

## GDPR Privacy and electronic data processing notice - Merxin Ltd

Merxin Ltd. ('Merxin' we or us) is a private limited company with registration number 09906813 and registered office at King's Lynn Innovation Centre, Innovation Way, King's Lynn, Norfolk, England, PE30 5BY, UK.

### 1 What is the purpose of this document?

- 1.1 We are committed to protecting and respecting your privacy. This privacy notice sets out the basis on which any personal data we collect about all users of our site (**you**), or that you provide to us through [www.merxin.com](http://www.merxin.com) (**our site**), will be processed by us.
- 1.2 We are a **data controller**. This means that we are responsible for deciding how we hold and use personal information about you, and for explaining this clearly to you.
- 1.3 Please read this privacy notice carefully to understand what we do with your personal information and what rights you have in relation to our activities.
- 1.4 This privacy notice applies to customers and contractors, and visitors to our site.
- 1.5 **Data Protection Legislation** refers to the Data Protection Act 2018 ("DPA 2018") the General Data Protection Regulation EU 2016/679 ("GDPR") and any national laws or regulations constituting a replacement or successor regime to the DPA 2018 or the GDPR.

### 2 What is personal data and our lawful basis for processing?

- 2.1 Personal data, or personal information, means any information relating to an individual from which that person can be identified. There are special categories of more sensitive personal information which require a higher level of protection (see further at section 4, below).
- 2.2 We will only use your personal information when the Data Protection Legislation allows us to. Our principle lawful basis for processing is set out in the table below. However, some of our grounds for processing will overlap and there may be several grounds which justify our use of your personal information.
- 2.3 We are only able to rely on our legitimate interests (or those of a third party) to process your personal information, if your interests and fundamental rights do not override those interests. Where we rely on legitimate interests for our processing, we have set out the relevant interest, below.
- 2.4 We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 2.5 Please note that we are only able to process your personal information without your knowledge or consent where this is required or permitted by law.
- 2.6 Information we collect from you, about you and how our use complies with Data Protection Legislation

### 3 Information we collect from you, about you and how our use complies with Data Protection Legislation

3.1 Information you give us		
Information	How we use your information	How our use complies with Data Protection Legislation
Information which you provide to us if you have any queries about our products, our business, how we could want to use your services our products, employment with us or how to use our website. For example, the contents of any messages you send to us.	To provide product information, business information, employment opportunities, technical support and assistance when you are using our website.	For our legitimate interest in managing and improving our business.
Your name, role and position contact details including email address and phone number, employer, affiliation, product interest, social media profiles. This information can be related to your employment or be personal.	<p>To reply to your query.</p> <p>To provide our services.</p> <p>To enable us to complete your order.</p> <p>To provide you with the information you have requested</p> <p>To provide you with marketing information (if you have agreed to this).</p>	<p>Because it is necessary to perform the contract we have agreed with you.</p> <p>Because you have made a specific enquiry about us or our products.</p> <p>We only send direct marketing by email to corporate addresses if the individual has not opted out of receiving marketing from us.</p> <p>With your consent (where applicable) otherwise for the legitimate interest of promoting our business, provided that you have not asked us to stop sending you marketing.</p> <p>Such processing is necessary for the legitimate interest of promoting our business.</p> <p>This information is necessary to enter and to perform the contract between us and our customer.</p>

	Banking and financial information in order for us to process payments or receive payments from you or the business you represent.	To provide our services. To enable us to complete your order. To benefit from your services or purchase your products.	This information is necessary to enter and to perform the contract between us and our services and products provider, you.
<b>3.2 Information we collect about you</b>			
	Information about your preferences and the types of running programmes you are interested in via the cookies on our website.	To improve the services we offer to you and others. To provide you with information about other products and services which we think may be of interest to you. For examples formulation and analytics services.	It is necessary for our legitimate interests to ensure the smooth running of our website. We are allowed to do this as long as we do not disproportionately intrude your privacy. You can disable cookies on your browser.
	Technical information, that may include the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform via cookies on our website.	To improve the services we offer to you and others; and For the purposes of fraud protection and credit risk reduction.	It is necessary for our legitimate interests to ensure the smooth running of our website. We are allowed to do this as long as our do not disproportionately intrude your privacy. You can disable cookies on your browser.
	Information about your visit on our website including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time); products you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page	To improve the services we offer to you and others; and For the purposes of fraud protection and credit risk reduction.	It is necessary for our legitimate interests to ensure the smooth running of our website. We are allowed to do this as long as our do not disproportionately intrude your privacy. You can disable cookies on your browser.

	Any publicly available information we need to collect to perform a due diligence on you, your business, your services or products	To understand and improve our relationship with you.  For the purposes of fraud protection and credit risk reduction.	It is necessary for our legitimate interests to ensure the smooth running of our business and protect our interests.  We are allowed to do this as long as our do not disproportionately intrude your privacy.
<b>3.3</b>	<b>Information we receive from third parties</b>		
	Information about your visit to our social media pages and other public online platforms we use such as LinkedIn, Twitter and Google Analytics.	To improve the services we offer to you and others; and  For the purposes of fraud protection and credit risk reduction.	It is necessary for our legitimate interests to ensure the smooth running of our website.  We are allowed to do this as long as our do not disproportionately intrude your privacy.  You can disable cookies on your browser.
	Information about payments and financial transactions.	To fulfil any contractual obligation between us.	It is necessary to ensure the smooth running of our business.

