

# Rob Howard Garden Design Privacy Statement

## INTRODUCTION

Rob Howard Garden Design is committed to protecting personal data. This privacy statement describes why and how we collect and use personal data and provides information about your rights. This privacy statement applies to personal data provided by you and by third parties.

When collecting and using personal data, our policy is to be transparent about why and how we process personal data.

## UPDATING AND AMENDING YOUR PERSONAL INFORMATION

Rob Howard Garden Design is a garden design business based in Chipping Norton, Oxon.

We will always try to keep your data as up to date as possible. If at any time you want to update or amend your personal data, you can contact us through email ([rob@rhgardens.co.uk](mailto:rob@rhgardens.co.uk)) or by phone (07796 930 349).

## WHY DO WE USE YOUR INFORMATION?

We will only use your personal information when the law allows us to do so. We will use your information because:

- you have specifically consented to it,
- we need to perform a contract we have entered into with you or because you have asked us to take specific steps before entering into a contract,
- we need to comply with a legal obligation,
- it is necessary for our legitimate interests (or those of a third party) and your rights and interests do not override those interests.

We will only use your personal information for the purposes for which we collected it as set out in this privacy statement, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

## YOUR RIGHTS

Data protection law gives you a number of rights when it comes to personal information we hold about you. The key rights are set out below. More information about your rights can be obtained from the Information Commissioner's Office (ICO) <https://ico.org.uk/>.

Under certain circumstances, by law you have the right to:

- **Be informed** in a clear, transparent and easily understandable way about how we use your personal information and about your rights. This is why we are providing you with the information in this notice. If you require any further information about how we use your personal information, please let us know.
- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information unless there is good reason for us continuing to process it (for instance, we may need to continue using your personal data to comply with our legal obligations). You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to us using your information on this basis and we do not have a compelling legitimate basis for doing so which overrides your rights, interests and freedoms (for instance, we may need it to defend a legal claim). You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party where you provided it to us and where we are using it based on your consent, or to carry out a contract with you.
- **Withdraw consent.** In the limited circumstances where we are relying on your consent (as opposed to the other bases set out above) to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate interest in doing so.
- **Lodge a complaint.** If you think that we are using your information in a way that breaches data protection law, you have the right to lodge a complaint with your national data protection supervisory authority (if you are in the UK, this will be the ICO).

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, withdraw your consent to the processing of your personal information or request that we transfer a copy of your personal information to another party, please contact us. Our contact details are set out below.

**No fee is usually required.** You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

**What we may need from you.** We may need to request specific information from you to help us understand the nature of your request, to confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

**Timescale.** Please consider your request responsibly before submitting it. We will respond to your request as soon as we can. Generally, this will be within one month from when we receive your request but, if the request is going to take longer to deal with, we will let you know.

## WHERE WE STORE YOUR INFORMATION

Our office is based in Chipping Norton and all data is stored at our office. Our email service provider, Microsoft, is based in the USA. Microsoft have confirmed that they have put in place specific technical and organizational security measures to protect your data as required by the GDPR. Further details can be found at <https://www.microsoft.com/en-us/TrustCenter/Privacy/gdpr/default.aspx>. Our website provider is Weebly, also based in the USA. Weebly has confirmed that they have put in place specific technical and organizational security measures to protect your data as required by the GDPR. Further details can be found at: <https://hc.weebly.com/hc/en-us/articles/360000977487-GDPR-What-Weebly-is-Doing>.

We will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with this privacy statement.

## SHARING YOUR INFORMATION

We may need to share your personal information with third-parties e.g. contractors and suppliers in order to perform a contract with you or for the need to take specific steps before entering into a contract with you.

We may also share your personal information with third parties if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply our agreements with you, or to protect the rights, property, or safety of us, our customers, or others or where we have another legitimate interest in doing so. This may include exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We may also share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business where necessary in connection with the purposes for which your information was collected.

## **DATA SECURITY**

We have put in place appropriate internal security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. We have also put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where necessary.

## **CHANGES TO THIS PRIVACY STATEMENT**

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

## **CONTACTING US**

If at any time you want to update or amend your personal data, you can contact us through email ([rob@rhgardens.co.uk](mailto:rob@rhgardens.co.uk)) or by phone (07796 930 349).

## **OUR SPECIFIC PROCESSING ACTIVITY**

Our policy is to collect only the personal data necessary for agreed purposes and we only ask for personal data where it is needed for those purposes. We do not sell your personal data. We collect your personal data in the following ways

- Directly with you when you make an enquiry or communicate with us either by phone, email or contact form
- Directly with you when an initial consultation meeting or subsequent meetings are arranged

## **The types of information we collect**

We collect the following types of personal data about you:

- Contact details (name, postal addresses, telephone numbers and email address)
- Details of and requirements for the project(s) you are planning including any details pertinent to applicable planning legislation or to other contractual / legal situations
- Photos, topographical and other site data regarding your project(s)
- Records of payments made by you to us during the course of a project

## **How we use personal information**

Your personal data collected and processed by us is used to:

- Communicate with you
- Establish pre-contractual proposals
- Enable the fulfilment of a contract between you and us
- Monitor fulfilment of payments by you during or at the completion of a contract

In some marketing circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

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

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

We will keep personal information regarding pre-contractual proposals and contact details that have not ultimately proceeded to a project contract for a period of five years in the potential event that you or your heirs or other third parties that you have engaged or contracted with need to revisit the potential project and / or ask for further services.

We will keep any personal information regarding contracted projects ad perpetuum in the potential event that you or your heirs or other third parties that you have engaged or contracted with need to revisit the project and / or ask for further services.

In the absence of other specific legal, regulatory, or contractual requirements, we will keep your payment information for a minimum of seven years for accounting, tax, and record keeping purposes.

Where we consider there to be a risk that we may need to defend or bring legal claims, we may retain your personal information as necessary for our legitimate interests in ensuring that we can properly bring or defend legal claims. We may also need to share this information with our insurers or legal advisers. How long we keep this information for will depend on the nature of the claim and on how long we consider there to be a risk that we will need to defend or bring a claim.