

PRIVACY STATEMENT

Microcomms Professional Services, a company registered in England and Wales under number 05628446 whose registered address is at Wheal Jane Earth Science Park, Baldhu, Truro, TR3 6EE hereinafter referred to as (**'Microcomms' 'We', 'Us' or 'Our'**), have created this privacy statement (**'Statement'**) in order to demonstrate Our firm commitment to the privacy of the details that You provide to Us when using the Microcomms Site to access the Microcomms Services.

We are committed to protecting and respecting Your privacy and Your Personal Data. For the purpose of the Data Protection Act 1998 (and the GDPR as from the 25th May 2018, Microcomms is the Data Controller.

For all matters relating to privacy and data protection, please contact Paul Hodgson by email to Paul.Hodgson@Microcomms.co.uk or by telephone to 01209 843636

In this Statement, references to **'You'**, **'Your'** and **'Microcomms customer'** are references to customers who use Microcomms Site. When You use Microcomms Site to access Microcomms Services, You are consenting to the practices set forth in this Statement.

We aim to be as clear as possible in this Statement in respect of Your Personal Data. This Statement applies to Your Personal Data that We collect about You when You use the Microcomms Site, how and when it is used, how We protect it and who has access to it (the **'Terms'**).

This Statement incorporates Our Cookie Policy and Website Terms of use, and by this reference (collectively called the **'Microcomms Website Licence'**).

- Your Acceptance of this Privacy Statement
- What Personal Data is collected & how?
- How is your Personal Data used?
- Who has access to Your Personal Data?
- How do We protect Your Personal Data and for how long?
- Do We use cookies?
- Complaints or queries
- Your rights under Data Protection Legislation?
- Definitions & Interpretations
- Changes to this Privacy Statement

1. YOUR ACCEPTANCE OF THIS PRIVACY STATEMENT

This Statement governs Your use of the Microcomms Services, including any dispute concerning privacy. By using the Microcomms Services, You accept this Statement in full. You should read the Statement carefully and ensure that You understand its effect before proceeding to use the Microcomms Site to access the Microcomms Services. We reserve the right to make reasonable changes to any of the Terms herein at any time. Any changes We do make will be posted on this page and, where appropriate, notified to You by email, or, when You next log in, the new Terms may be displayed on-screen and You may be required to read and accept them to continue.

Personal Data and **Special Category Personal Data** are defined in accordance with the Data Protection Legislation. In this Privacy Statement, Personal Data shall include the meaning of Special Category Personal Data.

2. WHAT PERSONAL DATA IS COLLECTED & HOW?

A. PERSONAL DATA SUBMITTED VOLUNTARILY BY YOU TO US:

2.1 In order for Us to provide You with the Microcomms Services, We collect various types of Personal Data. We are committed to ensuring that the information We collect and use is appropriate, relevant and proportionate for the stated purpose. Some types of Personal Data may be voluntarily provided by You which is to be shared with Us

(and Microcomms Service Providers as applicable) in respect of yourself (or in respect of one or more other individuals where lawful authority is granted to You by those other individuals) which shall include as follows:

What Personal Data is processed?	Source: Where is it collected from/ via?	(1) What is the 'purpose' of processing? & (2) What is the lawful basis (Article 6 of the GDPR) for processing?	Retention: For how long is it held?
Email address First Name Surname	Newsletter sign up	To keep customer and potential customers aware of products and services that Microcomms offer	Until the user un-subscribes

Some of the information collected in the table above is essential for Us to provide You with the Microcomms Services but it is Your choice whether You provide all the information We request. Not providing information may affect Our ability to provide all the Microcomms Services to You.

