

## **Privacy Notice**

### Overview

At fscom we take your privacy seriously and we are committed to protecting your personal data. We aim to be clear about how we use personal data and this privacy notice will inform you as to how we look after your personal data, what personal data we process and why. It includes the relevant requirements of the General Data Protection Regulations (GDPR). It applies both when you visit our website and when you use our services.

This privacy notice will give you information about the following.

- 1. Who we are and who is responsible for your personal data**
- 2. What types of personal data we process**
- 3. How we collect your personal data**
- 4. How we use your personal data**
- 5. Sharing your personal data**
- 6. Whether we transfer any of your data internationally**
- 7. Security, storage and retention of personal data**
- 8. Your personal data and your rights**
- 9. Marketing**
- 10. Changes to this Privacy Notice**

### **1. Who we are and who is responsible for your personal data**

This privacy notice aims to give you information on how fscom collects and processes your personal data through your dealings with us, including your use of this website or when you use any service we offer.

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

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.

## **Controller**

fscom is the Controller and responsible for your personal data (collectively referred to as “fscom”, “we”, “us” or “our” in this privacy notice). When we refer to fscom we mean:

FSCoM Limited

Suite 3D  
Alexander House  
Castlereagh Road Business Park  
Belfast  
BT5 6BQ

Phone: 028 9042 5451

e-mail: [info@fscom.co.uk](mailto:info@fscom.co.uk)

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact Andy Mills at [andrew.mills@fscom.co.uk](mailto:andrew.mills@fscom.co.uk) or use the contact points shown above.

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](http://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.

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.

### **Third-party links**

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## **2. What types of personal data we process**

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. The main categories of such data are as follows.

! **Identity Data** includes first name, middle names, last name, username or similar identifier, title, date of birth and gender.

! **Contact Data** includes billing address, email address and telephone numbers.

! **Financial Data** includes bank account details.

! **Technical Data** includes internet protocol (IP) address and other technology details on the devices you use to access this website.

! **Marketing and Communications Data** includes your preferences in receiving marketing from us.

We also collect, use and share **Aggregated Data** such as statistical data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

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) unless we have your explicit consent to do so. Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data we may not be able to perform the contract we have, or are entering into with you (for example, to provide you with services). In this case, we may not be able to provide a service to you but we will notify you if this is the case at the time.

### **3. How we collect your personal data?**

We use different methods to collect data from, and about you, including through:

#### **a. Direct interactions.**

You may give us your Identity Data, Contact Data and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

1. apply for and use our services;
2. provide us with services;
3. apply for a job;
4. participate in our events or sponsor an event;
5. request marketing to be sent to you (via the website or otherwise); or
6. give us some feedback.

#### **b. Automated technologies or interactions.**

As you interact with our website, we may automatically collect Technical Data about your browsing actions. We may collect this personal data by using cookies.

#### **c. Third parties or publicly available sources**

We may receive Identity and Contact Data from publicly available sources such as Companies House.

### **4. How we use your personal data**

We will only use your personal data for specific purposes and in accordance with applicable laws. Most commonly, we will use your personal data in the following circumstances.

! In order to perform the contract we are about to enter into or have entered into with you.

! Where it is for our legitimate business interests (or those of a third party) and your interests and fundamental rights do not override those interests.

! In order to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data. In certain circumstances where this is required, e.g. in employment applications or in performing pre-employment checks, we will provide a separate

Employment Application Privacy Notice explaining what we require and why, prior to seeking consent.

We have set out below, in a table format, 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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer, supplier or employee	(a) Identity (b) Contact	Performance of a contract with you
To manage our relationship with you, which will include:  (i) providing our services to you or paying you; (ii) notifying you about information relevant to our services; and (iii) notifying you about changes to our terms (our letter of engagement) and our privacy policy.	(a) Identity (b) Contact (c) Technical (d) Marketing and Communications (e) Financial	(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) 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)  (b) Necessary to comply with a legal obligation
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact	Necessary for our legitimate interests (to develop our products/services and grow our business)

	(c) Technical (d) Marketing and Communications	
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### 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.

