

## PRIVACY NOTICE

### Introduction & Our Details

Stern Consultancy Ltd is a *limited company incorporated in England & Wales*. For data protection purposes we are the 'data controller' of the personal data that you give us.

Our address is: North Chapel House, 42 North Street, Horsham, West Sussex, RH12 1RD, United Kingdom

Our contact details are: 01403 273555 & [info@sternconsultants.co.uk](mailto:info@sternconsultants.co.uk)

### Our Commitment to You

We are committed to protecting your privacy and to complying with the data protection laws in the UK. In consequence, we collect the minimum amount of information about you that is commensurate with providing you with a satisfactory service.

### What is the purpose and legal basis for us to collect and process your personal data?

The main purpose is to identify our customers to enable us to deliver to you the goods or services that you buy from us and to provide you with any follow-up that is required. We also have to retain records of all our transactions for tax and accounting reasons.

In addition, so long as you freely give us your consent, we will send you by *post/email/text*, newsletters and information concerning our products and activities including special offers and details of new products.

### What personal data will be collected and processed?

Depending on the type of transaction you enter into, this may include your name, address, telephone number, and email address, together with data about your use of the website. This will be retained and used (processed) for the purposes referred to above.

### Who will receive your personal data?

We will receive your personal data on our website which is kept on a secure server in the UK *where all personal data is encrypted*.

Data concerning your credit/debit card payments is processed by Lloyds Banking Group plc on a secure website linked to ours and they have their own privacy policy that you should read.

If you give consent to receive communications from us, we use a marketing automation and email marketing service, *name of company*, to communicate with you. Their privacy policy can be read here: *insert link*. You will be free to unsubscribe from those messages at any time.

*The server of United Hosting Ltd (via Icon Digital Services Ltd) is located within the EU, and we are satisfied that the organization has appropriate safeguards in place to protect your data.*

We do not give anyone else access to personal data unless we are required to by law or the access is for our own team performing their services for our website, all of whom are subject to confidentiality obligations. If we wish to process your personal data for purposes other than those specified in this notice, we will notify you with relevant information and, if necessary, seek your consent.

We may from time to time provide information of a general nature to third parties - for example, the number of individuals visiting our website, buying particular products or



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completing an enquiry form, but this information will be anonymized so that those individuals cannot be identified (*except in the case of testimonials on our website where the individual has given consent*).

### **How long will we keep your personal data?**

We need to keep customer details for at least 6 full tax years under the UK tax laws. After that, until you ask us in writing to delete your personal data, we will keep it to enable us to contact you as mentioned earlier in this notice.

### **What are your rights?**

You have the right to:

- ask us in writing for details of the personal data that we hold on you
- require us to rectify any errors
- have your personal data deleted if there is no reason for its continued storage and processing
- lodge a complaint about the data controller with the ICO (Information Commissioner's Office).

Further details about your rights under data protection legislation can be found on the ICO's website at <https://ico.org.uk>

### **Cookies**

Your internet browser has the in-built facility for storing small files- "cookies" - that hold information which allows a website to recognise your account. Our website takes advantage of this facility to enhance your experience. You have the ability to prevent your computer from accepting cookies but, if you do, certain functionality on the website may be impaired.

### **Changes to this Privacy Notice**

Any changes to this Notice will be placed here and will supersede this version. We will take reasonable steps to draw your attention to any changes in our policy. However, to be on the safe side, we suggest that you read this document each time you use the website to ensure that it still meets with your approval.

### **How to Contact Us**

If you have any questions about our Privacy Policy, or if you want to know what information we have collected about you, please email us at [info@sternconsultants.co.uk](mailto:info@sternconsultants.co.uk)



## EXPLANATORY NOTES

**Please note that these Explanatory Notes are for guidance only and do not form part of the contract**

Under the UK's Data Protection Act and the EU's General Data Protection Regulation (GDPR) that is effective from 25 May 2018, any business processing data that it collects about individuals must comply with numerous obligations, including data processing principles. These principles include the requirements that personal data (i.e. information about an identifiable individual) is processed (i.e. kept & used):

- lawfully, fairly and transparently,
- it should only be collected for specific, explicit and legitimate purposes,
- the data collected should be adequate, relevant and limited to what is necessary for the purpose for which they are processed'
- be accurate and kept up to date where necessary
- be in a form that permits identification of the individual for no longer than necessary, and
- be processed in a manner that ensures appropriate security

In addition there are European Regulations on privacy and electronic communication which apply throughout the EU.

