

**This Privacy Policy explains when and why we collect personal data about you when you visit [www.kreativkinetics.co.uk](http://www.kreativkinetics.co.uk) (our main website) & [www.kreativoccasions.co.uk](http://www.kreativoccasions.co.uk) (forwarded domain). Our commitment to protecting and respecting your privacy is contained within our company Data Protection & Best Practise Policy, of which our internet-based activities form just a part.**

*This document replaces Issue 1.0 (01 June 2017)*

## 1. Introduction

1.1 Kreativ Kinetics Ltd are committed to safeguarding the privacy of our (prospective, current and past) customers, service users and website visitors.

1.2 This Privacy Policy applies where we are acting as a Data Controller with respect to the personal data of our customers, service users and website visitors; in other words, where we determine the purposes and means of the processing of that personal data.

1.3 We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website, we will ask you to consent to our use of cookies when you first visit our website. **If you share a computer or other device to access the internet, please ensure each user has read and agrees to the Privacy Policy prior to use.**

1.4 Our website incorporates privacy controls which affects how we will process your personal data. By using the privacy controls, you can specify whether or not you would like to receive direct marketing communications and/or limit the publication of your information. You can access the privacy controls by logging into your account.

1.5 In this policy, "we", "us" and "our" refer to Kreativ Kinetics Ltd. For more information about us and our Data Protection Office, see Sections 2 & 3.

## 2. Our Details

2.1 This website is owned and operated by Kreativ Kinetics Ltd.

2.2 We are Registered in England and Wales under Registration Number 10367877, and our Registered Office is at 6 Ailwin Road, Bury St Edmunds, Suffolk IP32 7DS.

2.3 Our principal place of business is at 6 Ailwin Road, Bury St Edmunds, Suffolk IP32 7DS.

2.4 You can contact us:

- (a) by post, to the postal address given above;
- (b) using our website contact form;
- (c) by telephone, on 01284 750123.

## 3. Data Protection Officer

3.1 Our Data Protection Officer's contact details are: The DPO, Kreativ Kinetics Ltd (at 2.3 above).

## 4. How we use your personal data

4.1 In this Section 4 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.

4.2 **Usage Data:** we may process data about your use of our website and services. The Usage Data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views (and duration) 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 & improving our website and services.

4.3 **Account Data:** we may process your account data. The Account Data may include your (business) name, address, telephone number and email address. The source of the Account Data is you or your employer. The Account 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 the performance of a *Contract* between you and us and/or taking steps, at your request, to enter into such a Contract.

4.4 **Service Data:** we may process your personal data that are provided in the course of the use of our services. The Service Data may include your (business) name, address, telephone number and email address. The source of the service data is you or your employer. The Service Data may be processed for the purposes of operating our website, providing our goods and/or services (including competitions and prize draws), 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 the performance of a *Contract* between you and us and/or taking steps, at your request, to enter into such a contract.

4.5 **Correspondence Data:** we may process information contained in or relating to any enquiry or correspondence you send to us. 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 the website contact forms. The Correspondence Data may be processed for the purposes of communicating with you, record-keeping, offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is our *Legitimate Interests*.

4.6 **Customer Relationship Data:** we may process information relating to our customer relationships, including customer contact information. The Customer Relationship Data may include your (business) name, your employer, your job title or role, your contact details, and information contained in communications between us and you or your employer. The source of the Customer Relationship Data is you or your employer. The Customer Relationship Data may be processed for the purposes of managing our relationships with customers, communicating with customers, keeping records of those communications and/or promoting our products and services to customers. This may also include information that you post for publication on our website or through our services which may also take the form of Feedback or Reviews you may have provided about us, our products and/or services. The legal basis for this processing is our *Legitimate Interests*.

