

# PRIVACY NOTICE

## Forres Tree Services Ltd

### 1. Introduction

- 1.1 Forres Tree Services Ltd are committed to safeguarding the privacy of persons for whom we process Personal Data. In this policy we explain how we will treat Personal Data processed by us, in accordance with data protection legislation, including the Data Protection Act 2018 and the General Data Protection Regulation ('GDPR').
- 1.2 Personal Data includes any information relating to an identified or identifiable natural person ('Data Subject') 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.
- 1.3 Processing, for the purpose of this Privacy Notice, means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- 1.4 Before you disclose to us the Personal Data of another person, you must obtain that person's lawful basis to both the disclosure and the processing of that Personal Data in accordance with this policy.

### 2. Processing Personal Data – Lawful Bases

- 2.1 We will only process such Personal Data which is adequate, relevant and limited to what is necessary to achieve the purpose of the processing.
- 2.2 We may process Personal Data for the following lawful purposes:
  - (a) Legitimate interests of our organisation. These include the administration of our business, debt recovery, processing accounts and payroll,
  - (b) Performance of a contract or to enter into pre-contractual negotiations;
  - (c) Compliance with a legal obligation placed on us;
  - (d) To protect the vital interests of either yourself or another person; and/or
  - (e) For other reasons with your consent, which can be withdrawn at any time.

### 3. Processing Personal Data – How We Obtain and Collect Personal Data

- 3.1 We primarily only process Personal Data that you provide us with.
- 3.2 We may also process the following kinds of Personal Data from your visit to our website:

- (a) information about your computer and about your visits to and use of this website (including your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths);
- (b) information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters (including your name and email address). You can inform us at any time you no longer require our email notifications/ newsletter;
- (c) information that you provide to us when using the services on our website, or that is generated in the course of the use of those services (including the timing, frequency and pattern of service use);
- (d) information contained in or relating to any communication that you send to us or send through our website (including the communication content and metadata associated with the communication);
- (e) information necessary so as to send you statements, invoices and payment reminders to you and collect payments from you;
- (f) information required so as to deal with enquiries and complaints made by or about you relating to our website;
- (g) information required so as to keep our website secure and prevent fraud;
- (h) any other personal information that you choose to send us.

- 3.3 We may obtain your Personal Data through other third parties, such as
- public databases (e.g. Companies House and the electoral register);
  - private databases (e.g. marketing lists, credit references, fraud prevention
  - government agencies;
  - other publicly available sources (e.g. the press or online search engines); and/or
  - other third parties, where we are acting as subcontractors.

Such data may include your name, address, date of birth, qualifications, creditworthiness, credit reference and images. If we obtain any other personal data from third party sources, we will tell you about this.

#### **4. Processing Special Category Personal Data**

In the event that we need to obtain and process Special Category Personal Data from you, other than as required by law, we will always tell you why, and how the information will be used and obtain your consent for this. Special Category Personal Data is Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health, or data concerning a natural person's sex life or sexual orientation.

#### **5. Processing Personal Data Relating to Criminal Convictions and Offences**

All processing of Personal Data relating to criminal convictions and offences or related security measures, including Personal Data relating to the commission of offences or proceedings for an offence committed or alleged to have been committed

by the Data Subject or the disposal of such proceedings including sentencing, will be processed either by consent or where processing is authorised by law.

## **6. Disclosing Personal Data**

- 6.1 We may disclose your Personal Data to any of our employees, officers, insurers, professional advisers, agents, suppliers, or subcontractors insofar as reasonably necessary for the purposes set out in this policy.
- 6.2 We may disclose your Personal Data:
- (a) to the extent that we are required to do so by law;
  - (b) to protect rights, property, the safety of us, our customers, users of our website or other persons;
  - (c) in connection with any ongoing or prospective legal proceedings;
  - (d) in order to establish, exercise or defend our legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk);
  - (e) to the purchaser (or prospective purchaser) of any business, or asset that we are (or are contemplating) selling;
  - (f) to another organisation if we enter into a joint venture or merge with another organisation; and/or
  - (g) any member of our group, which means our subsidiaries, as defined in section 1159 of the UK Companies Act 2006
- 6.3 We will not, without your express consent, supply your Personal Data to any third party for the purpose of their, or any other third party's marketing.
- 6.4 Except as provided in this policy, we will not provide your Personal Data to third parties without first obtaining your consent.
- 6.5 If we wish to pass your Special Personal Data on to a third party, we will only do so once we have obtained your explicit consent, unless we are required to do so by law.
- 6.6 Any third party who we share your Personal Data with are obliged to keep your details securely and when no longer needed, to dispose of them securely or to return the Personal Data to us.

