



# Privacy Policy

## Introduction

Welcome to kevs.design privacy notice.

I respect your privacy and am committed to protecting your personal data. This privacy notice will inform you as to how I look after your personal data when you visit my website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

## 1. Important information

### Purpose of this privacy notice

This privacy notice aims to give you information on how I collect and process your personal data through your use of this website, including any data you may provide through this website when you send enquiry through the contact us form.

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

It is important that you read this privacy notice 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 privacy notice supplements the other notices and is not intended to override them.

### Controller

Kevin McGuinness is the controller and responsible for your personal data.

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact me using the details set out below.

### Contact details

Kevs.design  
Kevin McGuinness  
[kev@kevs.design](mailto:kev@kevs.design)  
07825370334

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](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

It is important that the personal data I 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. I do not control these third-party websites and are not responsible for their privacy statements. When you leave my website, I encourage you to read the privacy notice of every website you visit.

## 2. The data I 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).

I may collect, use, store and transfer different kinds of personal data about you which I have grouped together as follows:

- Identity Data includes first name, last name, title and company name.
- Contact Data includes billing address, delivery address, email address, telephone numbers and website address.
- Financial Data includes bank account details.
- Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.
- 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.
- Marketing and Communications Data includes your preferences in receiving marketing from me and my third parties and your communication preferences.



I 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. For example, I may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if I combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, I treat the combined data as personal data which will be used in accordance with this privacy notice.

I do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do I collect any information about criminal convictions and offences.

#### If you fail to provide personal data

Where I need to collect personal data by law, or under the terms of a contract I have with you and you fail to provide that data when requested, I may not be able to perform the contract I have or are trying to enter into with you (for example, to provide you with goods or services). In this case, I may have to cancel a product or service you have with me but I will notify you if this is the case at the time.

### 3. How is your personal data collected?

I use different methods to collect data from and about you including through:

Direct interactions. You may give me your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- apply for my products or services;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give me some feedback.

#### Automated technologies or interactions.

As you interact with my website, I may automatically collect Technical Data about your equipment, browsing actions and patterns. I collect this personal data by using cookies, server logs and other similar technologies.

#### Third parties or publicly available sources.

I may receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:

- analytics providers such as [Google based outside the EU];
- advertising networks such as [Facebook and Google based outside the EU]; and
- search information providers such as [Google based outside the EU].

Identity and Contact Data from publicly available sources [such as Companies House and the Electoral Register based inside the EU].

### 4. How I use your personal data

I will only use your personal data when the law allows me to. Most commonly, I will use your personal data in the following circumstances:

- Where I need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for my legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where I need to comply with a legal or regulatory obligation.

Generally, I do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by please contacting me.

#### Purposes for which I will use your personal data

I have set out below, in a table format, a description of all the ways I plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what my legitimate interests are where appropriate.

Note that I may process your personal data for more than one lawful ground depending on the specific purpose for which I am using your data. Please contact me if you need details about the specific legal ground I am 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	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to me	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for my legitimate interests (to recover debts due to me)
To manage my relationship with you which will include: (a) Notifying you about changes to my terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for my legitimate interests (to keep my records updated and to study how customers use my products/services)
To enable you to partake 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 my legitimate interests (to study how customers use my products/services, to develop them and grow my business)
To administer and protect my 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 my legitimate interests (for running my business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising I serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for my legitimate interests (to study how customers use my products/services, to develop them, to grow my business and to inform my marketing strategy)
To use data analytics to improve my website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for my legitimate interests (to define types of customers for our products and services, to keep my website updated and relevant, to develop my business and to inform my 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 my legitimate interests (to develop my products/services and grow my business)

## Marketing

I strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. I have established the following personal data control mechanisms:

### *Promotional offers from me*

I may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what I think you may want or need, or what may be of interest to you. This is how I decide which products, services and offers may be relevant for you (I call this marketing).

You will receive marketing communications from me if you have requested information from me or purchased goods or services from me or if you provided me with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

### *Third-party marketing*

I will get your express opt-in consent before I share your personal data with any company outside Radial Web Design for marketing purposes.

### *Opting out*

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

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 purchase or other transactions.

## 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.



## Change of purpose

I will only use your personal data for the purposes for which I collected it, unless I reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If I need to use your personal data for an unrelated purpose, I will notify you and I will explain the legal basis which allows me to do so.

Please note that I 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

I 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.

- External Third Parties as set out in the [Glossary].
- Specific third parties
- Third parties to whom I may choose to sell, transfer, or merge parts of my business or my assets. Alternatively, I may seek to acquire other businesses or merge with them. If a change happens to my business, then the new owners may use your personal data in the same way as set out in this privacy notice.
- I require all third parties to respect the security of your personal data and to treat it in accordance with the law. I 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 my instructions.

## 6. International transfers

I do not transfer your personal data outside the European Economic Area (EEA).

## 7. Data security

The data that I collect from you is stored at a UK Tier 1 Data Host provider called 1and1 Limited. 1and1 hold the ISO 27018 accreditation.

I 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, I 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 my instructions and they are subject to a duty of confidentiality.

I have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data retention

### *How long will you use my personal data for?*

I will only retain your personal data for as long as necessary to fulfil the purposes I collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, I 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 I process your personal data and whether I can achieve those purposes through other means, and the applicable legal requirements.

By law I have to keep basic information about my customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see [Request erasure] below for further information.

In some circumstances I 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 see:

- [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 me.

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, I 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 I may need from you

I may need to request specific information from you to help me 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. I may also contact you to ask you for further information in relation to your request to speed up my response.

#### Time limit to respond

I try to respond to all legitimate requests within one month. Occasionally it may take me longer than a month if your request is particularly complex or you have made a number of requests. In this case, I will notify you and keep you updated.

## 10. Your legal rights

### LAWFUL BASIS

Legitimate Interest means the interest of my business in conducting and managing my business to enable me to give you the best service/product and the best and most secure experience. I make sure I consider and balance any potential impact on you (both positive and negative) and your rights before I process your personal data for my legitimate interests. I do not use your personal data for activities where my interests are overridden by the impact on you (unless I have your consent or are otherwise required or permitted to by law). You can obtain further information about how I assess my 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

#### *External Third Parties*

- Service providers acting as processors based in the United Kingdom and Poland, who provide IT and system administration services.
- Professional advisers acting as processors including accountants based in United Kingdom who provide accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors based in the United Kingdom 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 I hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that I hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though I 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 me to delete or remove personal data where there is no good reason for me continuing to process it. You also have the right to ask me to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where I may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that I 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 I am 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 I am processing your personal data for direct marketing purposes. In some cases, I may demonstrate that I 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 me to suspend the processing of your personal data in the following scenarios:
  - if you want us to establish the data's accuracy;
  - where our use of the data is unlawful but you do not want us to erase it;
  - 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
  - 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. I 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 I am 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, I may not be able to provide certain products or services to you. I will advise you if this is the case at the time you withdraw your consent.