

# PRIVACY POLICY

## INTRODUCTION

We protect your personal data in line with the requirements of the General Data Protection Regulation (GDPR). The GDPR requires data controllers such as ourselves to document our lawful basis for processing personal data. It also gives you rights over how your data is processed. This privacy policy documents the data we collect, why and how we process it, and how to exercise your rights.

We are committed to protecting and respecting everyone's privacy.

During the course of our activities we will collect, store and process personal information about our staff and third parties, and we recognise that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

## DATA CONTROLLER

For the purpose of UK data protection laws, the data controller is Melhuish & Saunders Ltd, 8-9 Landmark House, Wirral Park Road, Glastonbury, Somerset BA6 9FR

## DATA PROTECTION PRINCIPLES

When processing your information, we must comply with the six enforceable principles of good practice. These provide that your personal information must be:

- processed lawfully, fairly and in a transparent manner
- processed for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and kept up-to-date
- kept for no longer than is necessary, and
- processed in a manner than ensures appropriate security.

## INFORMATION YOU GIVE TO US

We may collect, use, store and transfer different kinds of personal information about you, including:

- **Identity Data**, such as your name, company name, job title, university/college, which club they are members of or which forum name
- **Contact Data**, such as your billing address, address, email address and telephone number
- **Financial Data**, such as bank account, payment card details and invoices
- **Transaction Data**, including details about payments from you
- **Technical Data**, including IP addresses, your log-in 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 our website or similar identifiers

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- **Profile Data**, such as your username, password, membership applications made by you
- **Usage Data**, including information about how you use our website and services, and
- **Marketing Data**, such as your preferences in receiving marketing from us and our third parties, and your communication preferences.

### **‘SPECIAL CATEGORY’ DATA**

Information relating to your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, criminal convictions, sex life or sexual orientation, or certain types of genetic or biometric data is known as ‘special category’ data.

During the course of dealing with you, we may collect the following ‘special category’ data about you:

- Equality & Diversity
- medical / health information

### **HOW WE COLLECT YOUR PERSONAL INFORMATION**

We may obtain personal information by directly interacting with you, such as:

- job applications
- corresponding with us by phone, email, letters or otherwise
- subscribing to our services or publications
- participating in discussion boards or other social media functions via our website and social media platforms
- when providing us with your business cards
- attending an event
- tenders, contracts and purchase orders

We may obtain personal information via automated technology when you interact with our website by using cookies, server logs and other similar technologies.

We may also collect personal information about you from third parties identified as follows:

#### **Spoton.net**

Our site is hosted by Spoton.net Limited (registered company number 06139437 in England and Wales). Spoton.net logs all requests in order to determine the causes of reported faults and to detect and block suspicious traffic. The log records the time of the request, your IP address, the requested resource, the referring site (if specified by your browser), and your browser’s user agent string (which will usually include the name and version of your browser and operating system). Log files are deleted after ninety days.

**Lawful basis for processing:** Compliance with a legal obligation

**Why?** To comply with the GDPR obligation to implement appropriate technical measures to protect data

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## Cloudflare

Our site is served through Cloudflare. Cloudflare helps our site load faster by storing copies of our content in data centres around the world, and defends our site from attacks by logging requests to detect and block suspicious traffic. For more information on how Cloudflare handles the data it collects, see [Cloudflare's privacy policy](#).

**Lawful basis for processing:** Compliance with a legal obligation

**Why?** To comply with the GDPR obligation to implement appropriate technical measures to protect data

## Google Analytics

We use Google Analytics to track visitor interaction with our site in order to produce statistical reports. Google collects details of the pages you view and the time you viewed them, the features of your browser, and your IP address. We have enabled [IP anonymisation](#) so that Google will not store your complete IP address. For more information on how Google handles the data it collects, see [Google's privacy policy](#).

To opt out of Google Analytics tracking on our site, see the Google Analytics section of [our cookie policy](#). To opt out of Google Analytics tracking on all sites, use the [Google Analytics Opt-out Browser Add-on](#).

