

CLM Trading Company Limited – website privacy policy

CLM Trading Company Limited respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

1. Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how we collect and process your personal data through your use of this website, including any data you may provide through this website when you sign up to receive updates or a newsletter from us or make an enquiry regarding our services.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy 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 privacy policy supplements other notices and privacy policies and is not intended to override them.

Controller

CLM Trading Company Limited trading as "CLM Ltd" is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

We have appointed a data privacy team who are responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy team using the details set out below.

Contact details

CLM Trading Company Limited, Sackville House, Sackville Lane, Hartfield, East Sussex, TN7 4AW

Email address: info@c-l-m.co.uk

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). 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 policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 1st July 2020.

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.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

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 as follows:

Identity Data includes first name, last name, username or similar identifier, title, date of birth and gender.

Contact Data includes billing address, email address and telephone numbers.

Financial Data includes bank account and payment card details and results of credit searches and anti-money laundering checks.

Transaction Data includes details about payments to and from you and other details of services you have purchased from us, farming holding numbers and other similar information and any references relating to you.

Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.

Profile Data includes details of services provided to you, your interests, preferences, feedback and survey responses.

Usage Data includes information about how you use our website and services.

Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. 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.

To comply with our legal obligations during the Covid-19 pandemic, we may need to collect information relating to your health. Information relating to an individual's health falls within a special category of personal data under the data protection legislation and is afforded stronger protections which are set out in the annex to this privacy policy. We do not collect any other special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or 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. In this case, we may have to cancel the services we are to provide to you 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 and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

apply for our services;

subscribe to our updates, publications or request marketing to be sent to you; or

give us feedback or contact us.

Automated technologies or interactions. As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookie policy for further details.

Third parties or publicly available sources. We will receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:

1. analytics providers such as Google based outside the EU;
2. advertising networks; and
3. search information providers.

Contact, Financial and Transaction Data from providers of technical, payment and delivery services.

Identity and Contact Data from referencing companies, former or current landlords and data brokers or aggregators.

Identity and Contact Data from publicly available sources such as Companies House.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

Where we need to perform the contract we are about to enter into or have entered into with you.

Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although if you are not a client we will get your consent before sending marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

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 contact 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 of legitimate interest
To register you as a new client	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your ordered services including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to 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 (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our services)
To enable you to complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how clients use our services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	Necessary for our legitimate interests (to study how clients use our services, to develop them, to grow our business and to inform our marketing strategy)

	(f) Technical	
To use data analytics to improve our website, services, marketing, client relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of clients for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our services and grow our business)

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 services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased services from us and you have not opted out of receiving that marketing or if you have given your express opt-in consent to receive marketing communications.

Opting out

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us so we can provide our services to you.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please **click here** to see our cookie policy.

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 share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above:

Professionals such as lawyers, surveyors, mortgage brokers, accountants or auditors who are involved in the sale, purchase, letting or management of your property.

Service providers (acting as processors) who provide IT and system administration services.

Third parties we need to engage to provide our services to you.

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 and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

We only transfer your personal data outside of the European Economic Area (**EEA**) when it is absolutely necessary to do so. Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it.

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

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

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 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 services to you. We will advise you if this is the case at the time you withdraw your consent.

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

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 could 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 could 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.

Covid-19 – privacy policy annex

1. About this annex

9.1 This annex sets out how we will protect information you provide to us relating to your health. Information relating to an individual's health falls within a special category of personal data under the data protection legislation and is afforded stronger protection than other personal data that we hold such as your name and address. This annex meets the requirement of the Data Protection Act 2018 that an appropriate policy document be in place where processing special categories of personal data in certain circumstances.

9.2 The terms of this annex apply in addition to the terms of our privacy policy when we process any of your personal data that falls within a special category of personal data. When processing such data only, in the event of a conflict between the provisions of this annex and the provisions of our privacy policy, the provisions of this annex shall prevail.

9.3 We are keeping this annex to our privacy policy under regular review throughout the Covid-19 pandemic and this annexed policy will be retained where we process special categories of personal data for a period of at least six months after we stop carrying out such processing.

10. Why we process special categories of personal data

We process special categories of personal data, in particular, relating to your health to comply with government guidelines issued to limit the spread of Covid-19 and to keep our clients and employees as safe as possible during the pandemic.

11. Compliance with data protection principles

Your personal data must be processed lawfully, fairly and in a transparent manner. We can process special categories of personal data only if we have a legal ground for processing and one of the specific processing conditions relating to special categories of personal data applies. We have set out below, in a table format, a description of all the ways we plan to use personal data relating to your health, and which of the legal bases we rely on to do so.

Lawful processing basis	Processing condition for special categories of personal data
Data concerning health: (a) Performance of a contract with you (b) Necessary to comply with a legal obligation	Necessary for health or social care purposes. <i>(Paragraph 2(1), Schedule 1, Data Protection Act 2018.)</i> Necessary for reasons of public interest in the area of public health <i>(Paragraph 3(a), Schedule 1, Data Protection Act 2018.)</i>

12. Retention and erasure of special categories of personal data

We only keep personal data in an identifiable form for as long as is necessary for the purposes for which it was collected, or where we have a legal obligation to do so.

Once we no longer need personal data it shall be deleted or rendered permanently anonymous.

We take the security of special categories of personal data very seriously. We have administrative, physical and technical safeguards in place to protect personal data against unlawful or unauthorised processing, or accidental loss or damage. We will ensure, where special categories of personal data are processed that:

- (1.a) the processing is recorded, and the record sets out, where possible, a suitable time period for the safe and permanent erasure of the different categories of data in accordance with our privacy policy;
- (1.b) where we no longer require special categories of personal data for the purpose for which it was collected, we will delete it or render it permanently anonymous as soon as possible; and
- (1.c) where records are destroyed we will ensure that they are safely and permanently disposed of.