- 2.2 We will retain your Personal Data only for as long as is necessary to provide the Microcomms Services which You request and in accordance with the retention periods set out in column 4 of the table at Clause 2.1. We shall then delete it unless you ask Us not to, or We have a legitimate reason to retain it. We need to retain sufficient information about You in compliance with legal or statutory requirements, for example, in the event of a legal or insurance claim in the future so that We can identify You.
- 2.3 We may from time to time offer a range of additional services. We may need to collect additional information about You as part of this. This may include but is not limited to promotions, prize draws, competitions and surveys. Additional notices about the information that We collect and how We will use it will be provided to You at the point that You are invited to avail of these additional services.
- 2.4 **Where We state that We rely on consent under [Article 6\(1\)\(a\)](#) to process Your Personal Data for a particular purpose as per column 3 of the table at Clause 2.1, You have the right to withdraw Your consent at any time. This will not affect the lawfulness of processing carried out by Us which was based on consent before its withdrawal.**

B. PERSONAL DATA AUTOMATICALLY COLLECTED BY US:

- 2.5 As part of the process of using the Microcomms Services, We may also collect the following types of Personal Data automatically about You via Your use of cookies and other technologies:
 - Your visits to the Microcomms Site and the Microcomms Content that You download;
 - Your IP address;
 - Your geographical location;
 - Your browser type and version;
 - Your operating system;
 - Your referral source;
 - Your length of visit;
 - Your page views and Site navigation and exit;

To learn more, please see Our Microcomms Cookie Policy.

- 2.6 Microcomms agrees and warrants that it will adhere to all Data Protection Legislation and will take appropriate technical and organisational security measures against the unauthorised or unlawful processing of Your Personal Data and against accidental loss or destruction of, or damage to Your Personal Data.
- 2.7 Microcomms shall process Personal Data list in the table at Clause 2.1 only to the extent, and in such a manner, as is necessary for the sole purpose of fulfilling the Microcomms Services (including making improvements to the Microcomms Services). For the avoidance of doubt, Microcomms is the exclusive owner (or lawful licensee) of the Microcomms Site as well as the Microcomms Content.

C. FINANCIAL PERSONAL DATA

- 2.8 No financial processing or transactions are available on Microcomms site at the time this policy was last updated.

3. HOW IS YOUR DATA USED?

- 3.1 Microcomms will process i.e. collect, store and use the Personal Data You provide in a manner that is compatible with the Data Protection Legislation.
- 3.2 We will endeavour to keep Your Personal Data accurate and up-to-date and not keep it for longer than is necessary. Our aim is not to be intrusive and We undertake not to ask irrelevant or unnecessary questions. Moreover, the information You provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.
- 3.3 **NON-MARKETING COMMUNICATIONS:** You acknowledge that, Your Personal Data may be used by Microcomms to contact You when necessary in connection with Your use of the Microcomms Site to access the Microcomms Services as follows:

What Type of Non-Marketing Communication?	Method of presentation/ sending?	Legal Basis for processing?
Account Management	Email or Telephone call	We do not need Your explicit consent for this as the “processing is necessary for the performance of a contract” under Article 6(1)(b) GDPR .

- 3.4 **MARKETING COMMUNICATIONS:** From time to time and with Your permission, Microcomms may contact You and send you Marketing Communications that We believe may be of interest to You which shall be of the type (and via the method(s)) referred to in the table. By looking at Your participation profile as well as any additional information which You have agreed can be shared with Us, We can identify news, offers and services that are most likely to be most relevant and will meet Your needs. When We send You a Marketing Communication, We may monitor whether You have opened the communication and clicked on any included links. This will enable Us to track and analyse Your level of engagement/ interest in the communication We are sending to You and will provide Us with further insight on what type of communications are of most interest to You. These Marketing Communications may come from Our Partner Organisations:

What Type of Marketing Communication?	Method of presentation/ sending?	Legal Basis for processing?	How can You opt out of continuing to receive direct marketing communications?
Microcomms product or service information	Email or Telephone	We will only send You these where You have provided Us with specific consent for this specific purpose as permitted under Article 6(1)(a) GDPR AND/ OR where You have purchased from Us and have not opted out of, or objected to, receiving Marketing Communications under Article 6(1)(f) GDPR .	Contact Microcomms offices by phone (01209 843636). By clicking 'Unsubscribe' on Marketing emails. By emailing Support@Microcomms.co.uk
General Microcomms news	Email or Telephone	We will only send You these where You have provided Us with specific consent for this specific purpose as permitted under Article 6(1)(a) GDPR AND/ OR where You have purchased from Us and	Contact Microcomms offices by phone (01209 843636). By clicking 'Unsubscribe' on Marketing emails. By emailing Support@Microcomms.co.uk