**Lawful basis for processing:** Pursuance of our legitimate interests

**Why?** To allow us to analyse how visitors interaction with our site in order to improve our site and our services

## Other data collected by third parties in relation to our website

### Mapbox maps

When you view a page containing Mapbox maps, your browser connects to Mapbox. For more information on how Mapbox handles the data it collects, see [Mapbox's privacy policy](#).

We may also collect personal information about you from other publicly-available sources, such as:

- analytics providers (such as Google)
- advertising networks
- search information providers
- Constructing Excellence South West including Somerset Club
- company colleagues
- Eventbrite

## HOW WE USE YOUR PERSONAL INFORMATION

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

- you have given us consent,
- we need to perform a contract we are about to enter into, or have entered into, with you

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- where it is necessary for our or a third party's legitimate interests, and your interests and rights do not override those interests, or
- where we need to comply with a legal or regulatory obligation
- We will only use 'special category' information, such as your photograph: provided we have your explicit consent to use it
- where we believe that we need to use that data to protect your vital interests where you are not able to provide us with your explicit consent
- where it is necessary for reasons of substantial public interest
- where you have previously made that data public knowledge, or
- if we need to use that data to establish, exercise or defend legal claims.

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

We may use your personal information for a number of different purposes. For each purpose, we are required to confirm the 'legal basis' that allows us to use your information, as follows:

Purposes for which we will use the information you give to us	Legal basis
To register you as a new member of staff, client, customer, supplier, sub-contractor, consultant or other professional contact	It will be necessary for the performance of the contract between you and us
To notify you about changes to our terms or this privacy policy	It will be necessary for our legitimate business interests, namely to ensure you are aware of our current terms and conditions
To administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes, to allow you to participate in interactive features of our service, when you choose to do so, to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you and to make suggestions and recommendations to you and other users of our website about goods or services that may interest you or them	It will be necessary for our legitimate business interests to ensure you receive the best experience possible when accessing and using our website. We will comply with our cookie policy when processing this information
To provide you with information about events that are similar to those that you have already received from us	Where you have previously received marketing communications from us, then it will be necessary for our legitimate business interests, namely to ensure you continue to receive communications that you have previously agreed to receive. In all other cases, we will only do this if you give us your consent

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To administer and improve our website and to keep our site safe and secure.	We are allowed to use this information to ensure you receive the best experience possible when accessing and using our website.
To receive feedback from you during a project or on completion of a project or after an event or other service provided	It will be necessary for our legitimate business interests to ensure we provide you with an adequate service and to make improvements
Sharing photographs of events for our website / social media platforms for promotion and information regarding events	It will be necessary for our legitimate business interests and forms part of the membership benefits
To form part of our company database including customers, partners, suppliers and sub-contractors	It will be necessary for our legitimate business interests and forms part of the membership benefits
To send newsletters, Christmas cards, calendars or any other company and/or project related information	It will be necessary for our legitimate business interests namely to give you the opportunity to be kept updated and informed of our business activities
Promote your company on our website by linking to relevant Project or News items or any other relevant business activity	As part of our marketing function and to keep our professional contacts informed of our business activities

We will only use your personal information for the purpose(s) 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **HOW WE USE THE INFORMATION WE COLLECT ABOUT YOU FROM OTHER SOURCES**

We may receive personal data about you from third party sources such as your previous employer or professional contacts as part of corporate memberships or recommendations. In this case, we will provide you with a copy of this privacy policy.

### **WHAT IF YOU CANNOT OR WILL NOT PROVIDE US WITH YOUR PERSONAL INFORMATION**

If you are entering into a contract with us there will be contractual requirements for you to provide us with certain information e.g. your name, postal address, email address, company name, type of business, position in company. If you do not provide us with that information, we will be unable to employ you, purchase your services or supply you with our services.

### **COOKIE POLICY IN RELATION TO OUR WEBSITE**

Cookies are small pieces of text that are stored by your browser. Each cookie has a name and is associated with a particular site. When your browser sends a request to a site (for example, to download a page, image, or video), the computer that responds

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(known as a server) may tell your browser to set one or more cookies. When your browser makes further requests to the same site it sends the cookies back to the server. This allows the server to remember you as you browse the site, and provide features such as shopping baskets or password-protected areas.

