



# Data Protection Policy

KAWSTORE VERSION 1: MAY 2018

DATA PROTECTION OFFICER

## **Protecting personal data**

- 1.1 Protecting personal/business data is very important. Whether it belongs to you as a business or individuals who work within your organisation we take our responsibilities very seriously.
- 1.2 We have appointed a 'Personal Data Manager'/'Data Protection Officer' to ensure that this policy is implemented appropriately, and you are all made aware of how it affects you. If you have any questions or concerns about this policy or the processing of personal data please speak with them first.

## **Protecting personal data**

- 1.3 When dealing with data there are eight principles that you and we need to follow. The personal data needs to be:
  - (a) Processed fairly and lawfully;
  - (b) Relevant and not excessive;
  - (c) Processed for limited purposes and in an appropriate way;
  - (d) Accurate;
  - (e) Not kept longer than necessary;
  - (f) Processed in accordance with the laws dealing with personal data;
  - (g) Kept secure;
  - (h) Not transferred to people or organisations in countries without adequate protection.

There is a lot to understand in respect of these principles. This policy should help you to ensure that your and our treatment of personal data is appropriate and lawful. If you have any questions please direct them to Personal Data Manager'/'Data Protection Officer.

All our electronic data is stored on an onsite server, with a daily overnight backup run offsite, operated by our software providers. A statement from whom can be found in the policy at the end of this document.

## **A lawful purpose for processing your personal data**

- 1.4 We process personal data fairly and lawfully. Grounds for processing personal data include: with your consent, to comply with a legal obligation, in your vital interests, in the performance of a contract with you or in our legitimate business interests (or a third party processing your personal data). If the personal data is sensitive additional conditions will be met.
- 1.5 Where we process the following data we will secure your consent before doing so:
  - (a) Data about your business:
    - (i) establishing credit facilities

- (ii) take commercial decisions that affect our business and its ability to meet your expectations;
- (b) processing personal data to meet with our legal obligations to third parties including requests for credit references;
- (c) processing stock data to measure range success and identifying potential new opportunities;
- (d) sharing your business information with one of our trading partners in an attempt to offer technical help, and product demonstrations.

### **Requests to see your personal data**

- 1.6 If you want us to show you personal data that we hold on you then you need to make a request in writing to the managing director or the Personal Data Manager/Data Protection Officer. We might ask you for more details about the request or give you a template letter to help with your request. Where the request isn't made in person we will always ask for two forms of identity to confirm that it is you making the request.
- 1.7 We'll always try and acknowledge your request when we receive it. We've got between 30 days and three months to respond in full to your request.
- 1.8 If any fees are applicable we may ask you to contribute towards the administration fee in processing your request.
- 1.9 If you are asked to disclose any company/business data to any one claiming to be a third party working on our behalf, you should notify us, immediately via the data protection officer, and follow their instructions.

### **Your rights to deletion, freezing data processing and corrections**

- 1.10 You can ask us to delete your personal data where:
  - (a) Processing it is no longer necessary bearing in mind the reason it was collected;
  - (b) It is being processed unlawfully;
  - (c) You object to us processing your data (unless we have an over-riding legitimate interest for continuing to process it in which case we may continue to do so).
- 1.11 Where information we hold on you is inaccurate or incomplete you can ask us rectify the data.
- 1.12 You can ask us to stop processing your data where:
  - (a) Processing is unlawful;
  - (b) You say that the information that we hold is inaccurate;
  - (c) You don't consider we have a 'legitimate interest' for processing the data (unless we have an over-riding legitimate interest for continuing to process it in which case we will continue to do so).

- 1.13 If we think that you're abusing these rights and making unfounded or excessive requests we may refuse your request or may charge a reasonable administration fee for processing the request.

#### **Limitations and obligations**

- 1.14 We have processes in place to ensure that the accuracy of any data that we hold is up to date. Obviously, if for any reason you believe the data that we hold on you is out of date or inaccurate please notify our accounts department in the first instance and then the Data Protection Officer if required. We will endeavour to run a data cleanse and correction process once a year on the data we hold giving you chance to amend any as required.
- 1.15 Wherever possible we will encrypt personal data so that it is not easily accessible to others. Equally we will not capture more personal data than is needed for the purpose identified. Where you are able to provide anonymised data you are encouraged to do so.
- 1.16 We will retain your personal data in accordance with our 'policy on retaining your personal data'. We have processes in place to ensure that personal data isn't kept for longer than necessary. Once it's no longer necessary for processing purposes we will delete it.
- 1.17 We have put appropriate security measures in place to stop accidental loss of, or damage to data. Where we have shared with you those measures you must comply with them. Where we ask third parties to process your personal data we will ensure that they have appropriate security measures in place too and that they comply with data protection legislation.
- 1.18 Bearing in mind that desks and equipment hold personal data. We have processes in place to keep locked away or password protected any data and such data should be kept out of view of others at all times. All employees are furnished with a copy of our 'email, the internet and our equipment' policy and our 'clear desk' policies that they are required to adhere to.
- 1.19 A data breach is a breach of data security that leads to accidental or unlawful destruction, loss, alteration or unauthorised disclosure of personal data. It includes sending emails to the wrong person, carelessness with passwords and leaving personal/business data in view of those without authorisation. If you feel we may have made a data breach you should immediately notify the managing director and the Data Protection Officer.
- 1.20 Usually, we will only process or share your data for the purpose it was collected. So, if it was gathered as part of the account creation purpose to allow us to contact you then generally we will not use the information for any other reason. Sometimes, in processing data we become aware of information that we cannot ignore, even if it means using it for a purpose beyond the reason it was collected. For example, if we use CCTV for health and safety reasons and happen upon misconduct or a criminal action we are not expected to ignore that. Where that is the case, we will confirm the extended use of the personal data.
- 1.21 If you become aware that business/personal data has become lost, stolen or otherwise transferred outside of kawstore accidentally or without authorisation, you