## **5. Sharing your personal data**

We may share your personal data with the following.

- ! Our service providers and agents (including their sub-contractors) or third parties which process information on our behalf (e.g. internet service and platform providers, payment processing providers, software application providers and those organisations we engage to help us send communications to you) so that they may help us to provide you with the services and information you have requested or which we believe is of interest to you.
- ! Third parties where you have a relationship with that third party and you have consented to us sending information (for example other professional advisers, social media sites or other third-party application providers).
- ! Credit reference and fraud prevention agencies.
- ! Regulators to meet fscom's legal and regulatory obligations.
- ! Law enforcement agencies so that they may detect or prevent crime or prosecute offenders.
- ! Any third party in the context of actual or threatened legal proceedings, provided we can do so lawfully (for example in response to a court order).
- ! Any third party in order to meet our legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts.
- ! Our professional advisors and auditors for the purpose of seeking professional advice or to meet our audit responsibilities.
- ! Another organisation if we choose to sell, transfer or merge parts of our business or assets.
- ! Another organisation to whom we may transfer our letter of engagement with you or your employer/company or sub-contract some of the services we have agreed to carry out for you.

! Government departments where reporting is mandatory under applicable law.

We may share non-personally identifiable information about the use of our website, applications, products or services publicly or with third parties but this will not include information that can be used to identify you.

## **6. Whether we transfer any of your data internationally**

Personal data in the European Union is protected by data protection laws but other countries do not necessarily protect your personal data in the same way.

We may use service providers based outside the EEA which means all the EU countries plus Norway, Iceland and Liechtenstein (“EEA”) to help us provide our website, applications and services to you (for example, platform and payment providers who help us deliver our applications and services) and this means that we may transfer your information to service providers outside the EEA for the purpose of providing our applications and services to you.

We take steps to ensure that where your personal data is transferred outside of the EEA by our service providers and hosting providers, appropriate measures and controls are in place to give personal data the same protection it has in the EEA.

## **7. Security, storage and retention of personal data**

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.

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.

We will retain your personal data for the duration of our business relationship and afterwards for as long as is necessary and relevant for our legitimate business purposes, in accordance with the relevant fscom policies or as otherwise required by applicable laws and regulations. Where we no longer need your personal information, we will dispose of it in a secure manner (without further notice to you).

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## **8. Your personal data and your rights**

Under the GDPR you have the following rights:

- ! **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.
- ! **The right to 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.
- ! **The right to 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.
- ! **The right to object to processing of your personal data** – this arises 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.
- ! **The right to 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.
- ! **The right to 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.

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.

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.

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.

## **9. Marketing**

From time to time, we may use your personal data to contact you with details about our, services and events which we feel may be of interest to you. We may wish to contact you for this purpose by telephone, post, SMS or email.

You have the right at any time to stop us from contacting you for marketing purposes. If you wish to exercise these rights you can do so by selecting your contact preferences at the point where you provide us with your information on our website or by contacting us (see contact information at section Who we are and who is responsible for your personal data above). You can also unsubscribe from any email marketing using the links provided in the emails we send to you.

### *Opting out*

You can ask us 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.

### *Cookies*

Cookies are small text files which are transferred from websites, applications or services and stored on your device. We may use cookies to help us provide you with a personalised service, and to help make our website work better for you.

You can set your browser to refuse all or some cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly.

## **10. Changes to this Privacy Notice**

Like any business, our business will change over time and so will the way we use and protect your personal data. As a result, we may need to make changes to this Privacy Notice. These changes will not reduce your rights or the level of protection we apply to your personal data. The most up to date Privacy Notice will always be published on our website and we will clearly identify the changes we have made in any updates.

This Privacy Notice was last modified on 25 May 2018.