

**Privacy Statement**

V3.0



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| **Version** | **Date** | **Author** | **Summary of Change** |
| **1.0** | 01/09/18 | L Jones | Create and Publish |
| **2.0** | 03/12/2021 | C Twigg | Update to reflect DPA 2018 |
| **3.0** | 26/02/2023 | Harper James (external lawyers) | Update to comply with the Right to be Informed (DPA 2018) |



Purpose

We are TES trading as Total Enterprises Solutions Ltd and we respect your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we process your personal data on our website, when you sign-up and register to our services.

This privacy notice also tells you about your privacy rights pursuant to the Data Protection Act 2018, UK GDPR and EU GDPR (“Data Protection Laws”). This notice applies to our website, any of our external communication platforms as well provide information to our internal processes. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

TES are registered in England and Wales under company number 5403319 and have our registered office Grosvenor Court, Wheelhouse Road, Lea Hall Enterprise Park, Rugeley, WS15 1LH.

Controller for personal data

A “controller” is a person or organisation who alone or jointly determines the purposes for which and the way any personal data is or is likely to be processed. Unless we notify you otherwise we are the controller of your personal data for the purpose of this website and where we directly interact with you.

Where we act on behalf of our customers we may act as a “processor” under Data Protection Laws.

Scope

This privacy notice applies to the processing of personal data by us in connection with any:

* Organisations, customers or persons for the provision of services by us.
* Suppliers: For the provision of products and services to us by suppliers or our service providers.
* Visitors: For the provision of services by us as a visitor on our website.

Types of personal data

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. This is known as anonymised data. Anonymised data falls outside the scope of Data Protection Laws.

TES may collect, use, store and transfer different kinds of personal data about you which we have grouped together. The type of data we process will depend on your interaction with us.

**Identity Data** includes first name, last name, username or similar identifier and title.

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

**Financial Data** includes bank account and payment card details.

**Transaction Data** includes details about payments to and from you and other details for the provision of services you have purchased from us.

**Technical Data** includes internet protocol (IP) address, your login 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.

**Profile Data** includes your username and password, searches made by you, your ratings and comments, preferences, feedback and survey responses.

**Usage Data** includes information about how you use our website and services.

**Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Collecting personal information

Directly from you: We may collect and process personal data about you including but not limited to:

* When you contact us in person, on our website, over the telephone, by e-mail or by post.
* When you pass us your details for attending events with us.
* At the time of purchasing options and extras from us.
* During the course of purchasing any products or services from us.
* When you provide us with feedback or contact us with any concerns you may have.

From use of our website

TES gathers information and statistics collectively about visitors to our website. Analysis of this information demonstrates the most frequently used sections of the website and assists us in continually improving the online service. You give us your personal data, which includes Profile Data, Usage Data, Technical Data and/or Marketing and Communications Data when you use our website or which we have agreed with you to use or when you review any publications or marketing material we send you. Please see our cookies notice for more information.

Indirectly: Third-party sources: We receive can receive Identity Data or Contact Data about you from third parties when:

* we provide our services or other parties send us your personal data to enable the provision of those service.
* you provide your personal data to a third party for the purpose of sharing it with us.

Providing personal data

Where we need to collect personal data by law or under the terms of a contract, we have with you and you do not provide that information 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 our services. In this case we may have to cancel our service, but we will notify you if this is the case at the time.

Using your personal data

TES will only use your personal data when the law allows us to. This is known as the lawful basis for processing personal data. We will use your personal data in the following circumstances:

* Performance of a contract: Where we need to perform the contract we are about to enter into or have entered into with you. For example when you sign up to our services.
* Legal obligation: Where we need to comply with a legal obligation. For example for accounting or legal purposes.
* Legitimate interests: Where it is necessary for our legitimate interests or those of a third party and your interests and fundamental rights do not override those interests.
* Consent: We do not generally rely on consent as a legal basis for processing your personal data. Where we do rely on consent you have the right to withdraw consent at any time. Please contact us at enquiries@totalenterprisesolutions.co.uk to withdraw consent. Please also see Marketing communications.

Processing your personal information

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.

|  |  |  |
| --- | --- | --- |
| **Purpose/Activity** | **Type of data** | **Lawful basis for processing including basis of legitimate interest** |
| To register/ sign you up to our services | (a) Identity  (b) Contact | Performance of a contract with you |
| To respond to any enquires | (a) Identity  (b) Contact | (a) Performance of a contract with you  (b) Necessary for our legitimate interests |
| To process and deliver our services to you including:  (a) Manage payments, fees and charges  (b) Collect and recover money owed to us | (a) Identity  (b) Contact  (c) Financial  (d) Transaction  (e) Marketing and Communications | (a) Performance of a contract with you  (b) Necessary for our legitimate interests i.e., to recover debts due to us |
| To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy notice  (b) Asking you to leave a review or asking you to leave your feedback | (a) Identity  (b) Contact  (c) Profile  (d) Marketing and Communications | (a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests i.e., 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 deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you | (a) Identity  (b) Contact  (c) Profile  (d) Usage  (e) Marketing and Communications  (f) Technical | Necessary for our legitimate interests i.e., to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy |
| To use data analytics to improve our website, products/services, marketing, customer relationships and experiences | (a) Technical  (b) Usage | 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  Note: Where applicable consent will be used for data analytics obtained through cookies or similar technologies. See our cookies notice |
| To make suggestions and recommendations to you about our services that may be of interest to you | (a) Identity  (b) Contact  (c) Technical  (d) Usage  (e) Profile  (f) Marketing and Communications | Necessary for our legitimate interests to develop our products/services and grow our business |

