

# PRIVACY POLICY

## DATA CONTROLLER

The Data Controller in respect of our website is **Xhibeo Limited**, a limited liability company registered in England and Wales (registration number 5208557) the registered office of which is at 3 Mercia Court, Saxon Business Park, Stoke Prior, Bromsgrove, B60 4GA.

You can contact the Data Controller by writing to Xhibeo Limited, 3 Mercia Court, Saxon Business Park, Stoke Prior, Bromsgrove, B60 4GA or sending an email to [sales@xhibeo.com](mailto:sales@xhibeo.com).

If you have any questions about this Privacy Policy, please contact the Data Controller.

## INFORMATION WE COLLECT WHEN YOU VISIT OUR WEBSITE

We collect and use information from individuals who contact us in accordance with this section and the section entitled "Disclosure and Additional Uses of Your Information".

### Web server log information

We use a third party server to host our website. Our website server automatically logs the IP address you use to access our website as well as other information about your visit such as the pages accessed, information requested, the date and time of the request, the source of your access to our website e.g. the website or URL link which referred you to our website and your browser version and operating system.

### Use of website server log information for IT security purposes

Our third party hosting provider stores server logs to ensure network and IT security and so that the server and website remain uncompromised. This includes analysing log files to help identify and prevent unauthorised access to our network, the distribution of malicious code, denial of services attacks and other cyber-attacks, by detecting unusual or suspicious activity.

Unless we are investigating suspicious or potential criminal activity, we do not make, nor do we allow our website server provider to make any attempt to identify you from the information collected via server logs.

### Legal basis for processing

Compliance with a legal obligation to which we are subject to Article 6(1)(c) of the General Data Protection Regulation.

### Legal obligation

We have a legal obligation to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk of our processing of information about individuals. Recording access to our website using server log files is such a measure.

**Legitimate interest(s)**

We have a legitimate interest in using your information for the purposes of ensuring network and information security.

**INFORMATION WE COLLECT WHEN YOU CONTACT US**

We collect and use information from individuals who contact us in accordance with this section and the section entitled “Disclosure and Additional Uses of Your Information”.

**Email**

When you send an email to the email address displayed on our website, we collect your email address and any other information you provide in that email such as your name, telephone number and the information contained in any signature block in your email.

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Responding to enquiries and messages we receive and keeping records of correspondence.

**Transfer and storage of your information**

We use a third party email provider to store emails you send us. Emails you send us will be stored outside the European Economic Area on our third party email provider’s servers. For further information and safeguards used, please see the section of this privacy policy entitled “Transfers of Your Information Outside the European Economic Area”.

**Contact Form**

When you contact us using our contact form, we collect the following information:- your name, email address and any information you include in the message field. We also collect your company name if you provide it.

If you do not provide the mandatory information required by our contact form, you will not be able to submit the contact form and we will not receive your enquiry.

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Responding to enquiries and messages we receive and keeping records of correspondence.

**Transfer and storage of your information**

Messages you send us via our contact form will be stored on our secure web servers and also transferred to our email provider’s servers outside the European Economic Area.

For further information about the safeguards used when your information is transferred outside the European Economic Area, see the section of this Privacy Policy below entitled “Transfers of Your Information Outside the European Economic Area”.

### **Phone**

When you contact us by phone, we collect your phone number and any information you provide to us during your conversation with us. We do not record phone calls.

#### **Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

#### **Legitimate interest(s)**

Responding to enquiries and messages we receive and keeping records of correspondence.

#### **Transfer and storage of your information**

Information about your call, such as your phone number and the date and time of your call, is processed by our third party telephone service provider and stored in the United Kingdom.

### **Post**

If you contact us by post, we will collect any information you provide to us in any postal communications you send us.

#### **Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

#### **Legitimate interest(s)**

Responding to enquiries and messages we receive and keeping records of correspondence.

#### **Transfer and storage of your information**

Information you send us by post is stored in the United Kingdom.