## **4 Sharing your information**

4.1 We share your information with third parties as follows:

4.1.1 Online platforms providing (but not limited to) banking, accounting, HR services, Quality management, financial services, legal services, customer relationship management, e-mailing platforms to us. This information is stored on third parties servers, but is not available to the third parties for analysis.

4.1.2 If we sell any business or assets, in which case we may disclose your personal information to the prospective buyer of such business or assets.

4.1.3 If we need to do so to fulfil our contractual obligations with you in order to provide you with our services or products, or for you to provide us with your services and product.

4.1.4 If we have a legal or regulatory obligation to do so.

4.1.5 For the purposes of fraud protection and credit risk reduction.

4.2 If you object to our sharing or continuing to use your personal data with any specific third party please contact us at [admin@merxin.com](mailto:admin@merxin.com).

## **5 If you fail to provide personal information**

5.1 You are required to provide the personal information set out in section 3 above we will not be able to provide our services to you.

## **6 Your duty to inform us of change**

6.1 We want to be sure that the personal information we hold about you is accurate and current.

6.2 You can update your information when anything changes by contacting [admin@merxin.com](mailto:admin@merxin.com).

## **7 Change of purpose**

7.1 We only use your personal information 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.

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

7.3 We are able to process your personal information without your knowledge or consent but only where this is required or permitted by law.

## **8 Data security**

8.1 We have put in place:

- (a) appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

- (b) procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.
- 8.2 Any personal information that you submit to us will be held on secure servers, based within the European Economic Area (EEA), or managed according to the laws of European Economic Area (EEA).
- 8.3 If we are required to transfer information outside the EEA, we will ensure that appropriate measures are in place to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the Data Protection Legislation.
- 8.4 If you are based outside the EEA we may transfer personal information to the correspondence address you provide to us. We will take all reasonable steps to ensure that such transfers are secure. By instructing us from outside the EEA you acknowledge and agree that such transfers are necessary for us to provide services to you.
- 8.5 We use Google Analytics to evaluate the performance of our site and improve the service we offer you. We may transfer information about you outside the EEA for this purpose. We will only do so where permitted by Data Protection Legislation.
- 8.6 Google Analytics complies with the EU-US Privacy Shield Framework as set out by the US Department of Commerce regarding the collection, use and retention of personal information from European Union member countries. It is subject to enforcement by the Federal Trade Commission. Google, including Google Inc. and its wholly-owned US subsidiaries, has certified that it adheres to the relevant Privacy Shield Principles, including for Google Analytics. For more information about this protective measure, please visit the following: <https://www.google.de/intl/en/policies/privacy/frameworks/>.

## 9 How long will we keep your personal information for?

- 9.1 We will keep your personal information in a safe and appropriate electronic format for as long we are actively dealing with you. When we are no longer dealing with you, we will retain your information for up to 12 months to allow us to securely review and delete inactive records and keep a record of our interactions with you, including for legal purposes at a future date.
- 9.2 Emails are kept for up to 7 years on our back-up email exchange server.
- 9.3 Information relating to our contract with Customers, including payment data, will be retained for up to 7 years after termination of the contract to allow us to meet our legal obligations in relation to our accounting records.

## 10 Your rights

- 10.1 Under certain circumstances, by Data Protection Legislation you have the right to:
  - 10.1.1 **Request access** to your personal information (commonly known as a "subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- 10.1.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
  - 10.1.3 **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
  - 10.1.4 **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
  - 10.1.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
  - 10.1.6 **Request the transfer** of your personal information to another party.
  - 10.1.7 **Withdraw consent** in the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we are required to in accordance with another lawful basis which has been notified to you.
  - 10.1.8 **Complain** to the Information Commissioner's office if you are unhappy with our use of your personal data: you can do this at <https://ico.org.uk/concerns/>. Do contact us straight away if you consider that we are not handling your personal information properly so we can try and sort the problem out.
- 10.2 To exercise any of the above rights, please contact [admin@merxin.com](mailto:admin@merxin.com).
  - 10.3 You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
  - 10.4 We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.
  - 10.5 If we delete your personal information or restrict our use of it, we may not be able to provide our services to you.

## **11 Cookie policy**

- 11.1 Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site.
- 11.2 A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.
- 11.3 You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.
- 11.4 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.

## **12 Google Analytics**

- 12.1 We also use Google Analytics, a web analytics service provided by Google, Inc. Google Analytics sets a cookie in order to evaluate visitors' use of our site.
- 12.2 Google stores the information collected by the cookie on servers in the United States. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google.
- 12.3 For more information on Google Analytics please go to [https://www.google.com/analytics/analytics/#?modal\\_active=none](https://www.google.com/analytics/analytics/#?modal_active=none).

Merxin Ltd

Effective date of Policy: October 2018