		have not opted out of, or objected to, receiving Marketing Communications under Article 6(1)(f) GDPR .	
Industry trends and information	Email or Telephone	We will only send You these where You have provided Us with specific consent for this specific purpose as permitted under Article 6(1)(a) GDPR AND/ OR where You have purchased from Us and have not opted out of, or objected to, receiving Marketing Communications under Article 6(1)(f) GDPR .	Contact Microcomms offices by phone (01209 843636). By clicking 'Unsubscribe' on Marketing emails. By emailing Support@Microcomms.co.uk

3.5 If You agree to receiving any of the above Marketing Communications but later change Your mind, You can opt out at any point, by amending Your Account preferences on the Microcomms Site. Alternatively, You can use the 'unsubscribe' link at the end of any Electronic Mail communication received by You.

3.6 **LEGITIMATE INTERESTS TO PROCESS YOUR PERSONAL DATA:** We process Personal Data about You where We have a legitimate interest to do so. In some cases, this may require Us to collect additional information from You or from other sources. Where We do rely on legitimate interests under [Article 6\(1\)\(f\) GDPR](#) to process Your Personal Data, You have the right to object to any of the processing We undertake. If You wish to object please contact us. Please bear in mind that if You object, this may affect our ability to provide to You the benefits of the Microcomms Services.

3.7 **PROFILING:** We may from time to time use publicly available demographic information to determine who We target for specific events or marketing campaigns so as to avoid contacting individuals unnecessarily.

4. WHO HAS ACCESS TO YOUR DATA?

4.1 To minimise the risk of unauthorised access to Your Personal Data, We use some of Your Personal Data to authenticate Your identity when You use the Microcomms Site to access the Microcomms Services.

4.2 We have a legitimate interest in sharing Your Personal Data with Our Microcomms Service Providers who We engage to provide some of Our business and daily operational functions on Our behalf to ensure the Microcomms Services. Consequently, We need to disclose Your Personal Data to them for the sole purpose of fulfilling the Microcomms Services only (including making improvements to the Microcomms Services) and not for the purposes of those Microcomms Service Providers sending Marketing Communications to You. We limit the Personal Data that We share to the minimum required to provide the service and the Microcomms Service Provider will only be able to use Personal Data for the specific purposes for which it was shared. We do not need Your express consent for this as We rely on legitimate interests under [Article 6\(1\)\(f\) GDPR](#) in addition to the fact that the "processing is necessary for the performance of a contract" under [Article 6\(1\)\(b\) GDPR](#).

4.3 Disclosure of Your Personal Data in Compliance with Laws or by way of a Legal/Statutory Obligation

4.4 You should be aware that We may release Your Personal Data when We believe it is necessary to comply with laws or regulations, to assist law enforcement, to enforce the terms under which You transact or communicate with Microcomms, or to protect the rights, property or safety of Microcomms, a Microcomms User/ Customer or other third parties. We may need to process Personal Data about You to comply with a legal or statutory obligation including but not limited to:

(a) accounting, auditing, compliance and administration practices; and,

(b) the maintenance of amendments to consents and to create suppression lists to ensure Microcomms Users/ Customers who object to processing are excluded from the relevant processing activity in the future.

4.5 Transfer of Your Personal Data

From time to time, We may transfer Your Personal Data to a related company, agent or contractor (also known as Microcomms Service Providers) in order to improve Our Microcomms Services or to assist our security, credit risk or fraud protection activities and as permitted by Data Protection Legislation from time to time.

Hosting: Your Personal Data will only be stored within the United Kingdom. You are deemed to consent to this by using the Microcomms Services. Should We need to transfer Your Personal Data outside of the UK or EEA in the future, it will be in compliance with the GDPR requirements for external transfer and all details will be added to Our Privacy Statement.

Some of Your Personal Data is transferred and stored outside of the European Economic Area (the “**EEA**”) (The EEA consists of all EU member states, plus Norway, Iceland, Liechtenstein.). It is stored in the US by Our Microcomms Service Provider called ConnectWise on Our behalf. You are deemed to consent to such transfers by becoming a Microcomms User or Customer. All Microcomms Service Providers that are third party data processors based in the US participate in and have certified compliance with [EU-US Privacy Shield Framework](https://www.privacyshield.gov/welcome) - <https://www.privacyshield.gov/welcome>.]

