

# ZRK Limited – Privacy Policy

## **INTRODUCTION**

Welcome to the ZRK Ltd privacy policy (**Policy**).

ZRK respects your privacy and is committed to protecting your personal data. This Policy will inform you as to how we look after your personal data, including when you visit our websites (regardless of where you visit it from), or when you order or use our services, and tells you about your privacy rights and how the law protects you.

We will never (ever) sell your personal data to a third party.

This Policy is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this Policy.

1. **IMPORTANT INFORMATION AND WHO WE ARE**

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1. **IMPORTANT INFORMATION AND WHO WE ARE**

## **PURPOSE OF THIS POLICY**

This Policy aims to give you information on how ZRK collects and processes your personal data, including through your use of this website, and any data you may provide through this website, or when you contact us or sign up to our newsletters, commission or order a product or service, or take part in a survey.

This website is not intended for children under 16 and we do not knowingly collect data relating to children.

It is important that you read this 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 notices and is not intended to override them.

## **CONTROLLER**

ZRK Limited is the controller and responsible for this website. and is the controller and responsible for your personal data (collectively referred to as 'ZRK', 'we', 'us' or 'our' in this Policy).

Our Technical Officer (CTO) is responsible for overseeing questions in relation to this Policy. If you have any questions, including any requests to exercise *your legal rights*, please contact the CTO using the details set out below.

## CONTACT DETAILS

Our full details are: ZRK Limited, with its registered office at Amelia House, Crescent Road, Worthing, West Sussex, England, BN11 1QR, UK.

Email: support@zrkldn.com

## CHANGES TO THE POLICY AND YOUR DUTY TO INFORM US OF CHANGES

This version was last updated in February 2019 and may be subject to further revisions.

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 notice 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, data of birth, photos or other images.
- **Contact Data** includes: billing address or home address, email address and telephone numbers, and social media account details.
- **Financial Data** includes: bank account and payment card details.
- **Transaction Data** includes: details about payments to and from you and other details of products and services you have ordered or commissioned from us, or from an authorised third party data controller.
- **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: any username and password to access our systems, commissions or orders made by you, your interests, preferences, feedback and survey responses, or provided to us by an authorised third party data controller.
- **Usage Data** includes: information about how you use our website, products and services, or those provided to us by an authorised third party data controller.
- **Marketing and Communications Data** includes: your preferences in receiving marketing from us and any third parties made known to you 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.

We do not collect any **Special Categories of Personal Data** about you or 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 (for example, to provide you with services). In this case, we may have to cancel an order or 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 and Financial Data by filling in forms or by corresponding with us by post, phone, email, social media or otherwise. This includes personal data you provide when you:
  - commission or order our products or services (for example, email or via our websites);
  - subscribe to our social media feeds or channels;
  - request marketing to be sent to you;
  - enter a competition, promotion or survey;
  - make a general enquiry about our products or services; or
  - give us feedback.
- **Automated technologies or interactions.** As you interact with our website or social media accounts, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our [Cookie Policy](#) for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Technical Data from the following parties:

**(a)** analytics providers such as Google based inside or outside the EU;

**(b)** advertising or social media networks, such as Google Ads, Facebook, Twitter, YouTube and Instagram based inside or outside the EU; and

**(c)** search information providers, such as Google, based inside or outside the EU.

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as PayPal or Stripe, based inside or outside the EU and HM Revenue & Customs (HMRC).
- Technology providers we use, including G Suite, based inside or outside the EU.
- Third party clients of ZRK, to whom you have given express permission to obtain and pass your data to us.
- Identity and Contact Data from publicly available sources.

### **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 or with a third party

client of ours.

- 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 or regulatory obligation.

Click [here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending you marketing or third party direct marketing communications via email or text message. You have the right to withdraw consent to marketing at any time by [Contacting us](#) or by clicking ‘unsubscribe’ in any communication you receive from us.