## **INFORMATION WE COLLECT WHEN YOU INTERACT WITH OUR WEBSITE**

We collect and use information from individuals who interact with particular features of our website in accordance with this section and the section entitled “Disclosure and Additional Uses of Your Information”.

### **eNewsletter**

When you sign up for our eNewsletter to receive information news and offers about our services and products on our website, we collect your email address.

**Legal basis for processing**

Your consent Article 6(1)(a) of the General Data Protection Regulation.

**Consent**

You give your consent to us sending you our eNewsletter by signing up to receive it using the steps described above.

**Transfer and storage of your information**

We use a third party service to send out our eNewsletter and administer our mailing list, called MailChimp. Information you submit to subscribe for our eNewsletter will be stored outside the European Economic Area on MailChimp's servers in the United States of America. For further information about the safeguards used when your information is transferred outside the European Economic Area, see the section of this Privacy Policy below entitled "Transfers of Your Information Outside the European Economic Area".

**HOW WE COLLECT OR OBTAIN INFORMATION ABOUT YOU FROM THIRD PARTIES**

This section sets out how we obtain or collect information about you from third parties.

**Information Received From Third Parties**

With regards to data that we collect, we collect the following related to each visitor to our website:

- The IP address from where they are located;
- Geolocation;
- Data connected to the page that the user is visiting. This may include movement from page to page or movement within pages;
- Referrer URL where identifiable, the website that the visitor was on before visiting your website.
- Their screen resolution, operating system, browser and device type.

We do not collect personal information about any website visitors.

**Legal basis for processing**

Necessary to perform a contract or to take steps at your request to enter into a contract Article 6(1)(b) of the General Data Protection Regulation

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**Reason Why Necessary to Perform a Contract**

Where a third party has passed on information about you to us such as, your name and email address, in order for us to provide services to you, we will process your information in order to take steps at your request to enter into a contract with you and perform a contract with you, as the case may be.

**Legal basis for processing**

Consent Article 6(1)(a) of the General Data Protection Regulation.

**Consent**

Where you have asked that a third party to share information about you with us and the purpose of sharing that information is not related to the performance of a contract or services by us to you, we will process your information on the basis of your consent, which you give by asking the third party in question to pass your information on to us.

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Where a third party has shared information about you with us and you have not consented to the sharing of that information, we will have a legitimate interest in processing that information in certain circumstances. For example, we would have a legitimate interest in processing your information to perform our obligations under a sub-contract with the third party, where the third party has the main contract with you. Our legitimate interest is the performance of our obligations under our sub-contract. Similarly, third parties may pass on information about you to us if you have infringed or potentially infringed any of our legal rights. In this case, we will have a legitimate interest in processing that information to investigate and pursue any such potential infringement.

**DISCLOSURE AND ADDITIONAL USES OF YOUR INFORMATION**

This section sets out the circumstances in which we will disclose information about you to third parties and any additional purposes for which we use your information.

**Disclosure of Your Information to Service Providers**

We use a number of third parties to provide us with services which are necessary to run our business or to assist us with running our business and who process your information for us on our behalf. These include the following:-

- Telephone providers;
- Email provider;
- Mailing list provider;
- IT service providers;
- Web developers;
- Hosting provider.

Your information will be shared with these service providers only where necessary to enable us to run our business.

## **Disclosure of Your Information for Legal Reasons**

### **Indicating possible criminal acts or threats to public security to a competent authority**

If we suspect that criminal or potential criminal conduct has occurred, we will in certain circumstances need to contact an appropriate authority, such as the police. This could be the case, for instance, if we suspect that a fraud or a cyber-crime has been committed or if we receive threats or malicious communications towards us or third parties. We will generally only need to process your information for this purpose if you were involved or affected by such an incident in some way.

### **Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

### **Legitimate interest(s)**

Preventing crime or suspected criminal activity such as fraud.

