may receive information about you from other sources, for example any you connect with through the Website, or from any third-party websites and applications that integrate or communicate with the Website in relation to you. If so, we will add this information to the Information we already hold about you in order to help us carry out the activities listed below.

5. How long we keep your Information

- 5.1. Subject to clause 5.2, we will keep your Data only for the purposes set out in the table below for:
- 5.1.1. Seven years where the legal basis for the processing is that it is necessary for the performance of the contract between us; or
 - 5.1.2. Three years or until consent is withdrawn (whichever is sooner), where the legal basis is express consent.
- 5.2. If required, we will be entitled to hold Information for longer periods in order to comply with our legal or regulatory obligations.

Legal basis for processing your information

- 5.3. From 25 May 2018, under applicable Privacy and Data Protection Requirements we may only process your Information if we have a “legal basis” (i.e. a legally permitted reason) for doing so. For the purposes of this Policy, our legal basis for processing your Information is set out in the table below.

Why we will process your Information	The legal basis for which is...
to provide our professional services to you.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to operate, administer, maintain, provide, analyse and improve the Website and the services available through the Website.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to investigate and address any comments, queries or complaints made by you regarding the Website, and any similar or related comments, queries or complaints from other users.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to ensure that content from the Website is presented in the most effective manner for you and for your device.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to allow you to participate in interactive features of the Website, including inputting information and providing feedback.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to notify you about changes to the Website.	this is necessary for the performance of the contract between us and Information is processed to enable us provide services to our users.
to disclose your information to selected third parties as permitted by this Policy (see clause 8 below).	this is subject to your continued consent.

<p>to contact you for marketing purposes (see 'Marketing and opting out' in clause 7 below).</p>	<p>We send out marketing communications based on our legitimate interests of providing a professional services business and keeping people informed about the services we offer. The method of communication may vary as set out below:</p> <ul style="list-style-type: none"> • we may send you information via post or, if you are dealing with us on behalf of a limited company or LLP, to your corporate email address; • we will only contact you via your personal email address if: <ul style="list-style-type: none"> (i) you have given your consent (see 'Marketing and opting out' in clause 7 below); or (ii) you have previously bought goods and services from us and we are contacting you to let you know about similar goods and services that we offer (see 'Marketing and opting out' in clause 7 below). <p>You have the right at any time to let us know that you no longer wish to receive marketing communications from us.</p>
<p>where required by (but not limited to) any request or order from law enforcement agencies and/or HMRC in connection with any investigation to help prevent unlawful activity.</p>	<p>this is necessary for compliance with a legal obligation.</p>

6. Your consent to processing

- 6.1. As noted above, you will be required to give consent to certain processing activities before we can process your Information as set out in this Policy. Where applicable, we will seek this consent from you when you first submit Information to or through the Website.
- 6.2. If you have previously given consent you may freely withdraw such consent at any time. You can do this through your account on the Website or by notifying us in writing (see clause 19 below).
- 6.3. If you withdraw your consent, and if we do not have another legal basis for processing your information (see clause 0 above), then we will stop processing your Information. If we do have another legal basis for processing your information then we may continue to do so subject to your legal rights (for which see clause 13 below).
- 6.4. Please note that if we need to process your Information in order to operate the Website and/or provide our services, and you object or do not consent to us processing your Information, the Website and/or those services may not be available to you.

