

# 2019 Privacy Policy

## Introduction

On the Level (Showers) Limited (“OTL”) respects and values your privacy. OTL is committed to keeping your information private. This Privacy Policy explains how and why OTL collects and processes your personal data.

Safeguarding information is one of our Company’s core principles to ensure we conduct our business in a responsible and trustworthy manner. The Company follows strict procedures in relation to the storage and disclosure of personal data and aims to comply with standards, legislation and regulations in force such as the General Data Protection Regulation (“GDPA”) and Data Protection Act 2018 (“DPA 2018”).

We may obtain your personal data when you:

- submit an online enquiry form to OTL on our website at [www.onthelevel.co.uk](http://www.onthelevel.co.uk) (the “Website”) or otherwise use the Website;
- apply to open a credit account with OTL; or
- enter into a contract for goods/services with OTL.

In these situations, you are required to read this Privacy Policy. You are deemed to have accepted and consented to the collection, use and disclosure of your information as described in this Privacy Policy if you continue to use the Website. OTL reserves the right to update and amend this Privacy Policy at any time without notice. OTL is not responsible for any content and information on a third party’s website.

## Purpose of this Privacy Policy

By submitting an online enquiry form to OTL, using the Website, applying to open a credit account with OTL and/or entering a contract for goods/services, you accept and consent to the collection, use and disclosure of your information as described in this Privacy Policy.

### 1. Information About Us

In this Privacy Policy, On The Level (Showers) Limited, a company registered in England and Wales with Company Registration Number 06086025, and whose registered office is at Unit 8 Youngs Industrial Estate, Stanbridge Road, Leighton Buzzard, LU7 4QB is collectively referred to as “OTL”, “we” and “us”.

For the purpose of the GDPA and DPA 2018, OTL is the processor of your personal data.

### 2. Principles of Protecting Personal Data

DPA 2018 provides the legislative framework for implementing GDPA in the UK. Sections 86-91 of DPA 2018 contain six principles setting out the main responsibilities we need to follow. Personal data must be:

- processed lawfully, fairly and in a transparent manner;
- collected for specified, explicit and legitimate purposes;
- adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed;
- accurate and, where necessary, kept up to date;
- kept in a form which is no longer than is necessary for the purpose for which it is processed;
- processed in a manner which ensures appropriate security of the personal data

### 3. Our Promise to You

When processing personal data, we promise to:

- Protect the individual rights of any individual persons who can be identified;
- Collect and process personal data in a legal and fair manner;
- Process personal data only for the purpose that was defined before the data was collected;
- Not to sell, or pass on, personal data to third parties unless there is a lawful basis to do so;
- Ensure that any subsequent changes to the purpose for processing personal data are limited;
- Inform individual persons of how his/her data is handled, the purpose of data processing, the identity of the data controller and any third parties to whom the data might be transmitted;
- Determine whether and to what extent the processing of personal data is necessary in order to achieve the purpose for which it is undertaken;
- Ensure that information only moves between the Company and our service providers where it is necessary (e.g. for technical maintenance services; operation of this website; our products);
- Take suitable steps to ensure that inaccurate or incomplete data is deleted, corrected, supplemented or updated;
- Ensure that personal data kept on file is correct, complete, and – if necessary – kept up to date;
- Ensure that personal data is treated as confidential and secured with suitable organizational and technical measures to prevent unauthorized access, illegal processing or distribution, as well as accidental loss, modification or destruction;
- Delete personal data that is no longer needed after the expiration of legal or business process-related periods, unless there is a legitimate reason to retain the data and provided no conflicting legal retention requirements exist;
- Ensure that personal data is not collected in advance and stored for potential future purposes unless required or permitted by national law.

### 4. Types of personal data

“Personal data” means any information about an individual from which that person can be identified. It does not include data where the identity has been removed. It refers to all information which you provide to OTL relating to you as a person, such as your name, address, telephone number, email address and user behaviour.

OTL will collect personal data from you if you contact us, submit an online enquiry form, enter into a contract for goods/services, complete a credit account application form or submit information via any online forums, surveys or interactive sections that may be on the Website from time to time.

