

# Gale & Snowden Architects Ltd External Privacy Policy

## Version 1.0

Updated: 15 May 2018

Maintaining your privacy and your trust is very important. We strive to be especially clear on how we use your personal information if and when we collect it, and on the ways in which we can work together to protect your privacy.

Data Protection Act 1998 & General Data Protection Regulation (also known as Regulation (EU)2016/679 or “GDPR”) (enforced from 25th May 2018). The UK Parliamentary Act is known as ‘Data Protection (Charges and Information) Regulations 2018’

This Privacy Policy explains the:

- Identity and contact information of the data controller
- Legitimate interests of the data controller or third party (if applicable)
- Purpose of the processing and the lawful basis for the processing
- Categories of personal data to be processed
- Details of whether personal data came from direct or indirect sources
- Recipients or categories of recipients of the personal data
- Details of data transfers to a third country and safeguards
- Length of time personal data is processed and any criteria used to establish the length of time the data is processed
- Data Subject's Rights (Your rights)
- Right to complain to the supervisory authority/regulator
- Details of any part of a statutory or contractual requirement and possible consequences of failing to provide the personal data
- The existence of any automated decision making, including profiling and information about how decisions are made

## What products and services are covered by this policy?

This Privacy Policy applies to the information that we may obtain from you and through your use of our website(s), collectively called the “Services”. If you have any questions or need more information about these Services, please contact us at the email address in the section below.

## Definitions

### Personal Data

Personal data is data about a living individual. That living individual must be identifiable, either directly or indirectly, usually through a so-called identifier (such as name, identification number, GPS location data or online identifiers such as a computer IP address).

Directly identifiable means identifiable from the information itself, for example, a name together with an address, age, telephone number.

Indirectly identifiable means not identifiable from the information itself, but from the information combined with data from another easily available source. For example, recorded research interviews together with entries in a database linking the voice recordings to names.

The personal data must be held by Gale & Snowden in a recorded format in a 'relevant filing system'. This can be in an electronic file or as a paper record. It can be a photograph, an audio or video recording.

### **Sensitive Personal data**

Some personal data is classed as sensitive personal data. This type of data is subject to further regulations under Data Protection legislation and can only be processed under certain circumstances. Gale & Snowden do not collect sensitive personal data.

### **Data Subject**

A data subject is an individual who is the subject of personal data. For example, we hold personal data about Clients, making each Client a data subject under the terms of the legislation.

### **Data Controller**

A data controller is an organisation that has full authority to decide how and why personal data is to be processed, and that the overall responsibility for the data. This includes deciding on use, storage and deletion of the data.

When the Gale & Snowden decides that it wishes to share the personal data it holds with another organisation we are acting as a data controller, as we have the authority to take this decision.

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The receiving organisation may also become a data controller. This will depend on whether it will have the authority to decide how and why the data will be stored, used and deleted. If the receiving organisation has considerable discretion in this area, it is probably a data controller.

### **Data Processing**

Data processing includes reading, amending, storing and deleting data. Data processing is any action taken with personal data. This includes the collection, use, disclosure, destruction and holding of data.

### **Data Processors**

A data processor is an organisation that processes personal data on behalf of another organisation.

If Gale & Snowden passes personal data to a company or an organisation but instructs this company or organisation on what should be done with that data and how to do this by means of a contract, then the receiving organisation is a data processor. Gale & Snowden will only be legally responsible for any breaches of data protection legislation by a data processor if no contract is in place, and if Gale & Snowden has not satisfied itself that the data processor has adequate security provisions in place.

### **Data Protection Officer (DPO)**

A Data Protection Officer has formal responsibility for data protection compliance within an organisation. SMEs like Gale & Snowden, who is not a public authority or body and does not process data on a large scale, do not need to have a DPO under the GDPR legislation, however, we feel it is good practice to have one so that it is clear to both staff and those that we interact with who is responsible for dealing with their personal data in our organisation

### **RIBA - Royal Institute of British Architects**

Gale & Snowden Architects Ltd are an RIBA Chartered practice and our Architects are registered as members of the RIBA

## ARB – Architects Registration Board

ARB registers by law all qualified Architects in the UK. All Gale & Snowden Architects are registered with ARB

## Data Controller

For the purposes of the data protection & privacy legislation the Data Controller is: Gale & Snowden Architects Ltd