7. Marketing and opting out

- 7.1. Where you are dealing with us on behalf of a limited company or LLP, for business purposes, then we may contact you by email to your corporate email address about similar or related products that we offer. If you prefer not to receive any direct marketing communications from us, or you no longer wish to receive them, you can opt out at any time (see below).
- 7.2. Where you have previously ordered products or services from us we may contact you by telephone and email and post about similar or related products, services, promotions and special offers that may be of interest to you. We will inform you (during the sale process) if we intend to use your data for such purposes and give you the opportunity to opt-out of receiving such information from us. In addition, and if you have given permission, we may also contact you by [telephone and email] about our other products, services, promotions and special offers that may be of interest to you. We will inform you (before collecting your data) and seek your permission if we intend to use your data for such additional marketing purposes. If you prefer not to receive any direct marketing communications from us, or you no longer wish to receive them, you can opt out at any time (see below).
- 7.3. If you have given permission, we may contact you by [mail, telephone and email] to provide information about products, services, promotions, special offers and other information we think may be of interest to you. We will inform you (before collecting your data) if we intend to use your data for such purposes. If you would rather not receive such marketing information from us, or you no longer wish to receive it, you can opt out at any time (see below).
- 7.4. If you have given permission, we may share your personal data with carefully selected third party organisations and business partners and they may contact you directly (unless you have asked them not to do so) by [mail, telephone and email] about products, services, promotions and special offers that may be of interest to you. We will inform you (before collecting your data) and seek your permission if we intend to disclose your data to third parties for such purposes. If you prefer not to receive direct marketing communications from our business partners, or you no longer wish to receive them, you can opt out at any time (see below).
- 7.5. You have the right at any time to ask us, or any third party, to stop processing your information for direct marketing purposes. If you wish to exercise this right, you should contact us by sending an email to haydn.evans@freshwater-uk.com or contact the relevant third party using their given contact details, giving us or them enough information to identify you and deal with your request. Alternatively you can follow the unsubscribe instructions in emails you receive from us or them.

8. Disclosure of your information

- 8.1. We may disclose your Information (including Personal Data):
 - 8.1.1. to other companies within our group of companies (which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006);
 - 8.1.2. to our business partners, service providers or third-party contractors to enable them to undertake services for us and/or on our behalf (and we will ensure they have appropriate measures in place to protect your Information);
 - 8.1.3. to any prospective buyer or seller (and their representatives) in the event that we sell or buy any business or assets;
 - 8.1.4. if we are under a duty to disclose or share Personal Data in order to comply with any legal obligation, including (but not limited to) any request or order from law enforcement agencies and/or HMRC in connection with any investigation to help prevent unlawful activity; and

8.1.5. to other third parties if you have specifically consented to us doing so.

8.2. We may disclose aggregated, anonymous information (i.e. information from which you cannot be personally identified), or insights based on such anonymous information, to selected third parties, including (without limitation) analytics and search engine providers to assist us in the improvement and optimisation of the Website. In such circumstances we do not disclose any information which can identify you personally.

8.3. If our whole business is sold or integrated with another business your Information may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

9. Keeping your Information secure

9.1. We will use technical and organisational measures in accordance with good industry practice to safeguard your Information, including the use of data encryption.

9.2. While we will use all reasonable efforts to safeguard your Information, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any Information that is transferred from you or to you via the internet.

10. Monitoring

We may monitor and record communications with you (such as telephone conversations and emails) for the purposes of provision of services, quality assurance, training, fraud prevention and compliance purposes. Any information that we receive through such monitoring and communication will be added to the information we already hold about you and may also be used for the purposes listed in clause 0 above.

11. Overseas transfers

11.1. From time to time we may need to transfer your Information to countries outside the European Economic Area, which comprises the EU member states plus Norway, Iceland and Liechtenstein (“EEA”).

11.2. Such countries may not have similar protections in place regarding protection and use of your data as those set out in this Policy. Therefore, if we do transfer your Information to countries outside the EEA we will take reasonable steps in accordance with applicable Privacy and Data Protection Requirements to ensure adequate protections are in place to ensure the security of your Information

11.3. By submitting your Information to us in accordance with this Policy you consent to these transfers for the purposes specified in this Policy.

12. Information about other individuals

If you give us information on behalf of a third party, you confirm that the third party has appointed you to act on his/her/their behalf and has agreed that you can: give consent on his/her/their behalf to the processing of his/her/their Information; receive on his/her/their behalf any data protection notices; and give consent to the transfer of his/her/their Information abroad (if applicable).

13. Your rights

If you are an individual, this section sets out your legal rights in respect of any of your Personal Data that we are holding and/or processing. If you wish to exercise any of your legal rights you should put your request in writing to us (using our contact details in clause 19 below) giving us enough information to identify you and respond to your request.

