

## **GDPR DATA PRIVACY NOTICE FOR WEBSITES**

This is privacy notice of Athena Pacific Ltd.

We respect your privacy and are determined to protect your personal data. The purpose of this privacy notice is to inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from). We'll also tell you about your privacy rights and how the data protection law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below.

### **1. WHO WE ARE AND IMPORTANT INFORMATION**

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### **1. WHO WE ARE AND IMPORTANT INFORMATION**

#### **What is the purpose of this privacy notice?**

This privacy notice aims to give you information on how we collect and process your personal data through your use of this website, including any data you may provide through this website when you SIGN UP TO OUR NEWSLETTER/PURCHASE A PRODUCT OR /TAKE PART IN A COMPETITION.

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

You must read this privacy notice together with any other privacy 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.

#### **Data controller(s)**

Lorraine Irani is the controller and responsible for your personal data (collectively referred to as Athena Pacific Ltd "we", "us" or "our" in this privacy notice). Our contact details are First Floor, 102

Thornwood House, New London Road, Chelmsford, Essex CM2 0RG. [info@orthosole.com](mailto:info@orthosole.com), 01245 330425 all data matters contact Lorraine Irani on 01245 330425 or e-mail [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)

### **Third-party links outside of our control**

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. THE PERSONAL DATA WE COLLECT ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. You can find out more about personal data from the [Information Commissioners Office](#).

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

- **Financial Data** includes FIRST NAME/LAST NAME/ USERNAME/MARITAL STATUS/ TITLE.
- **Contact Data** includes BILLING ADDRESS/DELIVERY ADDRESS/EMAIL ADDRESS/ TELEPHONE NUMBERS.
- **Transaction Data** includes DETAILS ABOUT PAYMENTS TO AND FROM YOU/OTHER DETAILS OF PRODUCTS AND SERVICES YOU HAVE PURCHASED FROM US.
- **Technical Data** includes IP ADDRESS/YOUR LOGIN DATA/BROWSER TYPE AND VERSION/LOCATION/OPERATIONG SYSTEM AND PLATFORM/OTHER TECHNOLOGH ON THE DIVICES YOU USE TO ACCESS THIS WEBSITE.
- **Profile Data** Includes YOUR USERNAME AND PASSWORD/PURHCASES OR ORDERS MADE BY YOU/YOUR INTRESTS/PREFERENCES/FEEDBACK.
- **Usage Data** Includes INFORMATION ABOUT HOW YOU USE OUR WEBSITE, PRODUCTS AND SERVICES.
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WE ALSO COLLECT, USE AND SHARE **AGGREGATED DATA** SUCH AS STATISTICAL OR DEMOGRAPHIC 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. FOR EXAMPLE, WE MAY AGGREGATE YOUR USAGE DATA TO CALCULATE THE PERCENTAGE OF USERS ACCESSING A SPECIFIC WEBSITE FEATURE. 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). Nor do we collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect your personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). 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 at the time.

### **3. HOW WE COLLECT YOUR PERSONAL DATA**

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

**Automated technologies or interactions:** FOR EXAMPLE, 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 and other similar technologies. Please see our [cookies policy](#) for further details.

- **Directly.** You may give us your [IDENTITY, CONTACT 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
  - Apply for our products or services;
  - Create an account on our website;
  - Subscribe to our service or publications;
  - Request marketing to be sent to you.

**Third parties or publicly available sources.** FOR EXAMPLE, We may receive personal data about you from various third parties as set out below.

Technical Data from the following parties

- Analytics Providers [such as google based inside and outside the EU];

### **4. 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

- **Performance of Contract** this 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.
- **Legitimate Interest** this means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the 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 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 e-mailing [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)

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

[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 [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)

### PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, with the legal bases we rely on to do so.

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 [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com) 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
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and delivery your order including: (a) Manage payments, fees and changes (b) Collect and recover money owed to us	(a) Identity (b) Contact (C) Financial (d) Transaction	(A)Performance of a contract with you  (B) Necessary for our legitimate interest (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our term of privacy policy (b)Asking you to leave a review	a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a)Performance of a contact with you  (b) Necessary to comply with a legal obligation.  (c) Necessary for our legitimate intrests to keep our records updated and to study how customers use our

<p>or take a survey</p> <p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system, maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>products/services)</p> <p>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)</p>
<p>To delivery relevant website content and advertisement to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p> <p>(f) Technical</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products. Services marketing, customer relationships and experiences</p>	<p>(d) Usage</p> <p>(f) Technical</p>	<p>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)</p>
<p>To make suggestions and recommendations to you about goods or services that may be of interested to you.</p>	<p>a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p> <p>(d) Usage</p> <p>(e) Profile</p>	<p>Necessary for our legitimate interests (to develop our products/services and grow our business)</p>

**[Marketing]**

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

[WE HAVE ESTABLISHED THE FOLLOWING PERSONAL DATA CONTROL MECHANISMS]:

### **[Promotional offers from us**

We may use your Identity, Contact, Technical, Usage and Profile Data 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.