4.7 **Transaction Data:** we may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website. The Transaction Data may include your contact details, your payment card details and the transaction details. The Transaction Data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. If you are making a VAT Exemption Declaration with any order for goods/services,

we are also required to keep details of any medical condition(s) to satisfy HMRC rules. (Such Declarations are kept separate from all other documents and are not recorded or stored in any other format). The legal basis for this processing is the performance of a *Contract* between you and us (and/or taking steps, at your request, to enter into such a contract), our *Legitimate Interests* and our *Legal Obligations*, namely the proper administration of our website and business.

4.8 **Notification Data:** we may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters. The Notification Data may be processed for the purposes of sending you only the relevant notifications and/or newsletters. The legal basis for this processing is our *Legitimate Interests*.

4.9 **Marketing Data:** we may process data specific to trade/business users in order to provide marketing support services via our website. This data may include contact name, business name, address, telephone number, website and email address. The source of this data is you (or the business). This data may be processed for providing information to customers of our website in the form of a display advertisement in our Stockists section. The legal basis for this processing is *Contract*.

4.10 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.

4.11 We may process any of your personal data identified in this policy where it is 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.

4.12 In addition to the specific purposes for which we may process your personal data set out in this Section 4, we may also process any of your personal data where such processing 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.

4.13 Please do not supply any other person's personal data to us, unless we prompt you to do so.

4.14 This website is not intended for use by anyone under the age of 18 (and we are unable to accept orders or account requests).

## 5. Providing your personal data to others

5.1 We may disclose your personal data to any member of our company (this includes any other trading names associated with our company) insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.

5.2 We may disclose your personal data to our insurers, bank and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, checking credit risk, 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.

5.3 We may disclose Account Data and/or Service Data to our suppliers or subcontractors insofar as reasonably necessary for provision of any delivery services, vehicle insurance arranged by third parties (the legal basis for this processing is *Contract*); or Correspondence Data and/or Customer Relationship Data for the provision of services from other businesses either on our behalf, or independently, for which your consent will be obtained prior to this action (the legal basis for this processing is *Consent*).

5.4 Financial transactions relating to our website and services may be handled by our payment services providers, Stripe (for website transactions) and Global Payments (for offline transaction). We will share Transaction Data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. The legal basis for this is *Contract*. You can find information about the payment services providers' privacy policies and practices at <https://stripe.com/gb/privacy> and <https://www.globalpaymentsinc.com/en-gb/privacy-statement>.

5.5 We may disclose your Correspondence Data to one or more third party suppliers of goods and services either identified on our website or notified to you separately for the purpose of enabling them to contact you so that they can offer, market and sell to you relevant goods and/or services. Each such third party will act as a Data Controller in relation to the Correspondence Data that we supply to it; and upon contacting you, each such third party should supply to you a copy of its own privacy policy, which will govern that third party's use of your personal data. The legal basis for this processing is *Consent*.

5.6 In addition to the specific disclosures of Personal Data set out in this Section 5, 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.

## 6. International transfers of your personal data

6.1 In this Section 6, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).

6.2 The hosting facilities for our website are situated in the U.S. and at various locations in Europe (including Israel), and is registered for VAT in Europe. The European Commission has made an "adequacy decision" with respect to the data protection laws of each country. Transfers to any of these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission, a copy of which you can obtain from [https://ec.europa.eu/search/Adequacy Decision](https://ec.europa.eu/search/Adequacy%20Decision).

6.5 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.

## 7. Retaining and deleting personal data

7.1 This Section 7 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.

7.2 Personal data that we process for any purpose(s) shall not be kept for longer than is necessary for that purpose/those purposes.

7.3 We will retain your personal data as follows:

(a) Transaction Data and Service Data will be retained for a minimum period of 6 years (and for an estimated maximum period of 10 years) following our Financial Year End at 31st July annually. This is so that we can fulfil our statutory obligations and maintain accurate records regarding vehicle warranties/service history data.