When completing a credit account application form, we will ask you to provide trading details, contact details, trade references, bank details and account security. Where you provide information about others, you must ensure that you have their consent or are entitled to provide this information to us.

### 5. Why we process personal data

This Privacy Policy has been created to regulate how OTL processes “personal data”. OTL has the right to collect personal data where one of the following situations applies:

- To fulfil a contract which we are about to enter into, or have entered into with you;
- Where we need to comply with a legal or regulatory duty;
- When a legitimate interest exists and your interests and fundamental rights do not override those interests;
- When you have provided us with your consent to use your personal data

“Legitimate interest” means we have a business or commercial reason to process personal data. If we rely on a “legitimate interest”, we will notify you so that we are open, fair and lawful.

If we need to collect your personal data under a legal duty or legitimate interest, or to fulfill a contract which we have with you, and you fail to provide that data when required, we may not be able to perform the contract we have with you or are trying to enter into with you. In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case.

## **6. How we use personal data**

We may collect, use and store personal data about you in the following circumstances:

- If you decide to purchase goods / services from OTL;
- If you decide to apply for a credit account with OTL;
- To send you updates and/or information about our services (if you have provided us with consent)

If you decide to purchase goods / services from OTL, the personal data you provide will be used by OTL to contact you (or your organisation), formalise the contract, and organise the payment and delivery.

If you decide to apply for a credit account with OTL, the information you provide will be used by OTL to verify your organisation's identity and to process the credit account application. We may also carry out Credit Reference Searches (details of which are set out in section 11 below). If OTL approves your credit account application and opens a credit account for your organisation, OTL will use the information provided to administer your organisation's account and to process any orders for goods received.

Unless you have expressly asked us not to do so, OTL may use information provided for marketing purposes, undertake marketing analysis and make general improvements to the Website and OTL's products.

## **7. How we share personal data**

OTL will retain your information for as long as it is needed for the purposes set out in this Privacy Policy or as otherwise required by law. We do not sell your personal data to other organisations. Unless permitted or required to do so by law, OTL will not otherwise share, sell or distribute any of the personal data provided to us by you (or your organisation) without your consent. We require our third-party service providers 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.

## **8. Where we store personal data**

OTL will keep your information secure by taking appropriate measures against its unauthorised or unlawful processing and against its accidental loss, destruction or damage. In general, the personal data we collect from you will be stored at OTL's premises in the UK. We also require our third-party service providers to take appropriate measures to keep your personal data secure in accordance with this policy. Unfortunately, no transmission of personal data over the internet is guaranteed to be 100% secure.

## **9. How we store personal data**

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

Unless we need to store your personal data in connection with the purpose(s) for which it was originally collected and/or is processed, we will remove your personal data from our records 6 (six) years after the date it was collected unless different retention periods apply. However, if before that date (i) your personal data is no longer required in connection with such purpose(s); (ii) we are no longer lawfully entitled to process it; or (iii) you validly exercise your right to have your personal data removed, we will remove or anonymize your personal data from our records at the relevant time.

We will also require our third-party service providers to remove any personal data which they hold about you from their records within the same time frame as that detailed in the section above.

## **10. Promotional Communications**

If you have provided us with consent, we may use your personal data to send you updates (by email, telephone or post) that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations for marketing purposes.

You have the right to stop receiving promotional communications and unsubscribe from our mailing list at any time by:

- contacting us to say that you no longer wish to be contacted or to have your personal data stored with us; or
- using the "unsubscribe" link in the emails which we send you.

We may ask you to confirm or update your marketing preferences if you enter into a contract for goods/services with us or you submit a credit account application form to us in the future, or if there are changes in the law, regulation, or the structure of our business.

We are entitled to anonymize your personal data. This means that you are no longer personally associated with it and it ceases to be personal data. Where we do this, we may use the information for research or statistical purposes indefinitely without further notice from you.

## **11. Credit Reference Searches**

If you apply for a Credit Account, OTL may make reasonable enquiries (and share information) with credit reference agencies and any other third parties which it deems necessary. When a search is made with a credit reference agency they may provide both public information (including information from the electoral register and in relation to County Court judgments) and shared credit and fraud prevention information.

