

# Privacy Policy

## INTRODUCTION

This privacy policy sets out how Michael Harding Art Formulas Limited uses and protects any information that you give Michael Harding Art Formulas Limited when you use this website or any other services offered by Michael Harding Art Formulas Limited

Michael Harding Art Formulas Limited is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using this website or other services, then you can be assured that it will only be used in accordance with this privacy statement. In any event, we are committed to ensuring that the information we collect, and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

Michael Harding Art Formulas Limited may change this policy from time to time by updating this page. You should check this page from time to time to ensure that you are happy with any changes.

This policy is effective from 24th May 2018.

## 1 SCOPE

The scope of this privacy policy encompasses all data subjects whose data is processed by Michael Harding Art Formulas Limited. This includes all customers that we provide services to, all potential customers who may be interested in our products and services and all business partners that assist us in the provision of our services.

## 2 CONTROLLER

For the purposes of data protection law, the “controller” is Michael Harding Art Formulas Limited, a company incorporated in England and Wales under company number 05183522 and having its registered office address at Building K, Springvale Industrial Estate, Cwmbran, Gwent, Wales, NP44 5BE (from now on referred to as “we” and by related words such as “us” and “our”).

Our Data Protection officer is Karyn Harding

## 3 RESPONSIBILITIES

The Data Protection Officer is responsible for ensuring that this notice is placed in front of potential data subjects prior to Michael Harding Art Formulas Limited collecting/processing their personal data.

All Employees/Staff of Michael Harding Art Formulas Limited who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject’s attention and their consent to the processing of their data is secured.

## 4 PRIVACY NOTICE

Please read this privacy notice carefully. It contains important information about:

- who we are
- how and why we collect, store, use and share personal data, including any data you may provide when you sign up to our newsletter, purchase a product or service or take part in a competition
- your rights in relation to your personal data
- how to contact us.

### 4.1 What we collect

We may collect the following information:

- name and date of birth
- contact information including email address
- demographic information such as postcode, preferences and interests
- other information relevant to customer surveys and/or competitions and offers

We collect information about you when you register with us or place an order for products. We also collect information when you voluntarily complete customer surveys, provide feedback to us and participate in competitions with us. Website usage information is also collected using cookies on [www.michaelharding.co.uk](http://www.michaelharding.co.uk) and during our business functions – namely, marketing, manufacturing and selling products for use by artists – we collect the following personal data when you provide it to us:

- personal details, such as
  - name and title
  - date of birth
- contact information, such as
  - e-mail address
  - telephone and mobile number(s)
- payment details, such as
  - bank account
  - card details
- transaction data, such as
  - details about payments to and from you
  - details of products and services you have purchased from us
- technical data, such as
  - 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
- usage data, such as
  - information about how you use our website, products and services
- marketing data, such as
  - your preferences in receiving marketing and communications.

- any other information necessary to meet our contractual obligations or provision of a better service to meet your requirements

We do not collect “special category” personal data. We also do not collect information about criminal convictions or offences.

## 4.2 How we collect personal data

We obtain personal data from sources as follows:

- directly from you through your interactions with us (for example, when you subscribe to mailing lists, request information, enter a competition, provide feedback or place orders)
- from automated technologies when you visit our website
- from third parties with whom we have a trading relationship, for example third parties that sell our products directly and in order for us to be able to fulfil your order may need to give us your information

The company use the following third party providers:

Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland

We may monitor and record communications with you (including phone conversations and emails) for quality assurance and to make sure that we are meeting our legal and regulatory requirements. We may also use these recordings for training purposes.

## 4.3 How we use the Information

Michael Harding Art Formulas Limited will process – that means collect, store and use – the information you provide in a manner that is compatible with the EU’s General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances, the law sets the length of time information has to be kept, but in most cases Michael Harding Art Formulas Limited will use its discretion to ensure that we do not keep records outside of our normal business requirements.

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

Michael Harding Art Formulas Limited may use this information to understand your needs and provide you with a better service. This could mean Michael Harding Art Formulas Limited:

- may use your information for internal record keeping.
- may use the information to improve our products and services.
- may periodically send promotional emails about new products, special offers or other information which we think you may find interesting using the email address which you have provided.
- from time to time, may also use your information to contact you for market research purposes. We may contact you by email, phone, fax or mail. We may use the information to customise the website according to your interests.
- most importantly, we may use your information to generally provide the best service to you that we can.

## 4.4 Why do we need to collect, process and store personal data?

For us to provide you with the information, product or service that you have requested we may need to collect personal data for correspondence purposes and/or providing a service.

We may pass your personal data on to our service providers who are contracted to Michael Harding Art Formulas Limited in the course of service provision. Our contractors are obliged to keep your details securely and use them only to fulfil the service they provide you on our behalf. Once your service need has been satisfied or the case has been closed, they will dispose of the details in line with Michael Harding Art Formulas Limited procedures.

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

- to perform a service, we are about to enter or have entered into with you
- if it is necessary for our legitimate interests (or those of a third party) and these are not overridden by your rights and interests
- where we need to comply with a legal or regulatory obligation.

We will only use your personal data for the purposes for which we collected it, unless we fairly consider that we need it for another reason that is compatible with the original purpose.

If we wish to pass your sensitive personal data onto a third party, we will only do so once we have obtained your consent unless we are legally required to do so.

## 4.5 What are the lawful bases for processing?

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:

**(a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.

**(b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

**(c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).

**(d) Vital interests:** the processing is necessary to protect someone's life.

**(e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

**(f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

The primary reason for collecting and processing data will be contractual, however we may utilise a combination of the above, dependent upon the circumstances. We will be transparent in any interactions and ensure that the lawful basis of processing for each circumstance are documented and available.