(b) Data not included in 7.3 a) or other performance of Contract/Legal Obligations, will be retained for a minimum period of 12 months (and for a maximum period of 2 years) following our Financial Year End at 31st July annually, with the exception of:

(c) Notification and Marketing Data will be retained for a minimum of 2 years, after which time we will ask you to confirm you would like to continue receiving email/postal notifications and/or stockists listings and marketing support (trade only). If you choose not to renew, we will retain your name and email address. All other un-necessary personal data will be removed.

7.4 We may choose to collate statistical data taken from personal data which will be used indefinitely as part of our continuing business performance evaluations, but will no longer contain personally identifiable information. We may also choose to continue to display any feedback or reviews left about our products/services - this information will provide the marital status, an Initial from a surname and a general location in the UK (but no other personally identifiable data, unless Consent has been given to do so).

7.5 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 Legal Obligations and review on an individual basis as the need arises.

7.6 Notwithstanding the other provisions of this Section 7, we may retain your personal data where such retention 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.

7.7 If it is not possible to fully delete or isolate data, if we are able to, data will be archived until it becomes possible to delete.

## 8. Amendments

8.1 We may update this policy from time to time by publishing a new version on our website.

8.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

8.3 We may notify you of any changes to this policy by email or by post.

## 9. Your rights

9.1 In this Section 9, 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.

9.2 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.

9.3 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 which we charge at £2.50. You can access your personal data by visiting [www.kreativkinetics.co.uk](http://www.kreativkinetics.co.uk) when logged into our website. (This only includes data you have specified and any order/related information contained therein.)

9.4 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.

9.5 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.

9.6 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.

9.7 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.

9.8 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.

9.9 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.

9.10 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.

9.11 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.

9.12 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.

9.13 You may exercise any of your rights in relation to your personal data by written notice to us.

**10. About cookies**

10.1 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.

10.2 Cookies may be either “persistent” 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.

10.3 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.

**11. How we use Cookies**

11.1 Our website uses cookies to help us monitor traffic through our website. These cookies come from our service providers only (we do not send third party cookies). We use cookies for the following purposes:

- (a) authentication - to identify you when you visit our website and as you navigate our website;
- (b) access - to help us to determine if you are logged into our website;
- (c) personalisation - to store information about your preferences and to personalise the website for you;
- (d) security - 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) analysis - to help us to analyse the use and performance of our website and services; and
- (f) cookie consent - to store your preferences in relation to the use of cookies more generally.

**12. Cookies used by our service providers**

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

12.2 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google’s privacy policy is available at: <https://www.google.com/policies/privacy/>. The relevant cookies are:

__utma	2 years	Tracks the number of times a user visits the site
__utmb	30 minutes	(& __utmc) calculates the amount of time users spend on the website in each session
__utmc	End of session	(& __utmb) calculates the amount of time users spend on the website in each session
__utmz	6 months	tracks the search engine from which a user accesses the site; & search terms used to find the site
__utmv	2 years	tracks user behaviour and measures site performance & remembers user preferences
sc_analytics_global_cookie	10 years	identifies repeat visits from a single user & track behaviours through the site
Sc_analytics_session_cookie	End of session	identifies repeat visits from a single user & track behaviours through the site

12.4 We use Wix.com as our website provider. This service uses cookies for monitoring actions taken on our website and for security when using or creating a user account. You can view the privacy policy of this service provider at <https://www.wix.com/about/privacy>.

The relevant cookies (and functions) are:

svSession	Permanent	Creates activities and BI
hs	Session	Security
incap_ses_ \${Proxy-ID}_ \${Site-ID}	Session	Security
incap_visid_ \${Proxy-ID}_ \${Site-ID}	Session	Security
nibi_ {ID}	Persistent cookie	Security
XSRF-TOKEN	Persistent cookie	Security
smSession	Two weeks	Identify logged in site members

**13. Managing cookies**

13.1 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).

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

13.3 If you block cookies, you will not be able to use all the features on our website.

This document is subject to regular review and any amendments or additions will be highlighted in the most recent issue.

*A copy of this document is also available as a .pdf file by request (or as a download from our website as available).*