



Privacy Policy

1 Policy Statement

- 1.1 During the course of our activities we will collect, store and process personal data about our customers, consultants and other individuals with whom we communicate. We recognise that the fair, transparent and lawful treatment of this data will maintain confidence in our organisation.
- 1.2 Branksome Partners Limited is the data controller of all personal data relating to individuals (or data subjects) which we gather and use in our business and for which we determine the purpose of the processing, such as where we retain our customers' contact details in order to put them in touch with other contacts.
- 1.3 It is important that data subjects read this policy, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about them, so that they are aware of how and why we are using such information. We will update this policy if we make any significant changes affecting how we use personal data, and if so we will contact the relevant individuals to let them know about the change.
- 1.4 Data processors (including consultants) must comply with, and behave in manner that facilitates our compliance with, this policy when processing personal data on our behalf (and references to "we" or "us" in the context of any obligations in this policy shall be construed accordingly to include such data processors). As a consequence, any breach of this policy by a consultant acting as data processor may result in a breach giving rise to our right to immediately terminate the relevant consultancy agreement. Where there is a conflict between any provision in this privacy policy and the consultancy agreement between Branksome Partners Limited and a consultant then the terms of the relevant consultancy agreement will prevail.

2 About this Policy

- 2.1 The types of personal data that we may be required to handle include information about current, past and prospective customers, consultants and others that we communicate with, and are set out more fully in paragraph 4 below. The personal data is subject to certain legal safeguards which are specified in the General Data Protection Regulation, any law implementing the General Data Protection Regulation into English Law and other regulations, in each case as updated from time to time (the **Data Protection Legislation**).
- 2.2 This policy sets out the basis on which we will process personal data, and the legal conditions that must be satisfied when we obtain, handle, process, transfer and store personal data.
- 2.3 This policy does not form part of any consultancy agreement or customer contract and may be amended by us at any time.
- 2.4 Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to office@branksomepartners.com

3 Definition of Terms

- 3.1 **Consultant** means any natural or legal person who provides us with public relations consultancy and research services pursuant to a consultancy agreement or any prospective consultant.
- 3.2 **Customer** means any natural or legal person who we provide our services to pursuant to a public relations agreement, their staff or any prospective customer.
- 3.3 **Data subjects**, for the purpose of this policy, include all living individuals about whom we hold personal data. This includes, without limitation, customers and consultants.
- 3.4 **Personal data** means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- 3.5 **Data controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
- 3.6 **Data processor** means a natural or legal person, public authority, agency or other body which processes personal data on our behalf and on our instructions, including but not limited to

consultants who process our customers' personal data in order to perform their obligations under their consultancy agreement.

3.7 **Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

3.8 **Sensitive personal data** is a special category of personal data, including information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life or sexual orientation, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings.

4 Types of personal data we use

In the course of our working relationship with our customers and consultants, we will collect, store, and use the following categories of personal data:

| Consultants | Customers |
|---|---|
| <i>Personal contact details (including name, title, addresses, telephone numbers, and personal email addresses)</i> | <i>Personal contact details (including name, addresses, title, telephone numbers and email addresses)</i> |
| <i>Date of birth</i> | <i>Date of birth</i> |
| <i>Gender</i> | <i>Gender</i> |
| <i>Bank account details</i> | <i>Location of employment or workplace</i> |
| <i>Consultancy fee</i> | |
| <i>Start date</i> | |
| <i>Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)</i> | |
| <i>Employment records (including job titles, work history, working hours, training records and professional memberships)</i> | |
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5 How we gather data

We will obtain this personal data in different ways:

| Consultants | Customers |
|---|--|
| <i>Directly from the consultant before we engage a consultant</i> | <i>Directly from the customer when they initially contact us in relation to our services</i> |
| <i>When we enter into a consultancy agreement</i> | <i>When we enter into a public relations</i> |

| | |
|---|--|
| <i>with the relevant consultant</i> | <i>agreement with the relevant customer</i> |
| In the course of ongoing communications with a consultant | <i>In the course of ongoing communications with a customer</i> |
| | |