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

We have set out below 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 customer or account holder	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver a service or product order including: (a) Manage payments, fees and charges (b) Pass your details to a third party client or administrative or technology providers in order to perform our services (i.e. delivery or payment). (c) Collect and recover money owed to us (d) Perform services on behalf of a third party client of ZRK	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you or with a third party client of ZRK  (b) Necessary for our legitimate interests (for tax and legal liability purposes, or 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) If have some other form of	(a) Identity (b) Contact (c) Profile (d) Financial	(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, to comply with our legal and tax obligations, or to study

contractual relationship with us (c) Asking you to leave a review or take a survey	(e) Transaction (f) Marketing and Communications	how customers use our products/services)
To enable you to take part in a prize draw, competition or 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 customers use our products/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, social media feeds and updates 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 (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer and client relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers and clients for our products and 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 goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/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:

### SURVEYS & PROMOTIONAL OFFERS FROM US

We may use your Identity, Contact, Technical, Usage and Profile Data, and data related to previous purchases or interactions with us, to form a view on what we think may be of legitimate interest to you. This is how we decide which products, services and offers may be relevant for you.

We may send you product or service renewal reminders close to the anniversary of taking up a product or service or other communications we are obliged to send under a legal or contractual obligation.

You may receive marketing communications from us if you have expressly requested information from us about our services, or purchased goods or services, or made an enquiry, or if you provided us with your details when you entered a competition or registered for a promotion.

We will not however send you generic marketing about ZRK unless you have expressly consented to receive it.

### THIRD-PARTY MARKETING

We will seek your express opt-in consent before we share your personal data with any company outside of the Company for marketing purposes. Or will ensure there is a lawful basis for us processing your personal data provided to us by a third party (for example, delivery of an order).

### OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time or by following the opt-out or 'unsubscribe' links in any marketing message sent to you or by [Contacting us](#).

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service commission or order, warranty registration, product/service experience or other transactions, or where we need to keep your contact details or make contact with you for contractual performance or legitimate interest purposes.

### 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 see [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 have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in the [Glossary](#) or elsewhere in this Policy.
- External Third Parties as set out in the [Glossary](#) or elsewhere in this Policy.
- Specific third parties listed in the [Glossary](#) or elsewhere in this Policy.
- 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 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

In order to perform our services we may have to transfer your personal data outside the European Economic Area ('EEA').

Some of our external third party technology providers (as set out above) are based outside the EEA so their processing of your personal data may involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we seek to ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to third parties that have signed our own Data Processing Agreement to safeguard and secure your personal data, or which are located in countries deemed to provide an adequate level of protection by the UK authorities or the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- Where we use international service providers, we are invariably bound by their own Data Processing Agreements, usually in a form approved by the UK authorities or European Commission, and which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- Where we use service providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the UK or European Union (EU) and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

Please [Contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 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.

We seek to use third party technology providers that are ISO27001 certified or equivalent (SOC II) where practical.

## 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.

By law we have to keep basic information about our customers, clients, suppliers and employees (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers, clients, suppliers or employees for tax and legal liability purpose, but we also keep this information to make it easier for customers and clients to make new, follow-on or repeat service orders. We will seek to renew consent for marketing communications on a periodic basis.

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](#).

### 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

**Consent** means the unambiguous approval to use personal data in a specific way, it must involve a clear affirmative action (an opt-in). In relation to the use of Special Personal Data, the consent must be given expressly in relation to this use. We seek consent in relation to marketing permissions and in relation to our own employees or sub-contractors.

**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

#### INTERNAL THIRD PARTIES

Other companies in the ZRK group, where relevant, acting as joint controllers or processors and which provide IT and system administration services and undertake leadership reporting.

#### EXTERNAL THIRD PARTIES

- Service providers acting as processors based in and outside the EU who provide IT, technology and system administration services,
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based within the EU who provide consultancy, banking, legal, insurance and accounting services to us.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom or EU who require reporting of processing activities in certain circumstances.

### YOUR LEGAL RIGHTS

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 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.

## 11. COOKIE POLICY

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

**Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.

**Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

**Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

**Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

You block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

[END]