TiffCo Client Data Privacy Policy

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Applicable to:	All actual or potential TiffCo clients (who are referred to as "you" in the policy) and all TiffCo staff, advisors and consultants (referred to as "we" or "TiffCo")
Purpose:	To ensure all clients understand their rights in respect of their personal information, and what TiffCo will do to keep it safe and comply with its obligations under Data Protection Legislation. To ensure that TiffCo personnel understand their obligations with regard to client data.

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1 Purpose

The purpose of this policy is to ensure all of TiffCo's actual and potential clients (addressed as "you" in this policy) understand their rights in respect of their personal information, and what TiffCo will do to keep it safe and comply with its obligations under Data Protection Legislation. It also serves as part of our overall suite of measures to ensure that TiffCo personnel understand their obligations with regard to client data.

The different sections of this policy are:

2 Defined terms used in this policy:

"Data Protection Legislation"	means all applicable laws and regulations relating to the processing of Personal Data and privacy including the Data Protection Act 1998, the General Data Protection Regulation 2016/679, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any statutory instrument, order, rule or regulation made thereunder, as from time to time amended, extended, re-enacted or consolidated. The terms "Personal Data", "Sensitive Personal Data", "Data Controller", "Data Processor", Data Subject and "process" (in the context of usage of Personal Data) shall have the meanings given to them in the Data Protection Legislation.

For the purposes of the Data Protection Legislation, the Data Controller is TiffCo Limited with registered company number 11306217 and registered office 298 Hyde End Road, Spencers Wood, Reading RG7 1DN.

Other capitalised terms are defined in the section of this policy where they are first used.

3 Introduction to your rights

1. When reading this policy, it might be helpful to understand that your rights arising under Data Protection Legislation include:
    - The right to be informed of how your Personal Data is used (in part, through the notices found in this policy);
    - The right to access any Personal Data held about you;
    - The right to rectify any inaccurate or incomplete Personal Data held about you;
    - The right to erasure where it cannot be justified that the information held satisfies any of the criteria outlined in this policy, or any other Legitimate Interest;
    - The right to prevent processing for direct marketing purposes, scientific/historical research or in any such way that is likely to cause substantial damage to you or another, including through profile building; and
    - The right to object to processing that results in decisions being made about you by automated processes and prevent those decisions being enacted.
2. To store and process your Personal Data, we must either have your explicit consent (as described in section 6), or be processing it for a Legitimate Interest (as described in section 5, point 1). If you choose to work with us as a client, our storage and processing of

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your Personal Data will be based on Legitimate Interests. To store and/or process your Personal Data before you have become a client, we will seek your consent.

3. Our Data Protection Lead is Tiffany Kemp. All queries, requests to exercise a right or complaints regarding your Personal Data should be forwarded to her at tiffany@tiffanykemp.com.
4. If you believe that TiffCo has failed to comply with its duties under Data Protection Legislation you also have the option to lodge a complaint with the Information Commissioner's Office by visiting https://ico.org.uk/concerns/ or calling 0303 123 1113.
5. We may occasionally update this privacy policy. We encourage you to periodically review this privacy policy to stay informed about how we are using and protecting information that we collect. If we make any material changes, we will flag this up on our website and on social media – follow us @TiffanyContract on Twitter to be kept up to date with changes.

4 Data Security

1. All of our work is conducted within a secure environment. The TiffCo working environment features:
    a. Encryption of all hard drives or other digital storage devices;
    b. Password protected Local Area Network;
    c. Secured connections to our hosted services;
    d. Named-user access to internal services; and
    e. Minimised use of hard copies of data.
2. At TiffCo we understand that security is an important concern for you when purchasing online, so we use an SSL certified interface to ensure that all your personal and payment details remain confidential.
3. We do not store payment card details and we use PayPal and Stripe to handle payment transactions via secure payment pages. PayPal or Stripe (as chosen by you during the checkout process on the website) will receive information about you from us needed to verify and authorise your payment, and is obliged to comply with the Payment Card Industry Data Security Standard (PCI DSS) and to keep all of your Personal Data private.