### **In connection with the enforcement or potential enforcement of our legal rights**

We will use your information in connection with the enforcement or potential enforcement of our legal rights, including sharing information with debt collection agencies if you do not pay amounts owed to us when you are contractually obliged to do so. Our legal rights may be contractual, where we have entered into a contract with you, or non-contractual, such as legal rights that we have under copyright law or tort law.

### **Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

### **Legitimate interest(s)**

Enforcing our legal rights and taking steps to enforce our legal rights.

### **In connection with a legal or potential legal dispute or proceedings**

We may need to use your information if we are involved in a dispute with you or a third party, for example either to resolve the dispute or as part of any mediation, arbitration or court resolution or similar process.

### **Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

### **Legitimate interest(s)**

Resolving disputes and potential disputes.

### **For ongoing compliance with laws, regulations and other legal requirements**

We will use and process your information in order to comply with legal obligations to which we are subject. For example we may need to disclose your information pursuant to a court order or subpoena if we receive one or to the National Crime Agency in connection with suspected or potential money laundering matters.

**Legal basis for processing**

Compliance with a legal obligation Article 6(1)(c) of the General Data Protection Regulation.

**Legal obligation(s)**

Legal obligations to disclose information which are part of the laws of England and Wales or if they have been integrated into the United Kingdom's legal framework for example in the form of an international agreement which the United Kingdom has signed.

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Where the legal obligations are part of the laws of another country and have not been integrated into the United Kingdom's legal framework, we have a legitimate interest in complying with these obligations.

**Disclosure of Your Information to Other Third Parties**

We disclose your information to other third parties in specific circumstances, as set out below:-

**Providing information to Google Inc.**

Google collects information through our use of Google Analytics on our website. Google uses this information, including IP addresses and information from cookies, for a number of purposes, such as improving its Google Analytics service. Information is shared with Google on an aggregated and anonymised basis. To find out more about what information Google collects, how it uses this information and how to control the information sent to Google, please see the partners page of Google's Privacy Policy.

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Meeting our contractual obligations to Google under our Google Analytics Terms of Service and allowing the Google Analytics to work on our website. You can opt out of Google Analytics by installing the browser.

**Sharing your information with a prospective or actual purchaser or seller in the context of a business or asset sale or acquisition by us, a merger or similar business combination event, whether actual or potential****Legal basis for processing**

Legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Sharing your information with a prospective purchaser, seller or similar person in order to allow such a transaction to take place.

**Sharing your information with third parties, which are either related to or associated with the running of our business, where it is necessary for us to do so. These third parties include our Accountant, Advisors, Affiliates, Business Partners, Independent Contractors and Insurers**

Further information on each of these third parties is set out below:-

**Legal basis for processing**

Our legitimate interests Article 6(1)(f) of the General Data Protection Regulation.

**Legitimate interest(s)**

Running and managing our business efficiently.

**Accountants**

We share information with our accountants for tax purposes. For example, we share invoices we issue and receive with our accountants for the purpose of completing tax returns and our end of year accounts.

**Advisors**

Occasionally we obtain advice from advisors, such as accountants, financial advisors, lawyers and other specialists. We will share your information with these third parties only where it is necessary to enable these third parties to be able to provide us with the relevant advice.

**Affiliates**

Affiliates are individuals or entities we work with to promote our business by various means, including by advertising our services on their websites, for example. Our affiliates can be in any industry, sector or sub-sector. Affiliates will share information with us and we will share information with them where you have expressed an interest in our services or products.

**Business partners**

Business partners are businesses we work with which provide goods and services which are complementary to our own or which allow us to provide goods or services which we could not provide on our own. We share information with our business partners where you have requested services which they provide whether independently from, or in connection with own services.

**Independent contractors**

We use independent contractors in our business. Your information will be shared with independent contractors only where it is necessary for them to perform the function we have hired them perform in relation to our business.

**Insurers**

We will share your information with our insurers where it is necessary to do so, for example in relation to a claim or potential claim we receive or make or under our general disclosure obligations under our insurance contract with them.



## HOW LONG WE RETAIN YOUR INFORMATION

This section sets out the circumstances in which we will disclose information about you to third parties and any additional purposes for which we use your information.

