

## **Planet First Limited t/a Planet Mark - Privacy Policy**

This Privacy Policy is tailored to comply with the General Data Protection Regulation ((EU) 2016/679) (GDPR) and replaces our previous Privacy Policy.

Planet First Ltd is committed to privacy for everyone who accesses the website. Under the Data Protection Act, we must comply with certain requirements which are designed to ensure that any Data you provided to us is processed with due care and attention.

This policy 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. By visiting our website you are accepting and consenting to the practices described in this policy.

For the purpose of the Data Protection Act (the Act), the data controller is Planet First Ltd Registered address: 71-75 Shelton Street, London, England, WC2H 9JQ. Company Number: 08472139.

Our nominated representative for the purpose of the Act is Mr Steven Malkin who can be contacted at the above address.

### **1. Introduction**

- 1.1 We are committed to safeguarding the privacy of our website and business visitors and service users.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our website or potential website visitors and service users; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 We will ask you to consent to our use of cookies, if applicable, in accordance with the terms of this policy when you first visit our website. You consent to our use of cookies in accordance with the terms of this policy.
- 1.4 In this policy, "we", "us" and "our" refer to Planet First Limited.

### **2. How we use your personal data**

- 2.1 In this Section 2 we have set out:
  - (a) the general categories of personal data that we may process;
  - (b) in the case of personal data that we did not obtain directly from you, the source and specific categories of that data;
  - (c) the purposes for which we may process personal data; and
  - (d) the legal bases of the processing.
- 2.2 We may process data about your use of our website and or services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.
- 2.3 We may process your application data, this is data provided to us to store your personal information if you have provided it to us as part of registering on our system as a client, customer or potential client or customer ("**application data**"). The application data may include your name, title, company, partnership, position in company or partnership, email address, postal address and telephone number. The source of the application data is you. The application data may be processed for the purposes of operating our website, any business transaction including any expert witness work or support, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract. We may also collect and store information about you in reference to an employment application and that data will be stored in accordance with the terms of this policy.



- 2.4 We may process your information included in your client/contact application or application on our website if applicable or by email ("**profile data**"). The profile data may include your name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, interests and hobbies, educational details and employment details. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.5 We may process your personal data that are provided in the course of the use of our business and services ("**service data**"). The service data may include your personal data. The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent and or our legitimate interests, namely the proper administration of our website and business and or the performance of a contract between you and us or another and/or taking steps, at your request, to enter into such a contract.
- 2.6 We may process information contained in any enquiry you submit to us regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent. We may process information about you to carry out the provision of services to you. We may access the files of credit reference agencies to allow us to make the necessary credit checks. We may also process information to ensure that we comply with our legal obligations to check your identity and prevent fraud. We use third parties to provide search facilities for credit checks and we may process your information in this manner.
- 2.7 We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters if applicable ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent and the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.8 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users and candidates.
- 2.9 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others. We may disclose your information to comply with a legal requirement or as ordered to do so by a Court or Tribunal. We will take reasonable efforts to communicate with you prior to doing so unless we are legally restricted from doing so. We do not sell, rent or otherwise make personal information commercially available to any third party unless specified in this policy.
- 2.10 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 2.11 In addition to the specific purposes for which we may process your personal data set out in this Section 2, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation or contract to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 2.12. In addition, upon registration or contact, you may provide to us your name, your email address and other information. Without that information, we cannot provide our services. We have installed physical, electronic and managerial processes that keep your information safe when it is collected and subsequently stored.
- 2.13 Please do not supply any other person's personal data to us, unless we prompt you to do so.

### 3. Providing your personal data to others

- 3.1 We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining

professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

- 3.2 In addition to the specific disclosures of personal data set out in this Section 3, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 3.3 In the unlikely event that a liquidator, administrator or receiver is appointed over us or on any part of our assets, that insolvency practitioner may transfer your information to a third party purchaser of the business provided that the purchaser undertakes to use your information for the same purposes as set out in this policy.
- 3.4 If Planet First Ltd were merged with or taken over by another organisation, your personal data would become available to such organisation provided that such organisation provided an undertaking only to use it for the same purposes as are set out in this policy.