	("I", "we," "us," "our")
Legal Status:	Limited Company, UK
Trading as:	Gale & Snowden Architects Ltd
Postal Address:	18 Market Place, Bideford, North Devon EX39 2DR
Email:	Info@ecodesign.co.uk
Data Protection Officer (DPO)	David Gale, Director Gale & Snowden Architects Ltd

### ***Purpose and legitimate interest***

#### **How do we use the information we collect?**

We may use the information we collect for a variety of purposes, including to:

- Make our Services work for you;
- Provide, operate, maintain, improve, personalise, and promote our Services;
- Develop new products, services, features, and functionality;
- Process and complete transactions, and send you related information, including purchase confirmations and invoices;
- Communicate with you, including responding to your comments, questions, and requests; providing customer service and support;
- Providing you with information about services, transmitting technical notices, updates, security alerts, administrative messages
- Monitor and analyse trends, usage, and activities in connection with our Services;
- Investigate and prevent fraudulent transactions, unauthorised access to our Services and other illegal activities.

### ***Lawful Basis of Processing***

#### **How do we get your consent for collecting and storing your information?**

We only process personal data on the basis that such processing is necessary in order to enter into or perform a contract for our service(s).

Personal data is only processed on the basis that the data subject has consented to such processing.

Personal data is only processed on the basis we have a legitimate interest which is not overridden by the rights or freedoms of the affected Data Subjects.

## **Categories of personal data and sources**

### **What information do we collect from you, and how is it used?**

#### **Direct:**

You can visit our website without telling us who you are and without revealing any personal information about yourself.

If you make an enquiry via telephone, email or through our web site then we will keep a record of what you tell us about yourself and your proposed project.

If you instruct us to undertake service/s then we will need to keep a record of your contact details and your project in order to undertake our service/s. The types of information we collect may include email address, your name, postal address and phone number. We will also keep information about your project including your specific requirements, site details and instructions to us.

We do not process sensitive/special categories of personal data, nor facilitate processing personal data of data subjects under the age of consent (children).

#### **Indirect:**

**From cookies:** We may also collect “cookie” information that we may save to your computer or mobile device. Cookies are small data files stored on your hard drive or in device memory. We use cookies to improve and customise our Services and your experience; to allow you to access and use our Services without re-entering your username or password; to log visits and to understand which areas and features of the Services are most popular. We may also associate the information we store in cookies with personal information you submit while using our Services. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from websites you visit. If you do not accept cookies, however, you may not be able to use all aspects of our Services.

For specific information on cookies, please read our cookie policy.

**Logs:** We may record certain information and store it in log files when you interact with our Services. This information may include Internet protocol (IP) or other device addresses or ID numbers as well as browser type, Internet service provider, URLs of referring/exit pages, operating system, date/time stamp, information you search for, locale and language preferences, your mobile carrier, and system configuration information.

**Analytics:** We and our analytics providers also collect and store analytics information when you use our Services to help us improve our Services. We make sure this data is anonymous by not connecting any analytics data to personally identifiable data such as a name, email address, physical address, or phone number.

All work undertaken by Gale & Snowden Architects is copyright of Gale & Snowden Architects and remains the property of Gale & Snowden Architects Ltd. Copyright is governed by the Copyright, Designs and Patents Act 1988.

### **How might we share information?**

We are not in the business of selling your personal information. We consider this information to be a vital part of our relationship with you. There are, however, certain circumstances in which we may share your personal information with third party data processors, as set forth below:

**With your consent:** We will not share your personal information with companies, organisations, or individuals who are not associated with us unless we have your affirmative consent to do so.

**Payment Processing:** We do not process credit cards. We use BACS payment system or via cheque through our bank HSBC.

**Newsletter Service:** We do not operate a newsletter.

**Compliance with Laws and Law Enforcement Requests; Protection of Our Rights:** We may disclose your information (including your personal information) to a third party if:

- We believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process or governmental request
- To protect the security or integrity of our products and services
- To protect our property, rights, and safety and that of our customers or the public from harm or illegal activities
- To respond to an emergency which we believe in the good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person; or
- To investigate and defend ourselves against any third-party claims or allegations.

**Business Transfers:** We may share or transfer your information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company. We will notify you of such a change in ownership or transfer of assets by posting a notice on our website.

## Data Transfers

The data controller does not transfer personal data outside of the United Kingdom or European Union, apart from the following exceptions where indicated below. All data processors acting on behalf of the data controller have appropriate safeguards in place. For example, those operating in the USA, are signed up to the EU-US Privacy Shield.