- 13.1. You have the right to request access to information about Personal Data that we may hold and/or process about you, including: whether or not we are holding and/or processing your Personal Data; the extent of the Personal Data we are holding; and the purposes and extent of the processing.
- 13.2. You have the right to have any inaccurate information we hold about you be corrected and/or updated. If any of the Information that you have provided changes, or if you become aware of any inaccuracies in such Information, please let us know in writing giving us enough information deal with the change or correction.
- 13.3. You have the right in certain circumstances to request that we delete all Personal Data we hold about you (the 'right of erasure'). Please note that this right of erasure is not available in all circumstances, for example where we need to retain the Personal Data for legal compliance purposes. If this is the case, we will let you know.
- 13.4. You have the right in certain circumstances to request that we restrict the processing of your Personal Data, for example where the Personal Data is inaccurate or where you have objected to the processing (see clause 13.6 below).
- 13.5. You have the right to request a copy of the Personal Data we hold about you and to have it provided in a structured format suitable for you to be able to transfer it to a different data controller (the 'right to data portability'). Please note that the right to data portability is only available in some circumstances, for example where the processing is carried out by automated means. If you request the right to data portability and it is not available to you, we will let you know.
- 13.6. You have the right in certain circumstances to object to the processing of your Personal Data. If so, we shall stop processing your Personal Data unless we can demonstrate sufficient and compelling legitimate grounds for continuing the processing which override your own interests. If, as a result of your circumstances, you do not have the right to object to such processing then we will let you know.
- 13.7. You have the right in certain circumstances not to be subject to a decision based solely on automated processing, for example where a computer algorithm (rather than a person) makes decisions which affect your contractual rights. Please note that this right is not available in all circumstances. If you request this right and it is not available to you, we will let you know.
- 13.8. You have the right to object to direct marketing, for which see clause 7.5 above.

14. Complaints

If you have any concerns about how we collect or process your Information then you have the right to lodge a complaint with a supervisory authority, which for the UK is the UK Information Commissioner's Office ("ICO"). Complaints can be submitted to the ICO through the ICO helpline by calling 0303 123 1113. Further information about reporting concerns to the ICO is available at <https://ico.org.uk/concerns/>.

15. 'Cookies' and related software

- 15.1. Our software may issue 'cookies' (small text files) to your device when you access and use the Website and you will be asked to consent to this at the time (e.g. when you first visit our website). Cookies do not affect your privacy and security since a cookie cannot read data off your system or read cookie files created by other sites.
- 15.2. Our Website uses cookies and other tracking and monitoring software to: distinguish our users from one another; collect standard Internet log information; and to collect visitor behaviour information. The information is used to track user interactions with the Website and allows us to provide you with a good experience when you access the Website, helps us to improve our Website, and allows us to compile statistical reports on Website visitors and Website activity.
- 15.3. You can set your system not to accept cookies if you wish (for example by changing your browser settings so cookies are not accepted), however please note that some of our Website features may not function if you remove cookies from your system. For further general information about cookies please visit www.aboutcookies.org or www.allaboutcookies.org.

16. Changes to this Policy

- 16.1. We keep this Policy under regular review and may change it from time to time. If we change this Policy we will post the changes on this page, and place notices on other pages of the Website as applicable, so that you may be aware of the Information we collect and how we use it at all times. You are responsible for ensuring that you are aware of the most recent version this Policy as it will apply each time you access the Website.
- 16.2. This Policy was last updated on 3rd May 2018.

17. Links to other websites

- 17.1. Our Website may contain links to other websites. This Policy only applies to our Website. If you access links to other websites any Information you provide to them will be subject to the privacy policies of those other websites.
- 17.2. We have no control over third party websites or systems and accept no legal responsibility for any content, material or information contained in them. Your use of third party sites or systems will be governed by the terms and conditions of that third party. It is your responsibility to ensure you are happy with such third-party terms and conditions.
- 17.3. The display of any hyperlink and/or reference to any third-party website, system, product or service does not mean that we endorse that third party's website, products or services and any reliance you place on such hyperlink, reference or advert is done at your own risk.

18. Accessibility

This Policy aims to provide you with all relevant details about how we process your Information in a concise, transparent, intelligible and easily accessible form, using clear and plain language. If you have any difficulty in reading or understanding this Policy, or if you would like this Policy in another format (for example audio, large print or braille), please get in touch with us.

19. Contact us

We welcome your feedback and questions on this Policy. If you wish to contact us, please email us at haydn.evans@freshwater-uk.com (our Data Protection officer) or call on 02920 545383.