

GIBSONS GARDEN MACHINERY LTD - PRIVACY POLICY

Welcome to our website, we appreciate your interest in our products and services. Your privacy is important to us and we want you to feel comfortable with how we use and share your personal information.

Gibsons Garden Machinery Limited respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we collect, process and protect your personal data when you visit our website, including any data you may provide through this website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This policy sets out how Gibsons Garden Machinery Limited handle your personal information, including when and why it is collected, used and disclosed and how it is kept secure.

You will find our contact details at the end of this policy which you can use if you have any questions, including how to update or access your personal information or to make a complaint.

This policy may change, so please check this page from time to time to ensure that you're happy with any changes.

This policy was last updated 10 May 2018.

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Important information and who we are

Purpose of this privacy notice

It is important that you read this privacy notice together with any other privacy notice or fair processing notice 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 notice supplements the other notices and is not intended to override them.

This website is not intended for children and we do not knowingly collect data relating to children.



Controller

Gibsons Garden Machinery Ltd is the controller and responsible for your personal data (collectively referred to as GGM, 'we', 'us' or 'our' in this privacy notice).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

This version was last updated on 10th May 2018.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Links to other websites

Our website may contain links to other websites, plug-ins and applications of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

What personal information we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity** - first name, last name, username or similar identifier, title, job title.
- **Contact** - address, email address and telephone numbers.
- **Transaction** - details about purchases, payments to and from you and details of the services you use from us.



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- **Technical** - internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile** - your username and password, preferences, feedback and survey responses.
- **Usage** - information about how you use our website, products and services.
- **Marketing and Communication** - your preferences in receiving marketing from us and our third parties and your communication preferences.

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.

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 information by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- Purchase our products or services
- create an account on our website
- subscribe to our services or publications
- request marketing to be sent to you
- enter a survey or complete market research
- give us feedback.

Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy for further details.

Third parties or publicly available sources.

We may receive personal data about you from various third parties, including technical data from the following parties:

- analytics providers [such as Google based outside the EU]
- advertising networks [such as Google based outside the EU]
- search information providers [such as Google based outside the EU].



How we use your personal data

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:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- 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.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below a description of all 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 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
<p>To perform our services to you including:</p> <ul style="list-style-type: none"> ▪ General administration incl. processing your order, internal record keeping, managing your queries, complaints and to send service messages to you <ul style="list-style-type: none"> ▪ Manage payments ▪ Collect and recover money owed to us 	<ul style="list-style-type: none"> ▪ Identity ▪ Contact ▪ Financial ▪ Transaction ▪ Marketing and Communications 	<ul style="list-style-type: none"> ▪ Performance of a contract with you ▪ Necessary for our legitimate interests (to recover debts due to us)



Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
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<ul style="list-style-type: none"> To communicate urgent safety or recall notices 		
<p>To manage our relationship with you which will include:</p> <ul style="list-style-type: none"> Notifying you about changes to our terms or privacy policy Asking you to leave a review or take a survey 	<ul style="list-style-type: none"> Identity Contact Profile Marketing and Communications 	<ul style="list-style-type: none"> Performance of a contract with you Necessary to comply with a legal obligation Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
<p>To enable you to complete a survey</p>	<ul style="list-style-type: none"> Identity Contact Profile Usage Marketing and Communications 	<ul style="list-style-type: none"> Performance of a contract with you Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)



Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<ul style="list-style-type: none"> ▪ Identity ▪ Contact ▪ Technical 	<ul style="list-style-type: none"> ▪ 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) ▪ Necessary to comply with a legal obligation
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	<ul style="list-style-type: none"> ▪ Technical ▪ Usage 	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods, services or special offers that may be of interest to you	<ul style="list-style-type: none"> ▪ Identity ▪ Contact ▪ Technical ▪ Usage ▪ Profile 	Necessary for our legitimate interests (to develop our products/services and grow our business)

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.



Promotional offers

We may use your Identity, Contact, Technical, Usage and Profile Information to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased machinery or services from us and, in each case, you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside the GGM group of companies for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a machine purchase or other transaction.

Cookies

This website uses cookies. A cookie is a small text file stored in your computer containing text data. We use cookies for certain functions to improve the usability of the website. These cookies do not contain any personal information about you. However, enabling cookies in your web browser is necessary if you wish your selections to be remembered for future visits on the same computer. You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. For more information about cookies and instructions on how to adjust your browser settings to restrict or disable cookies, see the IAB website at www.allaboutcookies.org. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.



If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in 'How we use your personal data':

- Internal Third Parties as set out in the Glossary.
- External Third Parties as set out in the Glossary.
- 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 notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

International transfers

We do not transfer your personal data outside the European Economic Area (EEA).

Data security

We have put in place appropriate security 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 employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.



Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 requirements.

Third parties

Internal third parties

Other companies in the GGM Group [acting as joint controllers or processors] and who are based in the UK.

GGM Group Company (UK Company)
Parts Depot (Groundscare) Limited
Reg No 5199933

Registered Address Company
Regent House, Whitewalls Ind Est
Colne, Lancs BB8 8LJ

External third parties

- Service providers [acting as processors] based in the United Kingdom who provide IT and system administration services and carriers.
- Manufacturer/suppliers [acting as processors or joint controllers] based in the United Kingdom and EU who provide warranty/after sales services.
- Professional advisers [acting as processors or joint controllers] including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities [acting as processors or joint controllers] based in the United Kingdom who require reporting of processing activities in certain circumstances



Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data, which are detailed below: If you wish to exercise any of the rights set out below, please contact us.

[Request access to your personal data](#)
[request correction of your personal data](#)
[Request erasure of your personal data](#)
[Object to processing of your personal data](#)
[Request restriction of processing of your personal data](#)
[Request transfer of your personal data](#)
[Right to withdraw consent](#)

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Glossary

Lawful basis

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise



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required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Your legal rights

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data 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 processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal



claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Changes to this policy

We may review this policy from time to time and any changes will be notified to you by posting an updated version on our website and/or by contacting you by email. Any changes will take effect 7 days after the date of our email or the date on which we post the modified terms on our website, whichever is the earlier. We recommend you regularly check for changes and review this policy when you visit our website. If you do not agree with any aspect of the updated policy, you must promptly notify us and cease using our services.

Contact us

If you have any questions, suggestions or complaints about the processing of your personal information or wish to contact us to amend/update your marketing preferences, please contact our Data Protection Manager

Content

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