## Data Processor Information

The following third-party service providers are used by us and only process data in accordance with the instructions from the Data Controller:

MS Office365	<a href="#">Privacy Policy</a>	Email, calendar, notes	US
Google Cloud Services	<a href="https://cloud.google.com/security/gdpr/">https://cloud.google.com/security/gdpr/</a>	Off site cloud based back up service	US
V1 Project Accounting (formerly Project Minder)		Project Management software include time sheets, contact database, Project management tools	UK
Drop Box	Dropbox is certified to the U.S.-E.U. privacy shield arrangement: <a href="https://www.dropbox.com/help/security/data-transfers-europe-us">https://www.dropbox.com/help/security/data-transfers-europe-us</a>	Temporary project folder sharing	US
Skype	<a href="http://www.skype.com/en/legal/">www.skype.com/en/legal/</a>	Virtual meetings	US
Archicad	<a href="http://www.graphisoft.com/info/legal/privacy_policy/">www.graphisoft.com/info/legal/privacy_policy/</a>	CAD software, BIM cloud server	UK
P11 (Professional)	<a href="http://www.cavendishmunro.com/privacy-policy/">www.cavendishmunro.com/privacy-policy/</a>	Project database, project correspondence	UK

Indemnity Insurance)			
RIBA	<a href="http://www.architecture.com/about/privacy-policy">www.architecture.com/about/privacy-policy</a>	RIBA web site project database, RIBA Benchmarking	UK
Thomas Westcott Accountants	<a href="http://www.thomaswestcott.co.uk/privacy-policy">www.thomaswestcott.co.uk/privacy-policy</a>	Financial records, transactions and accounts, staff payroll,	UK
Archisnapper	<a href="https://archisnapper.com/terms#GDPR">https://archisnapper.com/terms#GDPR</a>	Site information gathering and report writing	Belgium
Gendall	<a href="http://www.gendall.co.uk/privacy-policy/">www.gendall.co.uk/privacy-policy/</a>	Web site hosting containing project data and client names, blog,	UK
Planning Portals		Various internet planning portals are used to upload projects and various planning forms	Local Authorities UK
IBN, Institute of Building Biology + Sustainability		IBN Building Biology On-line Course Participants Agreement form – containing contact details	Germany / EU
Claire Foxford, Landscape Architect		Client contact details and project information	UK
Richard Allen, Principal Designer		Client contact details and project information	UK

### How long will we keep the personal data?

Retaining some data may be subject to a statutory retention period and this must be adhered to, (to keep certain data for a minimum period of time). This may include personal data (name, address, contact details), but on expiry of such statutory requirement, such data will be destroyed securely. Where possible any personally identifiable data will be anonymised or pseudonymised.

Client and Project data will be held in accordance with RIBA advisor guidelines for up to 18 years.

We do not keep personal data for marketing purposes.

### Statutory or other requirements

The Data Controller does not process personal data in respect of any statutory requirement, nor require personal data to be supplied as part of any contractual agreement, however in respect of the

controller's services, certain communications may not be possible without such personal data being supplied, for example an email to furnish with updates information etc. or an address to fulfil an order.

### Profiling and Automated Decision Making

No profiling or automatic decision-making processes are undertaken by the Gale & Snowden Architects Ltd in respect of any personal data processing activities.

### Your rights

Your rights as a Data Subject are:

1. The right to be informed
2. The right of access
3. The right of rectification
4. The right of erasure (often known as the right to be forgotten)
5. The right to prevent processing
6. The right to data portability
7. The right to object
8. Rights in relation to automatic decision making and profiling

Under the right of access (2), you have the right to obtain:

- confirmation that your data is being processed;
- access to your personal data; and
- other supplementary information

So that you are aware of and can verify the lawfulness of the processing

Your right to access can be exercised by contacting the DPO at Gale & Snowden Architects Ltd as above.

If you wish us to erase your personal data the mechanism to do so is to write to the DPO at Gale & Snowden Architects Ltd and request erasure. Erasure of your personal data will be subject to other legislation and duties including professional requirements of the RIBA and ARB.

You can contact the DPO at Gale & Snowden Architects Ltd at any time to discuss this privacy Policy and our processes and to enquire about your Personal Data and its protection at the contact details above.

In order for us to ensure that it is you that has requested access or erasure of your personal data we will need to authenticate that it is you that has contacted us with the request. This authentication will include a meeting, a formal written request and verification from ourselves to you.

### Your right to complain to the supervisory authority/regulator

You have the right to complain about organisations processing your personal data. You can exercise this right by contacting the supervisory authority of the data controller as follows:

Head office

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number