### Managing cookies

You can block all cookies through your browser settings (see the instructions for [Chrome](#), [Firefox](#), [Safari](#) and [Edge](#)), but if you choose to do so some features on our site will no longer work.

We provide on/off switches on this page to let you enable and disable individual features that use cookies. Please note that if you disable a feature the associated cookies will still be stored by your browser until they expire, but the feature will no longer be loaded and it will not have access to the cookies.

### First-party cookies

First-party cookies are set when you interact with our site. Your browser will only send these cookies in requests to our site.

### Essential cookies

These cookies are necessary for our site to work correctly. You can block these cookies through your browser settings, but if you choose to do so some features will no longer work.

w\_c

This cookie is used to remember your cookie preferences. It is created when you change your cookie preferences and expires after thirty days.

\_\_cfduid

This cookie is [used by Cloudflare](#) to distinguish each visitor in order to apply appropriate security features. It is created when you first view our site and expires after one year. For more information, see the Cloudflare section of [our privacy policy](#).

### Google Analytics cookies

These cookies are [used by Google Analytics](#) to track visitor interaction with our site in order to produce statistical reports for us. These cookies are created when you first view our site. For more information, see the Google Analytics section of [our privacy policy](#).

\_ga

This cookie is used to distinguish each visitor. It expires after two years.

\_gid

This cookie is used to distinguish each visitor. It expires after one day.

\_\_gat\_gtag\_UA\_110266559\_38

This cookie is used to limit the number of requests sent to Google. It expires after one minute.

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\_gat\_gtag\_UA\_72693521\_3

This cookie is used to limit the number of requests sent to Google. It expires after one minute.

\_gat\_gtag\_UA\_72693521\_4

This cookie is used to limit the number of requests sent to Google. It expires after one minute.

### INFORMATION OUR WEBSITE COLLECTS FROM YOU

This can include technical information such as:

- the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
- if you access the website over a mobile device, we may collect information about the type of mobile device you use, a unique device identifier (for example, your Device's IMEI number, the MAC address of the Device's wireless network interface, or the mobile phone number used by the Device), mobile network information, your mobile operating system, the type of mobile browser you use, and time zone setting.
- information about your visit, including the full Uniform Resource Locators (URL), clickstream to, through and from our site (including date and time), products you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, and any phone number used to call our customer service number.

### Comments

When you submit a comment through a 'Leave a comment' form on our site we collect your name, e-mail address, and comment. We may choose to publish your name and comment on our site. Comments are submitted to the Akismet anti-spam service in order to detect and block spam. For more information on how Automattic (the operator of Akismet) handles the data it collects, see [Automattic's privacy policy](#).

You can delete a comment by contacting us with your request.

**Lawful basis for processing:** Consent given by data subject

**Why?** You have given your consent by checking the box on the 'Leave a comment' form

### DISCLOSURE OF YOUR INFORMATION

We may share your personal information with the parties set out below:

- staff
- clients, customers, suppliers, subcontractors, consultants and other business professionals

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- providers of IT and system administration services to our business, including Mailchimp, SurveyMonkey, DeltaPC; it'seeze ; Spoton.net and Cloudflare
- our professional advisers (including solicitors, bankers, auditors, accountants and insurers)
- analytics and search engine providers that assist us in the improvement and optimisation of our website
- Eventbrite
- clubs, including South West Constructing Excellence Somerset Club, and other Constructing Excellence independent clubs
- legal requirements: if we suspect criminal activity we may disclose data relating to those involved or affected to the appropriate authorities. We may also be obliged to disclose data if we receive a request from an appropriate authority.