6 How we use personal data and our legal basis for using personal data

- 6.1 We only use data subjects' personal data where it is permitted by the laws that protect their privacy rights and for the specific purpose for which it was collected.
- 6.2 We do not need consent to use this personal data where the law otherwise allows us to use it. In limited circumstances, we may approach the relevant data subject for consent to allow us to process certain personal data. If we do so, we will provide full details of the information that we would like and the reason we need it, so that the data subject can consider whether to consent. A data subject may withdraw their consent at any time. Please see paragraph 15 below for more details on consent to processing.
- 6.3 For personal data to be processed lawfully, one of the legal grounds set out in the Data Protection Legislation must apply. We only process personal data if:
- (a) the data subject has consented to processing;
 - (b) processing is necessary in order to perform a contract with the data subject;
 - (c) processing is necessary to comply with a legal obligation to which we are subject;
 - (d) processing is necessary to protect the vital interests of the data subject or of another natural person;
 - (e) processing is necessary for the performance of a task carried out in the public interest; or
 - (f) processing is necessary for the purposes of the legitimate interest of the data controller or the party to whom the data is disclosed (except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject).
- 6.4 More detail about how we use your personal data is set out below.

| Purpose | Categories of personal data | Legal basis | Data subject |
|--|--|--|---------------------|
| <i>For administering the consultancy agreement, including paying consultants</i> | <i>Personal contact details (including name, title, addresses, telephone numbers, and personal email addresses)</i> <i>Date of birth</i> <i>Gender</i> <i>Next of kin and emergency contact information</i> <i>Bank account details</i> <i>Consultancy fee</i> <i>Start date</i> <i>Location of employment or workplace</i> <i>Identification information (including</i> | <i>Necessary to perform a contract with the consultant</i> | <i>Consultant</i> |

| | | | |
|---|---|---|-------------------|
| | <i>copies of driving licence and passport)</i> | | |
| <i>The consultant selection process and checking consultants are legally entitled to work in the UK</i> | <i>Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)</i> <i>Employment records (including job titles, work history, working hours, training records and professional memberships)</i> | <i>Legitimate interest – for selection purposes for engaging a consultant</i> | <i>Consultant</i> |
| <i>Marketing</i> | <i>Personal contact details (including name, addresses, title, telephone numbers and email addresses)</i> | <i>Consent</i> | <i>Customer</i> |
| <i>Putting data subjects in touch with other contacts</i> | <i>Personal contact details (including name, addresses, title, telephone numbers and email addresses)</i> <i>Location of employment or workplace</i> | <i>Consent</i> | <i>Customer</i> |
| | | | |

7 Sensitive personal data

- 7.1 Special protection is given to sensitive personal data. When sensitive personal data is being processed, additional conditions must be met - for example, receiving explicit consent from the data subject or the processing must be necessary for the purpose of performing or exercising our obligations or rights or the obligations or rights of the data subject under employment or social security law; we shall ensure that such conditions are met when we are processing personal data as data controller in the course of our business

8 Failure to Provide Personal Data

In some cases, if customers or consultants fail to provide information when requested, we may not be able to perform the contract we have entered into fully (such as paying consultants or providing services) or we may be prevented from complying with our legal obligations.

9 Data Retention

We will never retain personal data for any longer than is necessary for the purposes we need to use it. Generally, we hold personal data for seven years. In some circumstances, we will hold personal data for longer where necessary for active or potential legal proceedings, or to resolve or defend claims.

10 Sharing personal data

- 10.1 We may share personal data with third parties where required by law, where it is necessary to administer our working relationship with data subjects, where we have a legitimate interest or where we have consent. We will only share personal data to the extent needed for those purposes. We may share personal data with the following categories of recipients:

- (a) *external providers who provide services to us such as our consultants and IT providers;*
- (b) *in respect of our customer's data, with our consultants; and*
- (c) *to other third parties, such as other customers, newspapers, journalists and media companies.*

- 10.2 Data processors acting on our behalf (including consultants) must not disclose or share personal data processed on our behalf to any third party without our prior written consent.

11 Transferring Personal Data to a Country Outside the EEA

- 11.1 Personal data we hold may be processed by service providers, agents, subcontractors and regulatory authorities operating outside the EEA. For example, service providers may be engaged in, among other things, the fulfilment of contracts with the data subject, the processing of payment details and the provision of IT, hosting and support services.
- 11.2 In such instances, we may transfer any personal data we hold to a country outside the European Economic Area (the **EEA**) in countries where data protection laws may not provide the same level of protection as those in the EEA, provided that we ensure an adequate level of protection for the data subjects' rights and freedoms.

