

Data Privacy Notice

I am Simon Kemp, and my place of business is at 298 Hyde End Road, Spencers Wood, Berkshire, RG7 1DN United Kingdom. In these terms Simon Kemp is referred to as “me” and “my”.

I have produced this privacy notice to keep you informed of how I handle your personal data. All handling of your personal data is done in compliance with the General Data Protection Regulation (EU) 2016/679 (“Data Protection Legislation”). The terms “Personal Data”, “Special Categories of Personal Data”, “Personal Data Breach”, “Data Protection Officer”, “Data Controller”, “Data Processor”, “Data Subject” and “process” (in the context of usage of Personal Data) shall have the meanings given to them in the Data Protection Legislation. “Data Protection Lead” is the title given to the member of staff (leading my data protection compliance programme (i.e. me!) in lieu of a requirement for a Data Protection Officer.

[Please click here to view my Website Terms of Use](#)

What are your rights?

When reading this notice, it might be helpful to understand that your rights arising under Data Protection Legislation include:

- The right to be informed of how your Personal Data is used (through this notice);
- The right to access any personal data held about you;
- The right to rectify any inaccurate or incomplete personal data held about you;
- The right to erasure where it cannot be justified that the information held satisfies any of the criteria outlined in this policy;
- The right to prevent processing for direct marketing purposes, scientific/historical research or in any such way that is likely to cause substantial damage to you or another, including through profile building; and
- The right to object to processing that results in decisions being made about you by automated processes and prevent those decisions being enacted.

You can exercise your right to access personal data held about you by emailing me with the subject line: “Subject Access Request”. When you submit a ‘subject access request’, you will need to provide confirmation of your identity by contacting us using the email address associated with your profile, or attaching a photocopy of your driver’s license or passport. This is provided free of charge and my response will be made within thirty (30) days, unless I reasonably deem your request as being excessive or unfounded. If this is the case, I will inform you of my reasonable administration costs in advance and/or any associated delays, giving you the opportunity to choose whether you would like to pursue your request. If you believe I have made a mistake in evaluating your request, please see the section ‘Who can you complain to?’.

If you have questions about any of the rights mentioned in this section, please contact me.

Who is the Data Controller?

- If I have collected your personal data directly from you for my own purposes, I am the Data Controller.
- If I have received your personal data as part of a direct administrative relationship between my business and yours, I am the Data Controller.

What are the lawful bases for processing personal data?

Under Data Protection Legislation, there must be a 'lawful basis' for the use of personal data. The lawful bases are outlined in Article 6, Section 1 of the GDPR. They are sub-sections:

- a) 'your consent';
- b) 'performance of a contract';
- c) 'compliance with a legal obligation';
- d) 'protection of your, or another's vital interests';
- e) 'public interest/official authority'; and
- f) 'our legitimate interests'.

What are my 'legitimate interests'?

Legitimate interests are a flexible basis upon which the law permits the processing of an individual's personal data. To determine whether I have a legitimate interest in processing your data, I balance the needs and benefits to my business against the risks and benefits for you of my processing your data. I perform this balancing as objectively as possible. You are able to object to my processing and I shall consider the extent to which this affects whether I have a legitimate interest. If you would like to find out more about my legitimate interests, please contact me.

About my processing of your data

I might collect, use, store and transfer different kinds of Personal Data about you which I have grouped together as follows:

Identity Data such as names, usernames or similar; marital status; title; photographs or video images; date of birth; sex and gender.

Contact Data such as addresses; email addresses and telephone numbers.

Financial Data such as bank account and payment card information.

Transaction Data such as information about payments and details of purchases you have made.

Technical Data such as IP addresses; login data; browser info; time zone; location; browser plug-ins; operating systems; platforms and other technology on the device used to access this website.

Profile Data such as usernames; passwords; security answers; purchases/orders; interests; preferences; feedback and responses to surveys, blogs and messages.

Usage Data such as analytics relating to how you use the website.

Marketing and Communications Data such as your preferences about receiving communications from me or third parties.

Special Categories of Data such as details about race or ethnic origins, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, genetic or biometric data.

I may also collect, use and share **Aggregated Data** such as statistical or demographic data. Aggregated Data can be derived from your Personal Data but is not itself Personal Data as it cannot be used to reveal your identity. If Aggregated Data is ever used in combination with your Personal Data and becomes identifiable, it will be treated in accordance with this notice.

Reference	What categories of information about you do I process?	Why am I processing your data?	Where did I get your personal data from?
Client Services	<ul style="list-style-type: none"> • Identity Data • Contact Data • Financial Data • Transaction Data • Profile Data • Special Categories of Data 	I may process this data to provide my service to you. Any data I collect that falls into Special Categories is processed solely to enable me to provide my services to you effectively and sensitively, taking into account your needs and those of your friends and family.	Directly obtained, or by referral - I will always contact you to notify you of a referral before I first process your data, and within a maximum of thirty (30) days.
Marketing	<ul style="list-style-type: none"> • Identity Data • Contact Data • Transaction Data • Marketing and Communications Data 	I occasionally contact individuals in order to market my services to them. With individuals who have bought from me before, this processing is conducted lawfully on the basis of 'our legitimate interests'. Individuals who have not bought from me before will only receive marketing from me if they have given their express consent.	Directly obtained.