### WHERE WE STORE YOUR PERSONAL INFORMATION

We will take all steps reasonably necessary to ensure that your data is treated securely, including taking the following safeguards:

- **Secure lockable desks and cupboards.** Desks and cupboards are kept locked when not in use if they hold confidential information of any kind.
- **Secure office / building.** Secure office with full alarms and limited access.
- **Methods of disposal.** Paper documents are disposed of by shredding or destruction in a manner that ensures confidentiality.
- **Firewalls**

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your data transmitted to our website; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

### HOW LONG WE WILL STORE YOUR PERSONAL INFORMATION

The length of time that we will store your data will depend on the 'legal basis' for why we are using that data, as follows:

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Legal basis	Length of time
Where we use/store your data because it is necessary for the performance of the contract between you and us	We will use/store your data for as long as it is necessary for the performance of the contract between you and us
Where we use/store your data because it is necessary for us to comply with a legal obligation to which we are subject	We will use/store your data for as long as it is necessary for us to comply with our legal obligations
Where we use/store your data because it is necessary for our legitimate business interests	We will use/store your data until you ask us to stop. However, if we can demonstrate the reason why we are using/storing your data overrides your interests, rights and freedoms, then we will continue to use and store your data for as long as it is necessary for the performance of the contract between you and us (or, if earlier, we no longer have a legitimate interest in using/storing your data)
Where we use/store your data because you have given us your specific, informed and unambiguous consent	We will use/store your data until you ask us to stop

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitive of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

### YOUR RIGHTS

You have various legal rights in relation to the information you give us, or which we collect about you, as follows:

- You have a **right to access the information** we hold about you free-of-charge, together with various information about why and how we are using your information, to whom we may have disclosed that information, from where we originally obtained the information and for how long we will use your information.
- You have the **right to ask us to rectify any information** we hold about you that is inaccurate or incomplete.
- You have the **right to ask us to erase the information** we hold about you (the 'right to be forgotten'). Please note that this right can only be exercised in certain circumstances and, if
- you ask us to erase your information and we are unable to do so, we will explain why not.
- You have the **right to ask us to stop using your information** where: (i) the information we hold about you is inaccurate; (ii) we are unlawfully using your information; (iii) we no longer need to use the information; or (iv) we do not have a legitimate reason to use the information. Please note that we may continue to store

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your information, or use your information for the purpose of legal proceedings or for protecting the rights of any other person.

- You have the **right to ask us to transmit the information** we hold about you to another person or company in a structured, commonly-used and machine-readable format. Please
- note that this right can only be exercised in certain circumstances and, if you ask us to transmit your information and we are unable to do so, we will explain why not.
- Where we use/store your information because it is necessary for our legitimate business interests, you have the **right to object to us using/storing your information**. We will stop using/storing your information unless we can demonstrate why we believe we have a legitimate business interest which overrides your interests, rights and freedoms.
- Where we use/store your data because you have given us your specific, informed and unambiguous consent, you have the **right to withdraw your consent** at any time.
- You have the **right to object to us using/storing your information for direct marketing purposes**.
- If you wish to exercise any of your legal rights, please contact Darryl Mitchard by writing to the address at the top of this policy, or by emailing us at [office@mandsltd.co.uk](mailto:office@mandsltd.co.uk)
- You also have the right, at any time, to lodge a complaint with the Information Commissioner's Office if you believe we are not complying with the laws and regulations relating to the use/storage of the information you give us, or that we collect about you.

### OPTING OUT OF RECEIVING MARKETING COMMUNICATIONS

You can ask us to stop sending you marketing communications at any time by contacting Darryl Mitchard, Managing Director by writing to the address at the top of this policy, or by emailing us at [office@mandsltd.co.uk](mailto:office@mandsltd.co.uk).

Using Mailchimp provides you with an unsubscribe link on every marketing email that is sent.

### AUTOMATED DECISION-MAKING

We do not use automated decision-making processes.

### THIRD PARTY LINKS

Our 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.

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### CHANGES TO OUR POLICY

Any changes we make to our policy in the future will be notified to our staff at the time of the next version issued; posted on our website and, where appropriate, notified to you by email or via social media. Please check our website frequently to see any updates or changes to our policy.

### CONTACT

Questions, comments and requests regarding this policy are welcomed and should be addressed to Darryl Mitchard by writing to the address at the top of this policy, or by emailing us at [office@mandsltd.co.uk](mailto:office@mandsltd.co.uk)

Signed:



**Darryl Mitchard**  
Managing Director

**Date:** 25<sup>th</sup> May 2018

**Last Reviewed:** 16<sup>th</sup> May 2019