5 Data Processing and Retention

1. The Personal Data that we most commonly collect are the names, email addresses and phone numbers of the people we work with. If you are attending training, we will ask you to complete a pre-course and a post-course questionnaire, and will use the information you share with us to help us understand your needs better and to support you post-training. These uses of your Personal Data are required to enable us to fulfil our contractual obligations to you. We may also use this data in line with our Legitimate Interests as described below.
2. If you purchase through our online shop, we will collect your name, email address and postal address details, together with the details of your purchase, and will use this to ensure that you receive the products or services you have purchased. These uses of your Personal Data are required to enable us to fulfil our contractual obligations to you. We may also use this data in line with our Legitimate Interests as described below.
3. Most other data collected will only be done with your explicit consent, though occasionally we might collect Personal Data without consent if it would reasonably be within your contemplation that we would do so – for example, extra details included on your business card, or information that you supply to us in the course of our providing services to you.
4. Our Legitimate Interests for the processing and retention of Personal Data include:
    a. The delivery of services to you, including:
        i. Speaking at your event; and
        ii. Coaching and mentoring; and
        iii. Bespoke in-house training; and
        iv. Public training; and
        v. E-learning.
    b. Exercising and enforcing our rights under our contract with you;

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c. Communicating with you about changes to our prices and/or terms;
d. Sharing legal updates and other information that we believe to be relevant to your business activities, including information about our products and services;
e. The exercise or defence of legal claims;
f. Circumstances where it is appropriate as part of our business relationship (for example, keeping client contact details in order to file work produced for potential future reference);
g. In anonymised form, to improve and develop the training, speaking and coaching services we offer;
h. Recording your request not to receive direct marketing; and
i. Compliance with a legal obligation.

5. It is important that the Personal Data that we store is relevant and up-to-date. To maintain it, we ask that you notify us of any changes to data that you have provided us with in the past, or if you become aware of anything inaccurate.
6. We will only collect and store or process Sensitive Personal Data about ethnicity, political opinion, religious or other beliefs, trade union membership, health, sexuality, criminal proceedings/convictions with your explicit consent.
7. We will not automatically delete your Personal Data after any given length of time, because our continued retention of it helps us to deliver a better service to you if you return to us after a period of time away.
8. However, you have the right to request the erasure of your Personal Data where:
    a. The original purpose for which it was collected has expired; or
    b. You have withdrawn consent for its processing; or
    c. Your data has been processed unlawfully; or
    d. Erasure is required to comply with a legal obligation; or
    e. It is not subject to any Legitimate Interests for continued processing.
9. Legitimate Interests will only be used as the foundation for our continued processing while the processing of your Personal Data does not pose a greater threat to you than the likely benefit to be gained. We refer to the assessment we conduct to determine this as "Balancing". Where we are obliged, by law, to retain and/or process your data, we will not carry out a Balancing assessment.
10. Balancing also involves considering whether there is an alternative method to achieve the same outcome with less use of Personal Data.
11. More compelling reasons in favour of retention will be required for Balancing where we hold sensitive or large quantities of Personal Data.
12. Our primary interest in processing Personal Data is for the performance and administration of the services you ask us to provide for you.
13. TiffCo will always act fairly in Balancing the needs of the individuals whose Personal Data is being held and our own interests. The safeguards highlighted within this Data Privacy Policy and our operational measures as a whole will also form a part of our determination of risk when Balancing.
14. Any data that are no longer being actively processed but are retained are kept within the same secure environment as the other data we hold.
15. Statutory requirements on the retention of data that are likely to inform or dictate our retention activities related to Client Personal Data arise through Section 5 of the Limitation Act 1980, limiting the claim period for civil litigation to six years, after which it is no longer necessary to retain employment data, customer contracts data, or any other data potentially giving rise to a legal claim.

6 Consent

1. We will only request your explicit consent when we have deemed that it is the most appropriate lawful basis for processing your data – if processing your data is essential to entering into and/or delivering on a contract with you, or if it forms an essential part of our service to you, then we will not seek consent unnecessarily.
2. Where we do make requests for your consent, we will do so in such a way as to make the request prominent and kept separate from our terms and conditions.

