

# Privacy Policy

**Smitten Matchmakers Limited Privacy Notice and Data Protection Policy for everyone we work with.**

February 2024

## **What is this policy for?**

**We take issues relating to your personal data really seriously. This policy is to explain more to you about how we handle your personal data. We will always be clear about why we need the details we ask for and ensure your personal information or that belonging to anyone you give to us is kept as secure as possible.**

It is important that you read this privacy policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Policy supplements the other notice and is not intended to override them.

This Policy is divided into the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms.

- 1. IMPORTANT INFORMATION AND WHO WE ARE**
- 2. THE DATA WE COLLECT ABOUT YOU**
- 3. HOW IS YOUR PERSONAL DATA COLLECTED**
- 4. HOW WE USE YOUR PERSONAL DATA**
- 5. DISCLOSURES OF YOUR PERSONAL DATA**
- 6. INTERNATIONAL TRANSFERS**
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- 8. DATA RETENTION**
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## **CONTROLLER**

Smitten Matchmakers Limited is the controller and responsible for your personal data (in the case of individual candidates or temps engaged through us) or your employees' personal data (in the case of clients) (collectively referred to in this policy as "we", "us" or "our")

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Policy. You should not hesitate to contact our DPO, Mera Mann.

Email address: [mera.mann@smittenuk.com](mailto:mera.mann@smittenuk.com)

Postal address: 7 Neptune Court, Vanguard Way, Cardiff, CF24 5PJ

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**

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.

If you provide us with an email address that you share with another person (such as a partner), you can expect them to see any emails that we send to you.

## **2. THE DATA WE COLLECT ABOUT YOU**

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:

- **Identity Data** includes first name, maiden name, last name, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery addresses, email address and telephone numbers.
- **Financial Data** includes bank account details.
- **Recruitment Data** includes all information about a person's criteria to finding a new partner including information they have disclosed to us at interviews which is necessary for us to carry out our service to them.
- **Technical Data** includes internet protocol (IP) address, and details of the devices you use to access our website.

- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may create anonymised CVs. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

**Special Categories of Personal Data** may include:

- information about a person's physical or mental health or condition
- racial or ethnic origin or religious or similar information
- information about a person's sexual life
- criminal records data

We do not intend to collect such data or use it in anyway. If we ever did need to process such data we would only do so with a person's express consent.

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

Where we need to collect personal data 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 (for example, to provide you with services). In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the time.

### **3. HOW IS YOUR PERSONAL DATA COLLECTED?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact, Recruitment and Marketing and Communications Data by filling in forms or by corresponding with us by post, phone, email or meeting face to face with us. This includes personal data you provide when you:
  - Use our services;
  - Subscribe to our mailing list for events;

- Request marketing materials or other information to be sent to you;
- Give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your activity. We collect this personal data by using cookies and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Another client/member who has referred you to us
  - **Identity and Contact Data** from publicly available sources such as Companies House and websites based inside the EU. For example, we may check who we should contact at a client organisation.

#### **4. HOW WE USE YOUR PERSONAL DATA**

We will only use your personal data when the law allows us to.

We only process data for the purposes we have agreed with you or where it relates to:

- carrying out our contract with you to find appropriate matches/partners – we need to process the data to perform these functions
- complying with legal requirements (such as our obligations to HMRC)
- pursuing our legitimate interests (such as being able to communicate with you and update you regarding events) and your interests and fundamental rights do not override those interests
- something you have consented to
- data that has been made public by you

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

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

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 tell 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
To register you as a new client and/or member	(a) Identity (b) Contact	Performance of a contract with you
To carry out our services	(a) Identity (b) Contact (c) Financial (d) Recruitment (e) Marketing and Communications	Performance of a contract with you
To process payment:  (a) Manage payments, subscription fees and charges  (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to and recover debts due to us)
To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policy	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to updated and to study how clients use our pro

(b) Asking you to leave a review, feedback or take a survey	(d) Marketing and Communications	
To maintain our systems	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for provision of administration and IT services, prevent fraud and in the context of a business group restructuring exercise)  (b) Necessary to comply with a legal obligation
To deliver relevant and targeted invitations to events	(a) Identity (b) Contact (c) Marketing and Communications	Necessary for our legitimate interests (to invest and organise)
To refer you to other third parties where that is important to you	(a) Identity (b) Contact	We only ever refer you to a third party such as a partner if you haven't asked us to put you forward to if you don't want us to do this.

We do not sell or share any data to other organisations.

### **MARKETING**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

### **PROMOTIONAL OFFERS FROM US**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

## **THIRD-PARTY MARKETING**

We do not share your personal data with any third parties for marketing purposes.

## **OPTING OUT**

You can ask us to stop sending you marketing messages at any time by contacting us.

## **COOKIES**

We don't deliberately collect data about you using cookies, but our website is hosted using a content management system that may be collecting functional data in the form of cookies. If you sign up for our mailing list on the website that emails us directly and that data is not then retained on the 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.

## **5. DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with:

- External Third Parties as set out in the Glossary.
- 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 Policy.

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.

## **6. INTERNATIONAL TRANSFERS**

We don't transfer any data in relation to the work we do for you outside of the UK.

We do use US based software Mailchimp which uses Identity Data to create mailings but are satisfied that the US have in place appropriate measures to protect data in the form of the US Privacy Shield and that Mailchimp have in place measures to protect data also.

## **7. DATA SECURITY**

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, agents, contractors 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.

## **8. DATA RETENTION**

### **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.

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.

## **9. YOUR LEGAL RIGHTS**



Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [Request access to your personal data.](#)
- [Request correction of your personal data.](#)
- [Request erasure of your personal data.](#)
- [Object to processing of your personal data.](#)
- [Request restriction of processing your personal data.](#)
- [Request transfer of your personal data.](#)
- [Right to withdraw consent.](#)

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

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 that you have given to us 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.

#### **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.

## 10. GLOSSARY

### 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 by 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 based in the UK who provide IT and system administration services: generally, they are accessing our systems for the legitimate interest of diagnosing and dealing with IT related problems rather than accessing personal data. We are satisfied that our contractual relationships with those providers contains provisions dealing and with the security of all data and that Lawware take appropriate measures to prevent unlawful access to the data).
- Our freelance administrator acting as a processor who offers admin support services. We have in place with her a contract which requires her to take the same steps we would take to protect your privacy and data and she has been trained in data security.