



Gary's Gardens - PRIVACY NOTICE

INTRODUCTION

Welcome to Gary's Gardens privacy notice for www.garysgardens.co.uk.

Gary's Gardens respects your privacy and is committed to protecting your personal data. This privacy notice 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.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how Gary's Gardens collects and processes your personal data through your use of this website and our services, including any data you may provide through this website.

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

CONTROLLER

Gary's Gardens (referred to as "we", "us" or "our" in this privacy notice) is the 'controller' of your personal data and responsible for your personal data. This privacy notice is issued on behalf of Gary's Gardens.

CONTACT DETAILS

Our full contact details are here:

Full name of legal entity: Gary's Gardens

Email address: gary@garysgardens.co.uk

Postal address: 15 Frenches Road, Redhill, Surrey. RH1 2HR

If you have any questions about this privacy notice or our practices and procedures in relation to your personal data, or if you want to exercise your legal rights, please contact us using the details set out above. We would appreciate the chance to deal with any concerns you might have but 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).

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

This version was last updated on 24th May 2018.

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 notices or 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 (ie 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 number.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us such as, date and time of booking, amount charged, location data calls or texts and other related transaction details.

- **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.
- **Usage Data** includes information about how you use our website, products and services.

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 our services). In this case, we may have to cancel a 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 and Contact information through our website or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - enquire about our services;
 - give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your device, browsing actions and patterns. We may collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.

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 have your consent to do so.
- 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 or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data. You have the right to withdraw consent to marketing at any time by contacting us at gary@garysgardens.co.uk.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of 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. You can find out more about these in the glossary in section 10 of this privacy notice.

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	(a) Identity (b) Contact	(a) Performance of a contract with you
To process and to fulfil your order 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 notice (b) Asking you to leave a review (c) Customer services	(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 customers use our products/services)
To administer and protect our business, maintain the safety, security and integrity of our services, our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data, research, analysis and product development and the provision of IT and system administration services)	(a) Identity (b) Contact (c) Transaction (d) Technical (e) Profile (f) Usage (g) Marketing and Communications	(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 use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	(a) Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)

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. See our cookie notice for more details.

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 would like an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at gary@garysgardens.co.uk.

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.

- Third Parties as set out in the *Glossary*.
- 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 notice.

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. 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 the owner of Gary's Gardens and those employees 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.

7. 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.

In some circumstances you can ask us to delete your data: see the section below on your rights for further information.

8. YOUR LEGAL RIGHTS

You have the following rights in relation to the personal data we hold about you. Please note that these rights are subject to certain exemptions which may be applicable to any request you make.

Your right of access

If you ask us, we'll confirm whether we're processing your personal information and, subject to any applicable exemptions, provide you with a copy of that personal information (along with certain other details) within the timescales or extended timescales provided for by the GDPR for complex requests, or where applicable, provide you with an explanation as to why we will not be complying with your request. If you require additional copies, we may need to charge a reasonable fee.

Your right to rectification

If the personal information we hold about you is inaccurate or incomplete, you're entitled to have it rectified. If you are entitled to rectification and if we've shared your personal information with others, we'll let them know about the rectification where possible and where this would not involve disproportionate effort. If you ask us, where possible and lawful to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

Your right to erasure

You can ask us to delete or remove your personal information in some circumstances such as where we no longer need it or if you withdraw your consent (where applicable because that was the legal basis on which we were processing your personal information). If you are entitled to erasure and if we've shared your personal information with others, we'll take reasonable steps to inform those others where possible and where this would not involve disproportionate effort. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

Your right to restrict processing

You can ask us to 'block' or suppress the processing of your personal information in certain circumstances such as where you contest the accuracy of that personal information or you object to us. If you are entitled to restriction and if we've shared your personal information with others, we'll let them know about the restriction where it is possible for us to do so. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

Your right to data portability

With effect from 25 May 2018, you have the right, in certain circumstances, to obtain personal information you've provided us with (in a structured, commonly used and machine readable format) and to reuse it elsewhere or to ask us to transfer this to a third party of your choice.

Your right to object

You can ask us to stop processing your personal information, and we will do so, if we are:

relying on our own or someone else's legitimate interests to process your personal information, except if we can demonstrate compelling legal grounds for the processing; or

processing your personal information for direct marketing.

Your rights in relation to automated decision-making and profiling

You have the right not to be subject to a decision when it's based on automatic processing, including profiling, if it produces a legal effect or similarly significantly affects you, unless such profiling is necessary for entering into, or the performance of, a contract between you and us.

Your right to withdraw consent

If we rely on your consent (or explicit consent) as our legal basis for processing your personal information, you have the right to withdraw that consent at any time.

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

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.

9. GLOSSARY

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service 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 [email address].

Performance of Contract means processing your personal 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

- Service providers based within and outside the EEA who help us to provide products and services to you, including helping us to administer and protect our business, maintain the safety, security and integrity of our services, our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data, research, analysis and product development and the provision of IT and system administration services).
- Professional advisers including lawyers, bankers, auditors and insurers based within and outside the EEA who provide consultancy, banking, legal, insurance and accounting services.
- Regulators and other authorities who require reporting of our activities in certain circumstances.

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