Direct Marketing: We use MailChimp, a US-hosted third party provider] to send out our Marketing Communications who are [insert the level of data protection afforded e.g. certified as adhering to Truste Certification. For more information, please see MailChimp’s [privacy notice](#).

4.6 Transfer of Personal Data in the Event of the Sale of Microcomms Professional Services or its Assets

In the event that Microcomms is sold or transfers some of its assets to another party, Your Personal Data could be one of the transferred assets. If Your Personal Data is transferred, its use will remain subject to this Privacy Statement. Your Personal Data will be passed on to a successor in the event of a liquidation or administration.

4.7 Other Websites and their Privacy Policies and Cookie Policies

The Microcomms Site may contain links to other websites or applications. Microcomms is not responsible for the privacy practices or the content of such websites or applications or for the privacy policies, cookie policies and practices of other third parties, so You should be careful to read and understand those policies independently.

5. HOW DO WE PROTECT YOUR PERSONAL DATA & FOR HOW LONG?

5.1 We aim to ensure Our Microcomms Services are fully inclusive and accessible to everyone. To make this possible We need to collect (and may provide to prospective Microcomms Service Providers) information on Your usage of the Microcomms Services which will help us review the accessibility of, and Your usage of, the Microcomms Services. This information is very important to Us as it also enhances Our understanding of the Microcomms User/ Customer needs and helps Us to aid the technical administration of Microcomms Site, to better understand how the Microcomms Site is/ functioning and to draw conclusions upon demographic information. Such information is provided in anonymised and aggregate form and do not include any individually identifiable data.

5.2 RETENTION: How long We keep Your Personal Data collected through the Microcomms Site depends on the context in which You provide it and the purpose for which We use it. We will only retain it for as long as is necessary for such purposes. Microcomms uses its discretion to decide retention periods in consultation with the advice provided by any organisation by which We are a member of or regulated or governed by as referred to at the top of this Privacy Statement. Our retention periods are set out in the table at Clause 2.1.

5.3 TELEPHONE CALLS: We may record calls, both inbound and outbound, as it helps Us to understand the contents of the conversations better especially when they involve work requests/ instructions from You. These recordings may also be used for training and quality control to ensure that We continuously monitor and improve Our service standards. Sometimes, We need to listen to a call over and over again to save Us contacting You again for the same info! If We record calls, they are recorded and stored on Our own encrypted phone systems. Sometimes We will download it to a computer file. All recordings are deleted from Our computers as soon as We determine that We no longer need it. This may be immediately following the call. Our legal basis for processing Personal Data in this way is supported by [Article 6\(1\)\(b\) GDPR](#) or where contract does not apply, We rely on Our legitimate interests under [Article 6\(1\)\(f\) GDPR](#)

6. DO WE USE COOKIES?

For information about cookies and how they are used on the Microcomms Site, please visit Our Microcomms Cookie Policy.

7. YOUR RIGHTS UNDER DATA PROTECTION LEGISLATION

What is your right under the GDPR?	How do we honour your right?
The right to be informed	We must provide ‘fair processing information’, typically through a privacy statement such as this describing how and why We collect and use Your Personal Data. Read more guidance from the ICO on what information we should supply to You and when You should be informed (which shall differ depending on whether or not We obtained the Personal Data directly from You or a third party).
The right of access	We try to be as open and transparent as We can be in terms of giving You access to the information that We hold on You. You are entitled to be able to check the lawfulness of any