OTL makes such enquiries, and shares information with credit reference agencies and other third parties:

- to verify the identity of your organisation and/or any of its representatives that purport to act on behalf of your organisation;
- for assessing the application for credit, monitoring and managing your Credit Account; and
- for the purposes of debt collection, tracing and fraud prevention.

## **12. Disclosure of Information to Third Parties**

OTL may share your information with credit reference agencies and certain other third parties. OTL may also share your information with any associated organisations or business partners of OTL for administrative purposes and so that any information or products you have requested can be provided. OTL may also share your information with another organisation which buys, or is interested in buying, its business or assets, or to whom OTL transfers its agreement with your organisation and in the course of any negotiations which may or may not lead to such a transfer or sale.

OTL may allow third party providers and contractors who supply goods or services to OTL or who process information on behalf of OTL incidental access to your information. In such circumstances, OTL will endeavour to ensure that they keep your information secure and do not use it for their own purposes.

OTL will disclose any information provided if required to do so by law (such disclosure may be to enforcement authorities or to a third party in the context of actual or threatened legal proceedings) to the extent so required. Unless permitted or required to do so by law, OTL will not otherwise share, sell or distribute any of the information provided to us by you (or your organisation) without your consent.

## **13. Cookies**

We use cookies to help us to improve our site and deliver a better and more personalised service. Cookies are text files containing information which your computer or mobile device downloads when you visit a website. This information is transferred to your computer's hard drive. Any website which you have previously accessed (and therefore your browsing device) will recognise the cookies when you access the website again. Some of the cookies which OTL uses are essential for the Website to operate (such as letting you navigate between pages efficiently, remembering your preferences and improving your general internet browsing experience).

If you use the Website or provide information to OTL through the Website, you agree to our use of cookies. You can control how cookies are placed on your device by activating the setting on your browser which allows you to change the settings of all or some cookies. Unless you have adjusted your browser settings so that it will refuse cookies, our system will issue cookies as soon you visit our Website. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our Website.

Please note, however, that third parties and advertisers may use cookies, over which we have no control.

#### **14. Your Rights**

You have the right to access, correct, restrict and change any personal data which OTL holds about you.

If you want to access personal data which OTL holds about you, you need to send us a "subject access request". You can make a subject access request verbally or in writing. There is no charge for this.

OTL must act on a subject access request without undue delay and within one month of receipt of the request. We are permitted to extend the time to respond to your request by a further two months if the request is complex or we have received a number of requests from you. If we need to extend the time, we will let you know within one month and explain why the extension is necessary.

You have the right to change any personal data which OTL holds about you; please inform OTL of any changes you would like to be made to your details so we can keep our records up to date.

You have the right to require OTL to delete any personal data which it holds about you in certain situations. However, this may not always be possible, such as, for example, where OTL needs to use your personal data in order to create or perform a contract.

You have the right to opt out of receiving any marketing material from OTL or any third party at any time. If you would like to unsubscribe from our mailing system and/or update your preferences of how and what we communicate to you at any time, please email us at: [marketing@onthelevel.co.uk](mailto:marketing@onthelevel.co.uk) You can also click on the 'unsubscribe' button at the bottom of our emails. It may take up to 72 hours for this to take place.

#### **15. How To Complain**

Please contact us if you wish to raise a query or concern about OTL's use of your personal data.

The GDPR also gives you a right to lodge a complaint with a supervisory authority. The relevant supervisory authority in the UK is the Information Commissioner who may be contacted as follows:

website: <https://ico.org.uk/concerns>

telephone: 0303 123 1113

#### **16. Further Information**

If you have any queries about this Privacy Policy or the information held by OTL about you (or your organisation), or you would like to exercise your rights, please contact us by post, e-mail or telephone.

Our Data Protection Officer is James Clark

Our contact details are On The Level (Showers) Limited, Unit 8 Youngs Industrial Estate, Stanbridge Road, Leighton Buzzard, LU7 4QB. Tel: 0843 7830 865. E-mail: [info@onthelevel.co.uk](mailto:info@onthelevel.co.uk)