12 Data Protection Principles

All persons who process personal data under this policy must comply with the principles of good practice. These provide that personal data must be:

- (a) processed fairly, lawfully, and in a transparent manner in relation to data subjects;
- (b) processed for limited purposes only;
- (c) adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- (d) accurate and, where necessary, kept up to date;
- (e) kept in a form which permits identification of data subjects for no longer than necessary for the purpose for which the personal data is processed;
- (f) processed in line with data subjects' rights;
- (g) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage; and
- (h) not transferred to people or organisations situated in countries without adequate protection.

13 Processing for Limited Purposes

Whenever we collect personal data, it must be for a specific and legitimate purpose, which shall be notified to the data subject in accordance with paragraph 14.

14 Notifying Data Subjects

- 14.1 Where we collect personal data directly from data subjects, we shall inform the data subject of:
- (a) the purpose or purposes and legal basis for which we intend to process that personal data (see paragraphs 6 and 7 above);
 - (b) if applicable, the legitimate interest pursued;
 - (c) the types of third parties, if any, with which we will share or to which we will disclose that personal data;
 - (d) if applicable, the fact that we intend to transfer such personal data overseas, together with a reference to the applicable safeguard and the means by which to obtain a copy of them or where they have been made available;
 - (e) the period for which such personal data shall be stored or, if that is not possible, the criteria for determining such period;
 - (f) the existence of the data subject's rights which are listed in paragraph 18;
 - (g) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to

provide the personal data and of the possible consequences of failure to provide such data; and

- (h) if applicable, the existence of any automated decision-making, which takes place when an electronic system uses personal data to make a decision without human intervention and produces legal effects concerning the data subject or similarly affects the data subject. This includes profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

14.2 If we receive personal data about a data subject from other sources, we shall provide the data subject with the information in paragraph 14.1 above, together with details of the categories of personal data concerned and the source of the personal data (and, if applicable, whether it came from a public source), as soon as possible thereafter.

14.3 We shall also inform data subjects whose personal data we process that we are the data controller with regard to that data.

14.4 If we intend to further process the personal data for a purpose other than that for which the personal data was collected, we shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 14.1.

15 Consent

15.1 Where processing is based on consent, we must be able to demonstrate that the data subject has consented to processing of his or her personal data.

15.2 If the data subject's consent is given in the context of a written declaration which also concerns other matters, we shall present the request for consent in a manner which is clearly distinguishable from the other matters, in an intelligible and easily accessible form, using clear and plain language.

15.3 The data subject shall have the right to withdraw his or her consent at any time.

15.4 When assessing whether consent is freely given by the data subject, utmost account shall be taken of whether, amongst other things, the performance of a contract, including the provision of a service, is conditional on consent to the processing of personal data that is not necessary for the performance of that contract.

16 Accurate Data

We shall ensure that personal data we hold is accurate and kept up to date. We shall check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We shall take all reasonable steps to destroy or amend inaccurate or out-of-date data.

17 Minimal Processing

17.1 We shall only collect personal data to the extent that it is required for the specific purpose notified to the data subject.

17.2 We shall not keep personal data longer than is necessary for the purpose or purposes for which it was collected. We shall not further process data in a manner which is incompatible with the purpose or purposes for which it was collected. We shall take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

18 Data Subject's Rights

18.1 Data subjects have various rights in respect of the personal data we hold about them and we shall process all personal data in line with these rights, which are set out in more detail below. If you are a data subject and you wish to exercise any of these rights, please contact office@branksomepartners.com:

- (a) **Access to personal data:** data subjects can request access to a copy of personal data that we hold about them, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. Data subjects can make a request for access free of charge. Please make all requests for access in writing and provide us with evidence of your identity.