Marketing Communications

TES may send you marketing communication from time to time for example we may send you marketing communications after an event with us. You have the right to object to processing of your personal data for direct marketing purposes. You can unsubscribe from receiving marketing communications from us by using the unsubscribe methods contained in communications we send to you or by contacting us. See Contact us.

Where you opt out of receiving marketing communications this will not apply to personal data provided to us as a result of registering for or using our service, your service experience or other interactions with this website.

Your Personal Information and Disclosure

We may disclose your personal information to:

1. Any member of our group, which means our subsidiaries and our ultimate holding company and its subsidiaries, as defined in the UK Companies Act 2006.
2. Third parties if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our contracts with you; or to protect our rights, property, or our safety and/or the safety of our customers, or others.
3. Our suppliers and contractors to provide information to you on our behalf and/or in order to fulfil our contracts with you.
4. Our professional advisers such as lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
5. Our advertising networks and analytics service providers to support and display ads on our website and other social media tools.
6. Third parties (sale context): This is in the context of the acquisition or transfer of any part of our business or in connection with the business reorganisation. 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.

International Transfer

We may transfer and process your personal data outside of the United Kingdom/European Union to countries where data protection laws are less stringent than those in the UK/EU When we transfer your personal data outside of the UK/ EU we only do so to entities that offer our users the same level of data protection as that afforded by the UK Data Protection Act 2018, UK GDPR and the EU GDPR.

1. We will only transfer your personal information to countries that have been deemed to provide an adequate level of protection for personal information; or
2. We will use specific contracts approved for use in the UK or EU which give personal information the same protection it has in the UK/EU. For example, the use of Article 46 UK and EU GDPR safeguard mechanisms to transfer personal data endorsed by the UK Government or European Commission.

To find out more about the transfer mechanism used please contact us at enquiries@totalenterprisesolutions.co.uk.

Storing your information

The personal information that we collect from you will be stored as stipulated within Data Protection Laws.

TES will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal information we consider the amount, nature and sensitivity 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, regulatory, tax, accounting or other requirements.

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.

IT Security

The transmission of information via the internet is not completely secure. Although we will take reasonable measures to protect your personal data, TES name cannot guarantee the security of your information transmitted and any transmission is at your own risk.

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 us on our website or by email; 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.

Data Subject Rights

Under certain circumstances, you have rights under Data Protection Laws. Some of these rights are not absolute, so will only apply in certain circumstances.

You can:

**Request access to your personal data:** This is known as a "data subject access request" and enables you to receive a copy of the personal data TES hold about you.

**Request correction of your personal data:** This enables you to have any incomplete or inaccurate information we hold about you corrected.

**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. Note: We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you at the time of your request.

**Object to processing of your personal data:** This is where we are processing your personal data based on a legitimate interest or those of a third party and you may challenge this.  However, we may be entitled to continue processing your information based on our legitimate interests or where this is relevant to any legal claims.  See also Marketing communications.

**Request restriction of processing your personal information**: 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 information's accuracy (b) where our use of the information is unlawful but you do not want us to erase it (c) where you need us to hold the information 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 information but we need to verify whether we have overriding legitimate grounds to use it.

**Request transfer of your personal information (“data portability”)**: This is where in some circumstances we will provide to you or a third party you have chosen your personal data in a structured, commonly used, machine-readable format.

**Right to withdraw consent:** This is where we are relying on consent to process your personal data. This will not affect the lawfulness of any processing carried out before you withdraw your consent. Depending on the processing activity, if you withdraw your consent we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

**Automated decision making:** This is where decisions are made about you by automated means.We do not carry out automated decision making.

**Carrying out your data subject rights**

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. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information or to exercise any of your other rights. This is a security measure to ensure that personal information 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.

If you wish to exercise any of the rights set out above, please contact us at enquiries@totalenterprisesolutions.co.uk.

Concerns and Complaints

We would appreciate the chance to deal with your concerns in the first instance. Please see Contact us section. If you have unresolved concerns and you live or work in the UK or believe that a personal data breach happened in the UK you have the right to complain at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk).

If you live or work outside the UK or you have a complaint concerning our personal data processing activities you may lodge a complaint with another supervisory authority.

Changes to this Notice

Any changes we may make to this Notice in the future will be posted on our website and, where appropriate, notified to you by e-mail.

Contact Us

Email: enquiries@totalenterprisesolutions.co.uk