

## **GDPR: DATA PRIVACY**

### **Introduction**

MOUTAN LTD ("We") are committed to protecting and respecting your privacy.

This policy (together with our terms of use <https://www.moutan.co.uk> and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

### **1. Definitions**

**Data controller** - A controller determines the purposes and means of processing personal data.

**Data processor** - A processor is responsible for processing personal data on behalf of a controller.

**Data subject** – Natural person

#### **Categories of data: Personal data and special categories of personal data**

**Personal data** - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

**Special categories personal data** - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

**Processing** - 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, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Third party** - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

### **2. Who are we?**

MOUTAN LTD is the data controller. This means we decide how your personal data is processed and for what purposes. Our contact details are: 109 High Street, Odiham, Hampshire, RG29 1LA. For all data matters contact: [info@moutan.co.uk](mailto:info@moutan.co.uk)

### **3. The purpose(s) of processing your personal data**

We use your personal data for the following purposes:

- To fulfil orders placed online via our website
- To fulfil orders placed in person via our shops
- To fulfil orders placed onto our floral relay service (for deliveries of floral arrangements further than our local delivery area)
- To fulfil orders placed over the phone

- To contact you when a request for information or appointment has been made by you via our website, in person, or by email or phone
- To contact you with monthly newsletters if you have expressly given your permission for us to do so through our newsletter subscription sign up form via our website: <https://www.moutan.co.uk/subscribe/> or through our social media platforms

#### 4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

- Personal data which can include;
  - name
  - telephone number
  - address
  - email
  - IP address
  - Cookies
  - Credit card details (for online payments only and stored via our secured online payment systems in accordance with current Payment Service Regulations as monitored by the Financial Conduct Authority: <https://www.fca.org.uk>)

#### 5. What is our legal basis for processing your personal data?

##### a) Personal data (article 6 of GDPR)

##### Our lawful basis for processing your general personal data:

Consent of the data subject;	<a href="http://eepurl.com/dlygHz">http://eepurl.com/dlygHz</a>
Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	<a href="https://www.moutan.co.uk/payment-information/">https://www.moutan.co.uk/payment-information/</a>
Processing necessary for compliance with a legal obligation	<a href="https://www.moutan.co.uk/payment-information/">https://www.moutan.co.uk/payment-information/</a>

More information on lawful processing can be found on the [ICO website](#).

#### 6. Sharing your personal data

Your personal data will be treated as strictly confidential and will be shared only with employees of MOUTAN LTD for the sole purpose of fulfilling our obligations with you in accordance to the nature in which you have supplied your data.

#### 7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary, until you opt out of receiving monthly newsletters, or we update our customer records and in the case of a goods transaction (for a period of four years) in order to comply with HMRC tax purposes.

#### 8. Providing us with your personal data

You are under no statutory or contractual requirement or obligation to provide us with your personal data. But failure to do so will have the following consequences:

- Orders placed via our online web shop will not be processed and fulfilled
- Orders will not be placed on to our floral relay service (for delivery outside of our local delivery area)
- We will not be able to contact you with monthly newsletters

- We will not be able to contact you regarding any general or specific enquiries made via our shops, online, or over the phone

## **9. Your rights and your personal data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to withdraw your consent to the processing at any time, where consent was your lawful basis for processing the data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

## **10. Transfer of Data Abroad**

We do not transfer personal data outside the EEA.

## **11. Automated Decision Making**

We do not use any form of automated decision making in our business.

## **12. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

## **13. Changes to our privacy policy**

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

## **14. How to make a complaint**

To exercise all relevant rights, queries or complaints please in the first instance contact our data representative: [jason@moutan.co.uk](mailto:jason@moutan.co.uk).

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.