### Specific Retention Periods

#### Order information

When you place an order for goods and services, we retain that information for a minimum period of six years following the end of the financial year in which you placed your order, in accordance with our legal obligation to keep records for tax purposes under paragraph 6, Schedule 11 of the Value Added Tax Act 1994.

#### Correspondence and enquiries

When you make an enquiry or contact us by email or via our contact form, we will retain your information for as long as it takes to respond to and resolve your enquiry and for 6 further months after which point we will delete your information.

#### Mailing list

We retain the information you used to sign up for our newsletter for as long as you remain subscribed or if we decide to cancel our newsletter service, whichever occurs first.

### Criteria for Determining Retention Periods

In any other circumstances we will retain your information for no longer than necessary, taking into account the following:-

- The purpose and use of your information both now and in the future. Such as whether it is necessary to continue to store that information in order to continue to perform our obligations under a contract with you or to contact you in the future;
- Whether we have any legal obligation to continue to process your information. Such as any record keeping obligations imposed by relevant law or regulation;
- Whether we have any legal basis to continue to process your information, such as your consent;
- How valuable your information is, both now and in the future;
- Any relevant agreed industry practices on how long information should be retained;
- The levels of risk, cost and liability involved with us continuing to hold the information;
- How hard it is to ensure that the information can be kept up-to-date and accurate;
- Any relevant surrounding circumstances such as the nature and status of our relationship with you

## **HOW WE SECURE YOUR INFORMATION**

This section sets out the circumstances in which we will disclose information about you to third parties and any additional purposes for which we use your information.

### **Measure Taken To Secure Your Information**

We take appropriate technical and organisational measures to secure your information and to protect it against unauthorised or unlawful use and accidental loss or destruction, including:-

- Only sharing and providing access to your information to the minimum extent necessary, subject to confidentiality restrictions where appropriate, and on an anonymised basis wherever possible;
- Using secure servers to store your information;
- Verifying the identity of any individual who requests access to information prior to granting them access to information.

### **Transmission of Information to Use By Email**

Transmission of information over the internet is not entirely secure and if you submit any information to us over the internet, whether by email, via our website or any other means, you do so entirely at your own risk.

We cannot be responsible for any costs, expenses, loss of profits, harm to reputation, damages, liabilities or any other form of loss or damage suffered by you as a result of your decision to transmit information to us by such means.

## **TRANSFERS OF YOUR INFORMATION OUTSIDE THE EUROPEAN ECONOMIC AREA**

Your information will be transferred and stored outside the European Economic Area (EEA) in the circumstances set out below.

We will also transfer your information outside the EEA or to an international organisation in the unlikely event that we are required to comply with legal obligations to which we are subject. Where we are required to do so, we will ensure appropriate safeguards and protections are in place.

### **Email**

Information you submit to us by email is transferred outside the EEA and stored on our third party email provider's servers.

## Contact Form

Information you submit via our contact form is not stored on a server in database format, simply sent via email to our Sales Department. Information sent through our contact form is sent through a Secure Socket Layer (SSL).

## eNewsletter

Information you submit to us when you sign up for our newsletter, your email address, is transferred outside the EEA and stored on our third party mailing list provider's servers. Our third party mailing list provider is MailChimp.

## Country of storage

United States of America. This country is not subject to an adequacy decision by the European Commission.

## Safeguard(s) used

MailChimp has self-certified its compliance with the EU-U.S. Privacy Shield. This is an approved certification mechanism under Article 42 of the General Data Protection Regulation which is permitted under Article 46(2)(f) of the General Data Protection Regulation.