#### **4. International transfers of your personal data**

- 4.1 In this Section 4, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA). Personal data may be transferred to countries outside of the European Economic Area (EEA). Where data is transferred outside of the EEA, that transfer will meet the requirements of the safeguarding principles in the GDPR and the Data Protection Act 2018
- 4.2 You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

#### **5. Retaining and deleting personal data**

- 5.1 This Section 5 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 5.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 5.3 We will retain your personal data as follows:
- (a) Personal Data information will be retained for a minimum period of 6 years following submission, and for a maximum period of 7 years following submission.
  - (b) Data is destroyed by an appropriate measure. Paper documentation is not retained. Any supplied to us is considered to be confidential data is shredded. Information systems are disposed of in a confidential manner using our IT Consultants.
  - (c) We use Fluidity IT external consultants for the provision of our Information Technology systems. All devices used by the company are password protected and have anti virus software installed for security. We therefore have in place all the technical and organisational measures we are able to in order to secure data subjects data. We use Webroot anti-virus software to secure our data which is retained.
  - (d) Any CV submitted to us is retained for 6 months only and is then appropriate disposed of using a secure disposal system either electronically or by shredding if provided in paper.
- 5.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:
- (a) the period of retention of *personal data category* will be determined based on an annual review and will therefore be no longer than 7 years.
- 5.5 Notwithstanding the other provisions and information in this Section 5, we may retain your personal data where such retention is necessary for compliance with a legal or contractual obligation to which we are subject, or in

order to comply with a statutory limitation period or in order to protect your vital interests or the vital interests of another natural person.

## **6. Amendments**

- 6.1 We may update this policy from time to time by publishing a new version on our website.
- 6.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 6.3 We may notify you of changes to this policy by email or through the private messaging system on our website.

## **7. Your personal rights**

- 7.1 You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:
  - (a) the supply of appropriate evidence of your identity (for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address.
- 7.2 We may withhold personal information that you request to the extent permitted by law.
- 7.3 You may instruct us at any time not to process your personal information for marketing purposes.
- 7.4 In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes.

## **8. Your legal rights**

- 8.1 In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 8.2 Your principal rights under data protection law are:
  - (a) the right to access;
  - (b) the right to rectification;
  - (c) the right to erasure;
  - (d) the right to restrict processing;
  - (e) the right to object to processing;
  - (f) the right to data portability;
  - (g) the right to complain to a supervisory authority; and
  - (h) the right to withdraw consent.
- 8.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.
- 8.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

- 8.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 8.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 8.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.8 You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 8.9 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.10 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
  - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,
- and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 8.11 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 8.12 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 8.13 You may exercise any of your rights in relation to your personal data by contacting us at the registered office address.
- 9. About cookies**
- 9.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.



- 9.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 9.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

## **10. Cookies that we may use**

10.1 We use cookies for the following purposes:

- (a) authentication - we use cookies to identify you when you visit our website and as you navigate our website
- (b) status - we use cookies to help us to determine if you are logged into our website
- (c) personalisation - we use cookies to store information about your preferences and to personalise the website for you
- (d) security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally
- (e) advertising - we use cookies to help us to display advertisements that will be relevant to you
- (f) analysis - we use cookies to help us to analyse the use and performance of our website and services
- (g) cookie consent - we use cookies to store your preferences in relation to the use of cookies more generally

## **11. Cookies which may be used by our service providers**

11.1 Our service providers may use cookies and those cookies may be stored on your computer when you visit our website if applicable.

## **12. Managing cookies**

12.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

12.2 Blocking all cookies will have a negative impact upon the usability of many websites.

12.3 If you block cookies, you may not be able to use all the features on our website if applicable.

## **13. Our details**

13.1 Our Company Number is 08472139 and our Registered Office is at 71-75 Shelton Street, London, United Kingdom, WC2H 9JQ

13.2 Our principal place of business is at the above address.

13.3 You can contact us:

- (a) by post, to the postal address given above;
- (b) using any website contact form;
- (c) by telephone
- (d) by email, using the email address provided to you in our initial contact.

**14. Data Compliance Manager**

14.1 Our Data Compliance Managers contact details is Mr Steven Malkin at the above registered office address.

14.2 We are registered with the Information Commissioner for the purposes of Data Protection. Registration renewal date: March 2022.