Public Contact	<ul style="list-style-type: none"> • Identity Data • Contact Data 	I make my email addresses publicly available, as well as offering contact methods through my website. I use information sent to me in order to respond to queries. This processing is conducted lawfully on the basis of 'my legitimate interests'.	Directly obtained.
Web Shop	<ul style="list-style-type: none"> • Identity Data • Contact Data • Financial Data • Transaction Data 	I process individuals' information in my web shop for fulfilling online orders for certain services. This processing is conducted lawfully on the basis of 'performance of a contract'.	Directly obtained.

What happens if I refuse to give you my personal data?

If your personal data is used for Client Services or the Web Shop, your personal information has been collected as part of a statutory obligation arising under s388(4)(a) C.A. 2006, Paragraph 6, Schedule 11, VAT Act 1994 and HMRC Notice 700/21 (October 2013). Failure to process your data could result in me being unable to enter into a contract with you to provide services or being unable to comply with my contractual or legal obligations. The information about you that I have collected for the performance of my contracts is required in order for me to successfully fulfil my obligations to you. If you choose not to provide the personal data requested, I will not be able to enter into a contract with you to provide the services I offer. If I am already processing your personal information under a contract, you must end my contractual relationship (as/where permitted) in order to exercise some of your rights.

What 'cookies' do I use?

I may obtain information about your general internet usage and the usage of my website by using a cookie file which is stored on your computer or smartphone. Cookies help to improve my website and to deliver a better and more personalised service to you, and some of the cookies I use are essential for my website to operate.

What profiling or automated decision making do I perform?

I do not perform any profiling or automated decision making based on your personal data.

How long will your personal data be kept?

I hold different categories of personal data for different periods of time. Wherever possible, I will endeavour to minimise the amount of personal data that I hold and the length of time for which it is held.

- If I process your data on the basis of 'legitimate interests', I will retain your data for as long as the purpose for which it is processed remains active. I review the status of my legitimate interests every twelve (12) months and will update this notice whenever I determine that either a legitimate interest no longer exists or that a new one has been found.
- All categories of personal data that I hold because they are essential for the performance of a contract, will be held for a period of six years, as determined by reference to the Limitations Act 1980, for the purposes of exercising or defending legal claims.
- Identity, Contact and Transaction Data are held indefinitely (subject to object by the individual, or individual's having left my client's business) in order to provide a superior service to returning customers.

Who else will receive your personal data?

I pass your data to the third parties listed in the section 'Third Party Interests' below.

Does your data leave the EU?

Yes. Details are included in the section 'Third Party Interests' below.

Third Party Interests: Data Controllers

Name or Category of Third Party Controller	What processing are I performing for them?	If applicable - who is their representative within the EU?
HMRC, regulatory authorities or other authorities	I am joint Controller with these authorities who require reporting of processing in some situations.	N/A
Payment Processors with whom you already have a relationship, such as PayPal	I am joint Controller with these service providers who simply pass payments you make through their services directly to us based on a transaction. These transactions are subject to the provider's privacy notices/policies.	N/A for European based services – please contact me if you would like to find out about a specific representative.
Postal/courier providers	Where these providers act as Data Controller, I am joint Controller with them for the purposes of sending you physical documents.	N/A

Third Party Interests: Data Processors

Name or Category of Third Party Processor	Purposes for carrying out processing	If applicable – where does data leaving the EEA go and what safeguards are in place?
Web hosting providers	Website hosting, including the storage of data forming the website content and processing your Technical Data (and Profile Data, where applicable) in order to provide you with access to my websites.	In the interests of providing a quality service, I use some providers located in the United States. These providers are either Privacy Shield certified or bound by the contractual provisions of the EU Commission’s model clauses. I also use providers in the European Union - please contact me if you would like to find out about a specific representative.
Information technology providers	<ul style="list-style-type: none"> • Cloud server systems to help me manage my client databases. • Telephony providers. • Office software providers, such as email clients. • IT Support services (like Apple), who might require access to my systems in order to remedy faults with my technology. 	In the interests of providing a quality service, I use providers located in the United States. These providers are either Privacy Shield certified or bound by the contractual provisions of the EU Commission’s model clauses. This is not applicable for European based services – please contact me if you would like to find out about a specific representative.
Online banking and card processing services	Online banking and card processing services help to make sure that my finances are handled properly and within the bounds of the law. They ensure that I take payment properly, and occasionally, that you receive funds due from me.	In the interests of providing a quality service, I use providers located in the United States. These providers are either Privacy Shield certified or bound by the contractual provisions of the EU Commission’s model clauses.
Photo gallery and online shop providers	I make images available to you and your family and friends (subject to password protection) for you to purchase online. The software that manages this process is provided and hosted by third parties.	In the interests of providing a quality service, I use providers located in the United States. These providers are either Privacy Shield certified or bound by the contractual provisions of the EU Commission’s model clauses.

Who can you complain to?

In addition to sending us your complaints directly to me, you can send complaints to my supervisory authority. As I predominantly handle the personal data of UK nationals, my supervisory authority is the Information Commissioner's Office. If you believe that I have failed in my compliance with data protection legislation, complaints to this authority can be made by visiting <https://ico.org.uk/concerns/>.