## **7. Retaining Personal Data**

- 7.1 Personal Data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 7.2 Unless we advise you otherwise, we will retain your Personal Data in accordance with our retention periods. We determine retention periods for Personal Data based on legal requirements and best practice.

## **8. Security of Personal Information**

- 8.1 We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

- 8.2 We will store all the personal information you provide on our secure system or cloud based servers.
- 8.3 You acknowledge that the transmission of information over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.

## **9. Your Rights**

You have the following rights regarding the Personal Data which we hold about you:

- 9.1 right of access – you have the right to request a copy of the information that we hold about you, and to whom it has been disclosed;
- 9.2 right of rectification – you have a right to correct Personal Data that we hold about you that you think is inaccurate or incomplete;
- 9.3 right to erasure ('right to be forgotten') – in certain circumstances you can ask for the Personal Data which we hold about you to be erased from our records;
- 9.4 right to restriction of processing – in certain circumstances you have a right to restrict the processing of Personal Data;
- 9.5 right to data portability – you have a right to have the Personal Data we hold about you provided to you in a machine-readable format, and the right to have that transferred to another organisation;
- 9.6 right to object – you have the right to object to direct marketing, which is an absolute right to object and cannot be refused; and
- 9.7 right to object – you have the right to object to processing which is based on the legitimate interests of Forres Tree Services Ltd. Such objections will be assessed on their respective legal merits.

## **10. Complaints Procedure and Right to Legal Redress**

- 10.1 In the event that we refuse your request under rights of access or right to object to processing, we will provide you with a reason why.
- 10.2 If you wish to make a complaint about how your Personal Data is being processed by us, or any third party on our behalf, we would be grateful if you would in the first instance contact Alexander Sills, who will endeavour to resolve your issue to your satisfaction.
- 10.3 You also have the right to complain directly to the Information Commissioner's Office and seek other legal remedies.

## **11. Third Party Websites**

- 11.1 Our website may include hyperlinks to, and details of, third party websites.

11.2 We have no control over, and are not responsible for, the privacy policies and practices of third parties.

## **12. Updating Personal Data**

You are responsible for letting us know if the Personal Data that we hold about you needs to be corrected or updated. You can contact us by post, email or telephone using the contact details provided in paragraph 15 below.

## **13. Transfers of Personal Data to Third Countries**

If we need to transfer Personal Data for processing to a Third Country (which is to say a country outside of the EU and EEA), we will generally only do so where we have either:

- (a) taken an adequacy decision;
- (b) lawful binding corporate rules are in place;
- (c) lawful model contract clauses are in place;
- (d) we have obtained your specific consent to the proposed transfer, and you have been advised of the possible risks of such transfers;
- (e) the transfer is necessary for the performance of a contract between ourselves, or are part of the implementation of pre-contractual measures taken at your requests;
- (f) the transfer is necessary for the conclusion or performance of a contract concluded in the interests of you, and us, and another party;
- (g) the transfer is necessary for important reasons of public interest;
- (h) the transfer is necessary for the establishment, exercise or defence of legal claims; and/or
- (i) the transfer is necessary in order to protect the vital interests of you or others, where you are physically or legally incapable of giving legal consent.

## **14. Cookies**

14.1 Our website may use cookies.

14.2 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

14.3 Cookies may be either “persistent” cookies or “session” cookies. A persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

14.5 Most browsers allow you to refuse to accept cookies. Blocking all cookies will have a negative impact upon the usability of many websites. If you block cookies, you may not be able to use all the features on our website. You can delete cookies already stored on your computer.

14.6 We also use Google Analytics on our website.

## 15. Our Details

- 15.1 This website is owned and operated by Forres Tree Services Ltd.
- 15.2 We are registered in Scotland under registration number SC384783, and our registered office is at The Yard Crofts of Buinach, Kellas, Elgin, Moray IV30 8TS. Our website address is [www.forrestreeservices.com](http://www.forrestreeservices.com).
- 15.3 Our principal place of business is at our registered office.
- 15.4 You can contact us:
- (a) by post, using the postal address, given above;
  - (b) using our website contact form;
  - (c) by telephone on 01343 890765
  - (d) by email [info@forrestreeservices.com](mailto:info@forrestreeservices.com)
- 15.5 We do not have a Data Protection Officer, but any queries relating to data protection can be referred to Alexander Sills.

## 16. Amendments

- 16.1 We may update this policy from time to time by publishing a new version on our website.
- 16.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 16.3 We may notify you of changes to this policy, by email or through the private messaging system on our website.

This Policy is generally available to clients / customers and third parties on our website. If a hard copy or email version of this policy is required by any person, it will be sent to them without delay.

<b>Document Details</b>	
Date of Approval	22 NOV 2018
Approved by	Alexander Sills
Date for next review	1 NOV 2019
Version Number	V2-2018

This Policy is available to all staff and is included as part of new employee induction processes.