	<p>processing of Your Personal Data. You can contact us at any time to view the Personal Data that We hold about You on Your Account. You can find out if We hold (and process) any other Personal Data by making a 'Data Subject Access Request' (DSAR). To make a DSAR to access Your Personal Data that We may hold, You need to put the request in writing addressing it to the postal address provided or You can send it electronically to the email address below. We will action Your request without delay and at the latest within one (1) month of Your request subject to any extensions granted. Alternatively, if You agree, We will try to deal with Your request informally, for example, by providing You with the specific information You need over the telephone.</p> <p>If you wish, You can make Your request using the Microcomms DSAR Form. If We do hold information about You, We will:</p> <ul style="list-style-type: none"> • Describe the information We hold and tell You why We are holding it; • Tell You who it could be shared with; and, • Provide You with a copy of the requested information in an easy to understand format. <p>Read more guidance from the ICO.</p>							
<p>The right of rectification</p>	<p>You are entitled to have Your Personal Data rectified if it is inaccurate or incomplete. If We have disclosed this to third parties, We will inform You. We have one month initially to rectify it subject to a possible extension.</p> <p>Where We decide not to rectify, We shall provide an explanation as to why We are not making changes and inform You of Your further rights.</p> <p>You can also contact us at any point to request us to amend information held in Your Account that has changed or is no longer accurate.</p> <p>Read more guidance from the ICO.</p>							
<p>The right of erasure</p>	<p>You have a legal and personal "right of erasure", the extension of which is also known as the "right to be forgotten". Upon Your request, We will close Your Account and remove Your Personal Data as soon as reasonably possible from all of Our records unless a lawful reason exists for Us to retain some or all of it.</p> <p>You can also contact us at any point to delete Your Personal Data held in Your Account.</p> <p>Read more guidance from the ICO.</p>							
<p>The right to restrict processing</p>	<p>You have a right to 'block' or 'suppress' the processing of Your Personal Data under certain circumstances but We are still entitled to store just enough of Your Personal Data to ensure that the restriction is respected in future.</p> <p>Read more guidance from the ICO.</p>							
<p>The right to object</p>	<p>You have the right to object to Us processing Your Personal Data:</p> <table border="1" data-bbox="483 1528 902 1900"> <tr> <td data-bbox="483 1528 902 1703"> <p>based on legitimate interests or the performance of a (legal) task in the public interest/ exercise of official authority (including profiling);</p> </td> <td data-bbox="902 1528 1377 1703"> <p>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;</p> </td> </tr> <tr> <td data-bbox="483 1703 902 1818"> <p>for purposes of scientific/historical research and statistics provided that You have "grounds relating to Your particular situation";</p> </td> <td data-bbox="902 1703 1377 1818"> <p>the processing is necessary for the performance of a public interest task;</p> </td> </tr> <tr> <td data-bbox="483 1818 902 1900"> <p>for direct marketing (including profiling)</p> </td> <td data-bbox="902 1818 1377 1900"> <p>N.B. There are no exemptions or grounds to refuse. You have an absolute right to object to Us processing Your</p> </td> </tr> </table>	<p>based on legitimate interests or the performance of a (legal) task in the public interest/ exercise of official authority (including profiling);</p>	<p>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;</p>	<p>for purposes of scientific/historical research and statistics provided that You have "grounds relating to Your particular situation";</p>	<p>the processing is necessary for the performance of a public interest task;</p>	<p>for direct marketing (including profiling)</p>	<p>N.B. There are no exemptions or grounds to refuse. You have an absolute right to object to Us processing Your</p>	<p>Unless:</p>
<p>based on legitimate interests or the performance of a (legal) task in the public interest/ exercise of official authority (including profiling);</p>	<p>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;</p>							
<p>for purposes of scientific/historical research and statistics provided that You have "grounds relating to Your particular situation";</p>	<p>the processing is necessary for the performance of a public interest task;</p>							
<p>for direct marketing (including profiling)</p>	<p>N.B. There are no exemptions or grounds to refuse. You have an absolute right to object to Us processing Your</p>							

	<div style="border: 1px solid black; padding: 2px; display: inline-block;">Personal Data for the purposes of direct marketing.</div> <p>Read more guidance from the ICO.</p>
The right to data portability	<p>You are entitled to obtain (in a commonly used and machine readable form) and reuse Your Personal Data that You have provided to Us (via consent or contract performance) and which We process by automated means for Your own purposes across different services and free of charge. We must respond to a request without undue delay, and within one month whether or not We decide to action Your request. Where We decide not to, We shall inform You of Your further rights.</p> <p>Read more guidance from the ICO.</p>
Rights related to automated decision making and profiling	<p>Subject to any exceptions, We should not take a potentially damaging decision concerning You as a result of using automated processing operations without human intervention. We must ensure that You have the opportunity to:</p> <ul style="list-style-type: none"> - obtain human intervention; - express your point of view; and, - obtain an explanation of the decision and challenge it. <p>Read more guidance from the ICO.</p>