## YOUR RIGHTS IN RELATION TO YOUR INFORMATION

### Your Rights

Subject to certain limitations on certain rights, you have the following rights in relation to your information, which you can exercise by writing to Xhibeo Limited, 3 Mercia Court, Saxon Business Park, Stoke Prior, Bromsgrove, B60 4GA or sending an email to [sales@xhibeo.com](mailto:sales@xhibeo.com):-

- To request access to your information and information related to our use and processing of your information;
- To request the correction or deletion of your information;
- To request that we restrict our use of your information;
- To receive information which you have provided to us in a structured, commonly used and machine readable format, e.g. a CSV file, and the right to have that information transferred to another data controller including a third party data controller;
- To object to the processing of your information for certain purposes. For further information see the section below entitled "Your Right to Object to the Processing of Your Information";
- To withdraw your consent to our use of your information at any time where we rely on your consent to use or process that information. Please note that if you withdraw your consent, this will not affect the lawfulness of our use and processing of your information on the basis of your consent before the point in time when you withdrew your consent.

In accordance with Article 77 of the General Data Protection Regulation you also have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or of an alleged infringement of the General Data Protection Regulation.

### **Verifying Your Identity Where You Request Access to Your Information**

Where you request access to your information, we are required by law to use all reasonable measures to verify your identity before doing so. These measures are designed to protect your information and to reduce the risk of identity fraud, identity theft or general unauthorised access to your information.

#### **How we verify your identity**

Where we possess appropriate information about you on file, we will attempt to verify your identity using that information. If it is not possible to identify you from such information or if we have insufficient information about you, we may require original or certified copies of certain documentation in order to be able to verify your identity before we are able to provide you with access to your information. We will be able to confirm the precise information we require to verify your identity in your specific circumstances if and when you make such a request.

### **YOUR RIGHT TO OBJECT TO THE PROCESSING OF YOUR INFORMATION**

#### **Your Right to Object**

You have the following rights in relation to your information, which you may exercise by writing to Xhibeo Limited, 3 Mercia Court, Saxon Business Park, Stoke Prior, Bromsgrove, B60 4GA or by sending an email to [sales@xhibeo.com](mailto:sales@xhibeo.com):-

- To object to us using or processing your information where we use or process it in order to carry out a task in the public interest or for our legitimate interests;
- To object to us using or processing your information for direct marketing purposes.

You may also exercise your right to object to us using or processing your information for direct marketing purposes by:-

- Clicking the unsubscribe link contained at the bottom of any marketing email we send to you and following the instructions which appear in your browser following your clicking on that link;
- Sending an email to [sales@xhibeo.com](mailto:sales@xhibeo.com) asking that we stop sending you marketing communications or by including the words "OPT OUT".

## **CHANGES TO OUR PRIVACY POLICY**

### **Minor Changes to Our Privacy Policy**

Where we make minor changes to our Privacy Policy we will update our Privacy Policy with a new effective date stated at the beginning of it. Our processing of your information will be governed by the practices set out in that new version of the Privacy Policy from its effective date onwards.

### **Major Changes to Our Privacy Policy**

Where we make major changes to our Privacy Policy or intend to use your information for a new purpose or a different purpose than the purposes for which we originally collected it, we will notify you by email, where possible or by posting a notice on our website. We will provide you with the information about the change in question and the purpose and any other relevant information before we use your information for that new purpose. Wherever required, we will obtain your prior consent before using your information for a purpose that is different from the purposes for which we originally collected it.

## **ADDITIONAL INFORMATION**

### **Children's Policy**

Because we care about the safety and privacy of children online, we comply with the Children's Online Privacy Protection Act of 1998 (COPPA). COPPA and its accompanying regulations protect the privacy of children using the internet. We do not knowingly contact or collect information from persons under the age of 18. The website is not intended to solicit information of any kind from persons under the age of 18. It is possible that we could receive information pertaining to persons under the age of 18 by the fraud or deception of a third party. If we are notified of this, as soon as we verify the information, we will, where required by law to do so, immediately obtain the appropriate parental consent to use that information or if we are unable to obtain such parental consent, we will delete the information from our servers. If you would like to notify us of our receipt of information about persons under the age of 18 please do so by sending an email to [sales@xhibeo.com](mailto:sales@xhibeo.com).

### **Copyright**

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