need to report this immediately to the managing director OR the Data Protection Officer.

1.22 Please be assured that any breaches of this policy will be dealt with under our disciplinary policy.

1.23 This policy may be changed from time to time. We will notify you of any changes.

## **Information about your data**

### **What sort of information are we likely to hold?**

- Information provided by your business during the account opening process including business name, address, primary contact numbers and names, email address, perhaps bank details (payment processing)
- Purchasing history along with invoicing and payment histories
- Any operative contact details provided by yourselves with their consent or collected directly from them.
- Information collected from credit referees or agencies, usually obtained when account is opened.
- Any web user data, including individual usernames (email addresses) and passwords.

### **What legal basis is there for processing this information?**

As stated previously in this policy we believe our legal basis for obtaining and storing this data is to allow us to perform our commercial duties and provide you with a level of service that you have become accustomed to. If for any reason a requirement to process your data beyond the remit of carrying out our standard business activities was to arise we would not do so without your explicit consent, if required by law.

If circumstances arise where legal or regulatory factors require data to be processed and shared we may do so initially without your knowledge or consent.

### **Sharing your information?**

We have various partners that we work closely with in terms of our daily business activities, from suppliers to carriers, all of whom at times we may have a need to share your information with to enable them to carry out their services.

Obviously it goes without saying that if we have a legal obligation to share your data with law enforcement or similar public entities, we will pass your data on in a controlled manner and only the relevant data.

As previously stated, if other companies request information in terms of credit worthiness we will confirm with yourselves before providing any of the information requested.

## **Privacy notice**

### **Our commitment to your privacy**

We're serious about protecting your personal data. This note explains:

- From where we secured your personal data;
- The personal data that we collect;
- How and when we use that personal data;
- Whether we share your personal data with anyone else;

Further information about your personal data rights can be found within our data protection policy.

### **Personal data that we collect**

The personal data that we collect includes your name, address, email address, telephone number, product/purchase preferences, and website login details.

We collect your personal data from you on completion of the account application form. As well as data that is built up with in our sales and accounting system throughout the period you have been trading with us (stock purchases, payment histories etc.)

We also collect the following personal data from third parties:

- Any credit references from companies whose details you provided during the account opening process
- Business /company details as made available via a credit check agency used to ensure credit worthiness

We always ensure that we have a lawful basis for processing the personal data that we collect. In this case the lawful basis for processing the above is not only to safe guard our business, alongside carrying out our primary business activity, but to provide our customers with the level of service and advice they deserve and expect.

### **How and when we use your personal data**

We're committed to using your personal data responsibly and lawfully. Here's what we do with your personal data:

- Communicate important business documents, such as invoices and statements
- Use it to advise our purchasing and stock offering.
- Communicate stock availability and order fulfilment
- As appropriate provide targeted deals and promotions

Your personal data is all stored within the UK.

To help us to maintain the accuracy of the personal data that we hold, could we, please ask that you advise us in writing, to the accounts department or the data protection officer, as soon as possible if we hold any out of date or inaccurate information about you, your business or your colleagues.

## **Sharing your personal data**

There are only a few occasions where we will share your personal data with a third party. They are:

- Where we're required to disclose it by law – to government bodies for example;
- Internally between ourselves – for example to deal with a query that you may have or to pass communications up our business management structure;
- With our professional advisers i.e. credit check agencies (who are required to provide complete confidentiality of your data).

The data controller collecting your personal data for the purpose of this policy is Kirby and Wells Ltd. t/a kawstore®. We use accepted standards of technology and security to protect your personal data.

If you have any questions or queries about this notice please email us [data@kawstore.co.uk](mailto:data@kawstore.co.uk).

## **Software supplier statement**

Merlin has initiated a comprehensive GDPR Readiness Program designed to meet the requirements and obligations of the regulation, and ensure our processing of data is compliant with the new legislation. Our program is led by our Data Protection Officer, who is responsible for roll out and enforcement with an obligation to consistently report back to the highest levels of the organisation. Members of a cross-functional team have and will continue to will play a critical role in development, oversight, and support. We believe this level of collaborative involvement will be beneficial to us and our program.

For more information on our Privacy Policy, please visit our website <http://merlinbusinesssoftware.com/>.