

PRIVACY POLICY

(23rd December 2021)

We are committed to protecting the privacy and security of personal data. This policy tells you how we will collect and use your personal data and what you should expect in respect of the personal information about you that we have collected,

We are ESP Colour Limited (registered in England & Wales with Company No: 03513763). Our office address (which is also our Registered Office) is at The Colour Hub, Millbuck Close, Swindon, Wiltshire SN2 8XU.

The person with responsibility for our data protection compliance is Simon Smogur (“the Data Protection Manager”), and he can be contacted via email at HS2@espcolour.co.uk or by telephone on 01793 438400.

We are the data controller of the personal data that we keep and use, and we are therefore responsible for making sure that our systems, processes and people comply with the relevant data protection laws in respect of that personal data.

We will act in respect of personal data to comply with the six principles of the Data Protection Act 2018 and other applicable data protection legislation (including the UK General Data Protection Regulation), which are:

- Lawfulness, fairness and transparency;
- Purpose limitation;
- Data minimisation;
- Accuracy;
- Storage limitation;
- Integrity and confidentiality.

You have rights in respect of how your personal data can be processed; these include the right to request:

- a copy of your personal data;
- that inaccurate data is rectified; and
- that your personal data is, in certain circumstances, erased or restricted.

You have the right to complain to the Information Commissioner, which you can do by contacting the Information Commissioner’s Office (ICO) directly. Full contact details, including a helpline number, can be found on the ICO website (www.ico.org.uk). The ICO’s website also has useful information on your rights and our obligations. However, please raise any concerns or issues with us first so that we may deal with this as quickly as possible for you.

COLLECTION, USE, DISCLOSURE AND RETENTION OF PERSONAL DATA

We collect and process data through your use of our website, including any data you may provide through this website when you purchase products from us. Our website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

All of our people are required to abide by our privacy policies when handling personal data, and are provided with appropriate data protection training. Any breach of data protection will be taken seriously, and may result in disciplinary action. Our Data Protection Manager will provide the advice and guidance to our people on data protection issues, as is required.

1. The Personal data we hold

COLLECTION AND USE:

We will collect personal information which may include:

- **Identity Data** includes first name, last name, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of goods you have purchased from us.

We do not collect any Special Categories of Personal Data about you (this includes details about your 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.

If you fail 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 goods or services). In this case, we may not be able to accept, or have to cancel, an order from you but we will notify you if this is the case at the time.

How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data via the website, by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - place an order for goods from us;
 - give us feedback or otherwise contact us.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- in performance of a contract (we have entered into or are about to enter into with you); and/or
- compliance with a legal obligation; and/or
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your personal data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To enhance and update our customer records	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated)
To accept, process and deliver your order including: (a) Manage payments and charges (b) Produce and deliver ordered goods	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you (b) Necessary for our legitimate interests (e.g. to deal with payments)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy, changes to our products/services or other important notices	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting, hosting of data and security of systems and data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation

DISCLOSURE:

We may share personal data with third parties as is necessary for the purposes set out in the table above, and generally as necessary in the operation of our business, including the delivery of products and those third parties that we use to help us run and support our business. By way of example only, we will share personal data with the companies involved in and supporting the delivery of our website such as UKFast.Net Limited. We shall also share your personal data with High Speed Two (HS2) Limited so that they can maintain their records of site usage and ensure that they are obtaining good value for money from this service. High Speed Two (HS2) Limited will act as a separate data controller (rather than a joint data controller) in relation to the personal data that we provide it with. High Speed Two (HS2) Limited's privacy policy can be found here <https://www.hs2.org.uk/privacy-policy/>

In respect of all disclosures of personal data, we will only share the personal information which is necessary for the particular purpose for which it is provided, or where we (or a third party) have another legitimate interest in doing so, and we will ensure that the personal data is appropriately protected.

We may also share personal data with third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

RETENTION:

We will keep personal data only for as long as is necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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

Normally we will keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see “**5. Your Rights**” below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

2. Changes to your personal data

It is very important that the personal information that we hold about you is accurate and current. Please tell us if your personal information changes during your relationship with us.

3. Data Security

We have put in place 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 of our people and other third parties who have a business need to know. They will only process your personal data on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place procedures to deal with any suspected data security breach and will notify you and the ICO of a suspected breach where we are legally required to do so.

4. Where we store your personal data

We principally store data, both electronically and on file, in the UK at our offices.

Personal data may be transferred outside of the UK by processors acting on our behalf. Wherever we transfer your personal data outside of the UK we will ensure that personal data is adequately protected, as required by applicable data protection legislation. This would include by use of the Standard Contractual Clauses as approved by the ICO to protect personal data.

5. Your rights

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

- **access** to your personal data. This enables you to ask to receive a copy of the personal data that we hold about you and to check that we are lawfully processing it.
- **correction** of the personal data that we hold about you.
- **erasure** of your personal data.
- **Object to processing** of your personal data where we are relying on our legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **restriction** of processing of your personal data.
- **transfer** of your personal data to another party.

6. Links from our website

Our website may, from time to time, contain links to and from the websites of third parties that we permit to make such links. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. We recommend that you check these policies before you submit any personal data to these websites.

7. Changes to this Privacy Policy

Any changes we may make to our privacy policy in the future will be posted on our website, so please ensure that you are viewing the correct version.

Please contact us if you have any questions, comments or requests regarding this Privacy Policy.