8. COMPLAINTS OR QUERIES

If You have a complaint about the way in which Microcomms has processed Your Personal Data or a general request for information about Our Privacy Statement or a Data Subject Access Request, please contact the person named in the introduction in writing or by email.

Microcomms tries to meet the highest standards when collecting and using Personal Data. For this reason, We take any complaints We receive about this very seriously. We encourage You to bring it to Our attention. We are happy to provide any additional information or explanation needed in respect of Our processing activities upon request. If You are still not happy with the way in which Your Personal Data is being processed by Us, please contact the UK’s supervisory authority to whom You can lodge a complaint – www.ico.org.uk.

9. DEFINITIONS & INTERPRETATIONS

Article 6(1)(a) GDPR: You have given Your consent to the processing of Your Personal Data for the specific purpose(s).

Article 6(1)(b) GDPR: the “processing is necessary for the performance of a contract”.

Article 6(1)(c) GDPR: processing is necessary for compliance with a legal obligation to which We as a Data Controller are subject.

Article 6(1)(d) GDPR: processing is necessary in order to protect the vital of You or another natural person.

Article 6(1)(e) GDPR: processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Us as a Data Controller.

Article 6(1)(f) GDPR: processing is necessary for the purposes of the legitimate interests pursued by Us as a Data Controller or by a third party and such interests are not overridden by Your interests or fundamental rights and freedoms of the data subject which require protection of Personal Data.

Data Protection Legislation: refers to the **GDPR** together with any other applicable regulations, orders, code of practice and guidance.

Data Subject Access Request or ‘DSAR’: refers to right of access as further described in the table at Clause 7.

Electronic Mail: includes email, text, video, voicemail, picture and answerphone messages (including push notifications).

Intellectual Property Rights: patents, rights to inventions, copyright and neighbouring and related rights, trademarks and service marks, business names and domain names, rights in get-up and trade dress, goodwill and the right to sue for passing off or unfair competition, rights in designs, database rights, rights to use, and protect the confidentiality of, confidential information (including know-how and trade secrets) and all other intellectual property rights, in each case whether registered or unregistered and including all applications and rights to apply for and be granted, renewals or extensions of, and rights to claim priority from, such rights and all similar or equivalent rights or forms of protection which subsist or will subsist now or in the future in any part of the world.

Marketing Communication(s): refers to any communication whether by an Electronic Mail method or otherwise that We send to You (either directly or via a Microcomms Service Provider) or that a Partner Organisation may send to You which may include but are not necessarily limited to relevant newsletters and magazines, information about opportunities, products, services and events and relevant information.

Non-Marketing Communication(s): refers to any communication which is functional/ administrative only and are not Marketing Communications.

Partner Organisation: refers to a third party (as distinct from Microcomms Service Providers) with whom We may share Your Personal Data from time to time subject to Your consent who may then contact You directly with Marketing Communications or Non-Marketing Communications subject to Your permission. You can find a list of Our Partner Organisations here.

Personal Data: has the meaning set out in the [GDPR](#).

Microcomms Content: the content including all Intellectual Property Rights therein residing on the Microcomms Site (which may or may not include Personal Data).

Microcomms Services: refers to the Microcomms services We may provide to You.

Microcomms Service Providers: refers to the external third party data processors (as distinct from Partner Organisations) with whom We work with from time to time as a necessary part of providing the Microcomms Services and with whom We therefore need to share Your Personal Data with from time to time which shall include professional and legal advisors in addition to those listed at clause 4.5.

Microcomms User/ Customer: refers to the person using the Microcomms Site.

Special Category Data: is defined under [Article 9 of the GDPR](#) as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

10. CHANGES TO THIS STATEMENT

We keep Our Statement under regular review. This Statement was last updated on 25/5/18