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us [OR IF YOU PROVIDED US WITH YOUR DETAILS WHEN YOU ENTERED A COMPETITION OR REGISTERED FOR A PROMOTION] 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 Athena Pacific Limited 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 LOGGING INTO THE WEBSITE AND CHECKING OR UNCHECKING RELEVANT BOXES TO ADJUST YOUR MARKETING PREFERENCES **OR** BY FOLLOWING THE OPT-OUT LINKS ON ANY MARKETING MESSAGE SENT TO YOU

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of [A PRODUCT/SERVICE PURCHASE, WARRANTY REGISTRATION, PRODUCT OR SERVICE EXPERIENCE OR OTHER TRANSACTIONS].]

### **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see <https://www.orthosole.com/cookie-policy/>.

### **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 [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)

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. WHO WE SHARE YOUR PERSONAL DATA WITH**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties

- Providers [ACTING AS PROCESSORS] based [SPECIFIC COUNTRIES] who provide [IT AND SYSTEM ADMINISTRATION SERVICES].
- Professional advisers [ACTING AS PROCESSORS **OR** JOINT CONTROLLERS] including lawyers, bankers, auditors and insurers based [SPECIFIC COUNTRIES] 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].
- [SPECIFIC THIRD PARTIES [LISTED IN THE TABLE IN [PARAGRAPH 4] ABOVE] **OR** SUCH AS [SPECIFIC THIRD PARTIES]].]
- 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.

## 6. INTERNATIONAL TRANSFERS

[IF NO TRANSFERS OUT OF EEA OCCUR:] [WE DO NOT TRANSFER YOUR PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (**EEA**).]

**OR**

[IF TRANSFERS OUT OF EEA OCCUR:]

[WE SHARE YOUR PERSONAL DATA WITHIN THE [COMPANY] GROUP. THIS WILL INVOLVE TRANSFERRING YOUR DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (**EEA**).]

[MANY OF OUR EXTERNAL THIRD PARTIES ARE BASED OUTSIDE THE EUROPEAN ECONOMIC AREA (**EEA**) SO THEIR PROCESSING OF YOUR PERSONAL DATA WILL INVOLVE A TRANSFER OF DATA OUTSIDE THE EEA.]

[WHENEVER WE TRANSFER YOUR PERSONAL DATA OUT OF THE EEA, WE ENSURE A SIMILAR DEGREE OF PROTECTION IS AFFORDED TO IT BY IMPLEMENTING SAFEGUARDS:

PLEASE CONTACT US [INFO@ORTHOSOLE.COM](mailto:INFO@ORTHOSOLE.COM) IF YOU WANT FURTHER INFORMATION ON THE SPECIFIC MECHANISM USED BY US WHEN TRANSFERRING YOUR PERSONAL DATA OUT OF THE EEA.]

## 7. 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.

## **8. DATA RETENTION**

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.

[DETAILS OF RETENTION PERIODS FOR DIFFERENT ASPECTS OF YOUR PERSONAL DATA ARE [AVAILABLE IN OUR RETENTION POLICY WHICH YOU CAN REQUEST FROM US BY [INFO@ORTHOSOLE.COM](mailto:INFO@ORTHOSOLE.COM)

## **OR**

By law we have to keep basic information about our customers (INCLUDING CONTACT, IDENTITY, FINANCIAL AND TRANSACTION DATA) FOR [SIX] YEARS AFTER THEY CEASE BEING CUSTOMERS FOR TAX PURPOSES.

In some circumstances you can ask us to delete your data: see **Your legal rights** 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.

## **9. YOUR LEGAL RIGHTS**

Unless subject to an exemption under the data protection laws, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to withdraw your consent to the processing at any time, where consent was the lawful basis for processing your data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), where applicable i.e. where our processing is based on consent or is necessary for the performance of our contract with you or where we process your data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to our processing of personal data, where applicable i.e. where processing is based on our legitimate interests (or in performance of a task in the public interest/exercise of official authority); direct marketing or processing for the purposes of scientific/historical research and statistics).

If you wish to exercise any of the rights set out above, please contact [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)



### **No fee required – with some exceptions**

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 admin 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.

## **10. CHANGES TO THIS NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

[THIS VERSION WAS LAST UPDATED ON 15/08/2018 AND HISTORIC VERSIONS ARE ARCHIVED CAN BE OBTAINED BY CONTACTING US.

[FROM 25 MAY 2018 THERE WILL BE CHANGES IN DATA PROTECTION LAWS AND WE WILL THEN BE ABLE TO RESPOND TO SOME OF YOUR REQUESTS (FOR EXAMPLE, A REQUEST FOR THE TRANSFER OF YOUR PERSONAL DATA). WE ARE STILL WORKING TOWARDS GETTING OUR SYSTEMS READY FOR SOME OF THESE CHANGES.]

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

## **11. QUERIES, REQUESTS OR CONCERNS**

To exercise all relevant rights, queries or complaints in relation to this policy or any other data protection matter between you and us, please in the first instance contact [Lorraine@orthosole.com](mailto:Lorraine@orthosole.com)

on call 01245330425.

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England, UK.

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