A Privacy Notice, previously known as a Privacy Policy, is needed on any website where personal data is collected, in order to comply with Article 13 of the GDPR, which requires any data controller to explain to the individual what data will be collected, the purposes for which it will be used and the rights of that individual.

Specific comments on the paragraphs in our Privacy Notice template are set out below:

### **Introduction & Our Details**

There is no necessity for an introduction but you must identify the data controller and provide contact details. If the controller has a representative or a data protection officer, that person must also be identified.

So you need to fill in the blanks and adjust as needed.

### **Our Commitment to You**

It is helpful but not mandatory to have a statement of principles and to make it clear you comply with the law.

### **What is the purpose and legal basis for us to collect and process your personal data?**

An important part of the notice. You should, in line with the principles referred to at the beginning of these notes, specify clearly why you collect and process data. Those purposes should be adequate but also limited to what is necessary.

Here you should adapt the wording as necessary to explain what information you are collecting. If, for example, you do not collect money or sell anything from your website, then our paragraph about credit card payments should be omitted. If you collect and handle sensitive information about your visitors, then our wording needs to be strengthened. In this context, processing any information relating to a person's gender, ethnicity, religion, sex life or health is generally prohibited by Article 9, although there are many exceptions.)



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Broadly, you are OK if you need data for contractual or other legitimate reason – e.g. to fulfil a sale you need an address and credit card details.

When it comes to more peripheral reasons, such as sending out marketing material, you have to get consent. And you need to have a statement or box on your website that both explains what you are asking consent for and asks the individual to confirm that he/she gives their consent.

### **What personal data will be collected and processed?**

Our text needs to be adapted depending on the nature of your business

### **Who will receive your personal data?**

When you use third parties to process data – e.g. Paypal or Worldpay to process payments or a ticketing company to sell your tickets or a bulk mailer for your newsletters, these need to be identified. And beware – some of those organizations like to use the opportunity to capture and process your customers' data for their own purposes. They need to get consent for those uses – or you should get consent on their behalf.

If any data processor is located outside the EU, you need to tell the individual and satisfy yourself that they have adequate data protection systems. Some countries are not acceptable under GDPR.

### **How long will we keep your personal data?**

The law says this should only be for as long as necessary. Sales information usually has to be kept for six full tax years. Contracts usually have a six year period after they are completed in which a claim may be brought. In the case of mailshots, if someone consents to receiving these, it is not unreasonable to keep the relevant data for as long as they keep receiving the emails. And be sure to let them unsubscribe on every occasion.

### **What are your rights?**

The wording summarizes the GDPR position. It is important to have a good database so that you can easily access all the personal data for each individual with whom you deal. This is a GDPR requirement.

### **Cookies**

Assuming you use cookies, this paragraph is needed and you should have a more detailed cookie policy.

### **Changes to this Privacy Notice**

This is a reminder for you as well as your visitors – if you change your policy you should inform the people whose data you hold and get their consent, when necessary.

### **How to Contact Us.**

This is not essential if you have contact details in the opening paragraph.

### **Other Points**

Your Privacy Policy should be easily accessible on your website and drawn to the attention of visitors so they can see the policy before they provide you with personal information.

If you want to send out newsletters or maintain regular (or irregular) contact with the individuals whose information you hold, the individual has to give explicit consent - so make it clear what the reasons are and set up the consent form very clearly on your website– a small tick box with inadequate explanation is no longer enough. If you have people on your mailing list already, you need to consider, and maybe get legal advice,



on whether to ask them again for consent, in order to be sure you are compliant with the GDPR.

Also, you should make it clear in all your communications that they are entitled to have their details removed from your list. And do remember it is in your interests to have a procedure to do this – quite apart from the legal implications, there is nothing more irritating for someone than to keep receiving material from an organization that is of no interest after he/she has asked to be removed from the mailing list.

NB. If you run a business and process data – which can involve no more than collecting the name and email address of visitors to your website - you may also have a legal duty to register as a 'Data Controller' with the Information Commissioner, the Government official who administers the Data Protection Act. To find out more, there is a lot of helpful guidance on the Information Commissioner's website:

<https://ico.org.uk/>



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