## 4.6 Do we share your personal data?

We may provide your personal data to the following recipients for the purposes set out in this notice:

- sharing your information with other areas of Michael Harding Art Formulas Limited who may be better placed to reply to your enquiry direct, or otherwise assist in answering your application or request. This may include but not be restricted to our officers, employees, consultants, workers and agents to the extent that they reasonably require it
- our service providers
- to assist Law enforcement and other government agencies engaged in the protection or detection of crime, or to provide evidence in criminal or civil prosecution cases.

Please be aware that in these cases, we will make an independent assessment of the third party request, but will not seek your approval to share this information beforehand.

## 4.7 Do you have to supply your personal data and if so why?

The simple answer is no: it may however affect your ability to receive our services and products if you decline supplying your personal data.

If you sign up to our mailing list, you will have to provide certain personal data. You may choose to stop receiving our mailings at any time.

To form a contract with you, we will need some or all the personal data described above so that we can perform that contract. If we do not receive the data, the contract could not be performed.

## 4.8 How long will your personal data be kept for?

That will largely depend on the reason for holding it in the first place, but in practice, our aim is to only hold personal data for as long as it is needed to process requests or service an agreement and as required to comply with audit processes.

We use the following criteria to determine data retention periods for your personal data:

- retention for marketing purposes. We may, where we are permitted to do so, retain your personal data to enable us to carry out our business activities and always subject to your right not to receive marketing communications.
- retention in case of queries. We will retain your personal data as long as is necessary to deal with your queries.
- retention for providing products or services. We will retain your personal data as long as is necessary for us to provide relevant products and services.
- retention in accordance with legal and regulatory requirements. We will retain your personal data after we have provided products or services based on our legal and regulatory requirements: for example, UK tax law currently specifies a six-year period for retention of some of your personal data.

## 4.9 What is Personal Data

Under the EU's General Data Protection Regulation: Personal Data is defined as "any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

## 5 DATA PROTECTION PRINCIPLES

Michael Harding Art Formulas Limited complies with the Data Protection Act 1998 and EU General Data Protection Regulations coming into force on the 25th of May 2018. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

This means we must comply with the Data Protection Principles set out in the Data Protection Act 1998 and GDPR. These principles require that personal data must be:

1. obtained fairly and lawfully and shall not be processed unless certain conditions are met
2. obtained for specific and lawful purposes and not further processed in a manner incompatible with that process
3. adequate, relevant and not excessive
4. accurate and up to date
5. kept for no longer than is necessary
6. protected by appropriate security
7. not transferred to a country outside the European economic area without adequate protection

In short, we collect, store and use personal data carefully, and ensure that it is kept secure. We do not, and will not, pass the information that you give us to any organisations except our agents and relevant industry service providers unless you expressly give us your permission to do so.

## 6 SECURITY

In order to prevent unauthorised access or disclosure, we have put in place suitable electronic, physical and managerial procedures to secure the information we collect online. We will always ask you key security questions before discussing your account with you so we can ensure we keep your personal details secure, and restrict unauthorised access to your account

Michael Harding Art Formulas Limited is committed to ensuring that your information is secure.

## 7 MARKETING

We would like to send you information about our products and services. If you have consented to receive marketing, you may opt out at a later date. You have a right at any time to stop us from contacting you for marketing purposes. If you no longer wish to be contacted for marketing purposes, you have a right to unsubscribe.

We may utilise the provisions of legitimate interest under the GDPR regulations. Where we use legitimate interest provisions, we will ensure that all checks and balances are thoroughly performed including the appropriate assessments. This means there may be occasions where we will contact you to inform you of special offers or promotions which may benefit you.

## 8 CONTROLLING YOUR PERSONAL INFORMATION

Michael Harding Art Formulas Limited gives you total control of your personal information.

We will not sell, distribute or lease your personal information to third parties unless we have your permission, or are required by law to do so.

### 8.1 Data Subject Access Request

You may request details of personal information which we hold about you. If you would like a copy of the information held on you, or you think it is incorrect or incomplete, please contact us at:

Data Protection, Michael Harding Art Formulas Limited, Building K, Springvale Industrial Estate, Cwmbran, Gwent, Wales, NP44 5BE

Or email us at: [info@michaelharding.co.uk](mailto:info@michaelharding.co.uk)

We will promptly correct any information found to be incorrect.

The information that you request will be provided within a maximum of one calendar month and we will not charge unless the request requires a lot of effort. We try to ensure that the information we hold is accurate, up to date and relevant and we'll be happy to correct any inaccuracies.

### 8.2 Your rights as Data Subjects

Under the General Data Protection Regulations, you have the right to know and access the following.

- the purposes of the processing
- the categories of personal data concerned
- the recipients to whom the personal data has been or will be disclosed
- the period for which the personal data will be stored;
- the right to rectification, erasure, restriction or objection;
- the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from the data subject, any available information as to their source

### 8.3 Do we transfer data outside the EU?

Although we are based in Wales, we may transfer your personal information to a location (for example, to a secure server) outside the European Economic Area, if we consider it necessary or desirable for the purposes set out in this notice. In such cases, to safeguard your privacy rights, transfers will be made to recipients to which a European Commission "adequacy decision" applies (this is a decision from the European Commission confirming that adequate safeguards are in place in that location for the protection of personal data), or will be carried out under standard contractual clauses that have been approved by the European Commission as providing appropriate safeguards for international personal data transfers, copies of which are available to view on the Commission's website ([https://ec.europa.eu/info/index\\_en](https://ec.europa.eu/info/index_en)).