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3. We will always request you to positively opt-in to any activities that we may conduct that require processing your data outside of the essential performance of services for you – we don't use pre-ticked boxes, opt-out requests or any other type of 'consent by default'.
4. We will always do our best to use plain and clear language when explaining our data handling procedures.
5. We will always specify why we would like to record your data and what we're going to do with it.
6. As part of seeking your consent, if we request your data for multiple purposes, we will always honour your choice in specifying which purposes you are happy to have your data processed for and which purposes you are not.
7. We only share data with our service providers listed under Third Party Processing in these terms (as amended from time to time) for administration purposes and your data will not be shared beyond this group.
8. You always retain the right to withdraw or refuse to give your consent without detriment to the service we provide and we do not make consent a prerequisite of service. Please note that where consent is not required, for example, where processing your information is essential to providing a service, this clause does not apply.
9. Where consent has not been given due to your data being processed as part of our 'Legitimate Interests', you can object to your data being used for any purposes not essential to providing a service. We will perform a Legitimate Interests Assessment and respond to you either to confirm the ending of processing or with our reasons for continued processing. More information on our Legitimate Interests can be found in the Data Processing and Retention section.
10. Once you have given consent, we will keep a record of when and how you gave consent, including exactly what you were told at the time.
11. We regularly review consent to check that our relationship, the way we use your data and the reasons for using it have not changed. If there has been a change to any of these factors, we will contact you to inform you of any changes and request your consent.
12. We may contact you to request renewal of your consent from time to time, if we feel this is appropriate.
13. You can withdraw your consent at any time by contacting us at tiffany@tiffanykemp.com. We never penalise individuals who wish to withdraw their consent.
14. We will always act upon requests to withdraw consent as soon as possible within our business hours.

7 Breach Notification

1. TiffCo will always act in accordance with Data Protection Legislation in the event that a Personal Data Breach occurs.
2. If a Personal Data Breach is very small or has very limited effect, we may not notify you. We will notify the Information Commissioner's Office of all breaches, and all details of any breach, including our actions, will be recorded and can be requested by you.
3. If your personal data has been accessed in a Personal Data Breach that we believe represents material risk to you or to someone else, we will contact you without undue delay to provide you with details of the breach, including any specific information you might require in order to mitigate any harm to you.

8 Third Party Processing

1. Where Personal Data is processed by a third party on TiffCo's behalf, we will have a contract in place to govern that relationship in accordance with Data Protection Legislation. We will remain responsible for the protection and safe processing of your data, even if we use a third party to help us process it.
2. We will only give access to your Personal Data to a third party for them to support us in delivering our services to you (as under our Legitimate Interests, described above), or if we are required to by law.
3. The third parties we currently use, who may access and/or process some element of your Personal Data include:

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Third Party Organisation	Purposes for Carrying Out Processing	Sub-processors?
Signable	E-signature management and hosting – see privacy policy here https://www.signable.co.uk/privacy-policy/	
PAWS Consulting Limited	Accountants and book keepers	
Google*	Analytics – see privacy policy here http://www.google.com/intl/en/policies/privacy/	
NamesCo Limited	Email hosting. Hosted in Reading, on a Tier 3 data centre.	
PayPal*	Payment Processing – see privacy policy here https://www.paypal.com/uk/webapps/mpp/ua/privacy-full	Payment processing, fraud detection and other legitimate business interest partners are listed here: https://www.paypal.com/uk/webapps/mpp/ua/third-parties-list
Stripe Payments Europe, Ltd * (Dublin)	Payment Processing – see privacy policy here https://stripe.com/gb/privacy	Payment processing, fraud detection and other legitimate business interest partners are listed here: https://stripe.com/sub-processors/legal
Teachable*	E-learning provision – see privacy policy here https://teachable.com/privacy-policy	
MailChimp	We use marketing technology provided by MailChimp, the trading name of The Rocket Science Group LLC. This is a US company, which is certified under the Privacy Shield Framework.	

4. The processors marked above with an asterisk (*) involve the transfer of data to a third country, namely, the United States of America. All transfers made to these processors are under the protection of EU-US Privacy Shield frameworks.

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