

## Privacy Notice

When you use our services, you trust us with your information. This privacy policy explains how we collect, manage and hold your data in the following circumstances.

- When you visit our website
- When you provide it to us directly
- When it is provided indirectly by a third party

This policy is set out as follows:

- Important information and who we are
- The Data we collect about you
- How your personal data is collected
- How your personal data is used
- Disclosures of your personal data
- International Transfers
- Data Security
- Data Retention
- Your Legal Rights
- Glossary

## WHO WE ARE

Abacus Day Nursery Sales is a division of Blacks Business Brokers Limited (“Blacks”, “we”, “us” or “our” in the privacy notice), which is a company which is incorporated in England & Wales with the number 06648404 and is registered under the Data Protection Act.

Where you have provided your personal information to us directly we will be the Data Controller.

Where we have received your personal information via a third party we will perform the role of a data processor on behalf of the data controller.

Our Privacy Notice relates to our roles and responsibilities as a Data Controller.

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your rights under the Data Protection Act please contact the DPO using the details set below.

## CONTACT DETAILS

The Data Protection Officer

Blacks Business Brokers Ltd

17 St Marys Place

Bury

BL9 0DZ

Email address: [info@blacksbrokers.com](mailto:info@blacksbrokers.com)

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

#### **CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

This privacy notice was last updated on the 13<sup>th</sup> September 2022.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

#### **THIRD-PARTY LINKS**

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

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 (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

a) **Identity Data** includes your name (including your business name), employment status, marital status, title, date of birth and gender.

b) **Contact Data** includes home address (previous, current, forwarding and business), email address and telephone numbers.

c) **Financial & Transaction Data** includes bank account details

d) **Technical Data** includes internet protocol (IP) address, 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 this website.

e) **Usage Data** includes information about how you use our website, products and services.

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

Unless we have a legitimate interest, we do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

#### **IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you. In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

We use different methods to collect data from you and / or about you, including:

- **Direct interactions.** These include:

- Telephone calls
- Face-to-face meetings
- Web forms
- Emails
- Text messages
- Live chat
- Handwritten / electronic agreements
- Handwritten / electronic fact-find questionnaires

- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We

may also receive Technical Data about you if you visit other websites employing our cookies.

Please see our cookie policy for further details.

- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

- Analytics & tracking providers some such as Google based outside the EU;

- Google Tag Manager
- Google Analytics

- Advertising networks based inside & outside the EU;

- Google Adwords
- Bing Ads
- Google Display Network
- Facebook
- Twitter
- LinkedIn

We will only use your personal data if there is a lawful basis that allows us to do so. There are six lawful bases available. The most common are briefly summarised as follows:

- **Consent:** We process your data only if you have given us clear consent to do so
- **Contract:** We process your data only if it is necessary to fulfil a request or fulfil a contractual obligation to you
- **Legitimate Interest:** We process your data in ways you would reasonably expect with a minimal privacy impact or where there is compelling justification for the processing. Legitimate interests can be our own interests or the interests of third parties.

The least common are briefly summarised as follows:

- **Legal Obligation:** We process your data only to comply with a common law or statutory or regulatory obligation
- **Vital Interests:** We process your data only to protect someone's life
- **Public Task:** We process your data only if it is in the exercise of official authority or to perform a specific task in the public interest that is set out in law

At any point, you have a right to withdraw consent to marketing or modify how we contact you by contacting us or updating your communication preferences on our website.

### PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, some of the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

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
New user registration	(a) Identity (b) Contact	Contract
Web Forms	(a) Identity (b) Contact	Contract
Mailing Alert Sign-Up	(b) Contact	Contract
Handling Enquiries	(a) Identity (b) Contact	Contract
Marketing Emails	(a) Identity (b) Contact (f) Marketing and Communications Data	Consent
To process your order including: Managing payment methods, and take deposits	(a) Identity	Contract

	(b) Contact	
	(c) Financial	
To provide your contact details onto a third party contractor to carry out EPC assessment or erect a For Sale Board	(a) Identity (b) Contact	Contract
To manage our relationship with you which will include notifying you about changes to our terms or privacy policy	(a) Identity (b) Contact	Contract 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 (e) Usage (f) Marketing and Communications	Legitimate interest
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(d) Technical (e) Usage	Legitimate interest

## OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us in relation to a contract.

## COOKIES

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer. **By using the website you are agreeing to using cookies.** Cookies contain information that is transferred to your computer's hard drive. Our sites may use one or more of the following sorts of cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our websites. They include, for example, cookies that enable you to log into secure areas.
- **Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around a website when they are using it. This helps us to improve the way our websites work, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to a website. This enables us to personalise our content for you and remember your preferences.
- **Targeting cookies.** These cookies record your visit to our websites, the pages you have visited and the links you have followed. We will use this information to make our websites and the advertising displayed on it more relevant to your interests.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control.

These cookies are likely to be analytical/performance cookies or targeting cookies.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about cookies, please see (<http://www.aboutcookies.org/>)

**Social Network Sharing** We encourage users to share our content and/or like our on profile on the popular Social Media websites Facebook, Twitter, YouTube, Google+ and LinkedIn. In order to make 'Social Sharing' accessible, our website utilises widgets either provided directly from the Social Networks and/or via amalgamative widgets from third parties such as AddThis. Cookies and privacy implications from the social networks vary and will be dependent on your nominated privacy settings with each Social Network. Social Sharing buttons will only deploy cookies if you are signed to that respective Social Network at the time of being on our website.

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties
- External Third Parties (such as Customer Relationships Management [CRM])
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. 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.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We do not transfer your personal data outside the European Economic Area (**EEA**).

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 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.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

#### **HOW LONG WILL YOU USE MY PERSONAL DATA FOR?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.



By law we have to keep basic information about our customers including Contact, Identity, Financial and Transaction Data for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Under certain circumstances, you have rights in relation to your personal data as follows:

1. *The right to be informed*
2. *The right of access*
3. *The right to rectification*
4. *The right to erasure*
5. *The right to restrict processing*
6. *The right to data portability*
7. *The right to object*
8. *Rights in relation to automated decision making and profiling.*

For further details, please visit: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise any of the rights set out above, please contact us.

### **NO FEE USUALLY REQUIRED**

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. Alternatively, we may refuse to comply with your request in these circumstances.

### **WHAT WE MAY NEED FROM YOU**

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

## TIME LIMIT TO RESPOND

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.

Please contact us for our Complaints Procedure if you wish to make a formal complaint. We will then investigate your complaint and respond accordingly. If your complaint is not resolved, you are entitled to refer it to The Property Ombudsman Service for further advice.

Please see link for further details: <https://www.tpos.co.uk/>

## LAWFUL BASIS

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

## THIRD PARTIES

### EXTERNAL THIRD PARTIES

- Service providers acting as processors based in the United Kingdom who provide:
- IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.

- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**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. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

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

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format.

Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data.

However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.