- (b) **Right to object:** data subjects can object to our processing of their personal data where we are relying on a legitimate interest (or those of a third party) and there is something about the particular situation which makes them want to object to processing on this ground. They also have the right to object where we are processing personal data for direct marketing purposes. Please provide details of any objection.
- (c) **Consent:** Most of the time, we won't need a data subject's consent to use personal data, as we will be using it only to fulfil our contractual obligations. However, where consent has been provided, it can be withdrawn at any time.
- (d) **Rectification:** data subjects can ask us to change or complete any inaccurate or incomplete personal data held about them.
- (e) **Erasure:** data subjects can ask us to delete personal data where it is no longer necessary for us to use it, they have withdrawn consent, or where we have no lawful basis for keeping it (see also paragraph 16).
- (f) **Portability:** data subjects can ask us to provide some of the personal data that we hold about them in a structured, commonly used, electronic form, so it can be easily transferred.
- (g) **Restriction:** data subjects can ask us to restrict the personal data we use about them where they have asked for it to be erased or objected to our use of it.
- (h) **No automated-decision making:** data subjects have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on them, unless they have given consent, it is necessary for a contract between the relevant data subject and us or is otherwise permitted by law. Data subjects also have certain rights to challenge decisions made about them. We do not currently carry out automated decision-making in the course of customers and consultants working with us, but we will notify data subjects in advance if this changes.
- (i) **Complain:** data subjects can make a complaint to us by contacting office@branksomepartners.com or to the data protection supervisory authority – in the UK, this is the Information Commissioner's Office, at <https://ico.org.uk/>.

19 Data Security

- 19.1 We shall take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.
- 19.2 We shall put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data shall only be transferred to data processors if they agree to comply with those procedures and policies, or if they put in place adequate measures themselves.
- 19.3 We shall maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:
 - (a) **Confidentiality** means that only people who are authorised to use the data can access it.
 - (b) **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed.
 - (c) **Availability** means that authorised users should be able to access the data if they need it for authorised purposes.
- 19.4 Security procedures include:
 - (a) **Entry controls.** Any unfamiliar person seen in entry-controlled areas should be reported.
 - (b) **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind (personal information is always considered confidential).
 - (c) **Methods of disposal.** Paper documents should be shredded. Digital storage devices should be physically destroyed or wiped when they are no longer required.

- (d) **Equipment.** We must ensure that individual monitors do not show confidential information to passers-by and that all PCs are logged off if left unattended.

20 Data Processors

- 20.1 We shall only use processors who provide sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of the Data Protection Legislation and ensure the protection of the rights of the data subject.
- 20.2 Our contracts with data processors shall include the provisions required to comply with Data Protection Legislation.
- 20.3 Data processors (including consultants) must not use any sub-processors to process personal data on our behalf without our prior written consent.

21 Dealing with Subject Access Requests

- 21.1 Data subjects may make a formal request for information we hold about them. This must be made in writing. If a written request is received it should be forwarded to office@branksomepartners.com immediately.
- 21.2 When receiving telephone enquiries, we shall only disclose personal data we hold on our systems if we verify the caller's identity to make sure that information is only given to a person who is entitled to it. If we are not sure about the caller's identity and where their identity cannot be checked and we shall suggest that the caller put their request in writing.
- 21.3 Where the request for information is made in electronic form, we shall provide the information in electronic form where possible, unless otherwise requested by the data subject.
- 21.4 We shall deal with requests for information without undue delay. Within one month of a request for information, we shall either:
- (a) provide the information to the data subject;
 - (b) if the complexity or number of requests requires, extend the response period by up to a further two months and inform the data subject of such extension; or
 - (c) not action the information request, and inform the data subject of the reason for not taking action and of the possibility for lodging a complaint or seeking a judicial remedy.
- 21.5 If requests for information are manifestly unfounded or excessive (particularly if they are repetitive), we may charge a reasonable fee to carry out the request or refuse to action the request. Otherwise, initial requests shall be dealt with free of charge, and we may charge a reasonable fee for further requests.
- 21.6 Data processors (including consultants) must notify us within 48 hours if a data subject access request is received from a data subject to access personal data which the data processor processes on our behalf.

22 Dealing with Data Breaches

Data processors (including consultants) must report actual or potential data breaches to us without undue delay and in any event within 48 hours of becoming aware of a breach in order to enable us to investigate the breach, take remedial steps if necessary, maintain a register of breaches and notify the ICO and data subjects of the breach to the extent notification is required. If there is an actual or potential data breach then please notify office@branksomepartners.com immediately.

23 Changes to this Policy

We reserve the right to change this policy at any time. Where appropriate, we shall notify subjects of this policy of those changes by e-mail.