

# Privacy Policy

16:22, Sunday 2nd May 2021

As part of our business and the service that we provide, it is necessary to process information about you.

We attach great importance to respect your privacy, the security and the confidentiality of your personal data.

Therefore, we are committed to treating your personal data in compliance with UK and European regulations on the protection of personal data, namely: The Data Protection Act 2018 (DPA) and General Data Protection Regulation (GDPR) (hereafter referred to as "**the Regulations**").

This privacy policy (and terms and conditions of our service and any other agreement to which these documents could refer) details the way we treat your personal data.

We invite you to read these documents carefully.

By using our services, you agree to be bound by this Privacy Policy and that we proceed to the processing of personal data on the terms outlined below.

For the purposes of the Regulations, we, Nu:era Barbershop, of 164b Walsall Road, Great Wyrley, United Kingdom, are the data controller and Nearcut Limited, of 7 Bell Yard, London, England, WC2A 2JR (UK), is the data processor.

## 1. Where do the personal data come from?

The personal data that we may deal with come from:

- Data that you provide when you use our services, when you:
  - Use our website and/or mobile application (hereafter referred to as our "**Site**")
  - Communicate with us via phone, email, verbally or otherwise;

For example, data that you provide when booking an appointment, purchasing a product or reporting a problem with our Site.

- Data related to your visit to our Site through tracking (such as cookies) and/or equivalent technologies;

These cookies and other trackers record and transmit information about the pages you visit, the time you spend on our site, the actions you perform there, etc.

- Data collected from other software systems;

If we previously used a different software provider and your personal data were stored with a previous software system provider, then we may import your personal data from this software system provider, providing that their policies are of an adequate level in order to fulfil this Privacy Policy.

- Data that we receive from other sources;

This includes the data that we receive from our partners when you use their services through our Site (for example, when using the payments service through our Site).

## **2. What information do we process?**

We process the following:

- Information about your identity (your title, surname, name, address, email address, date of birth, landline and/or mobile phone number, photography, personal description, etc.);
- Information we receive when you make an appointment, reservation or product purchase;
- Information related to your access of the Site:
  - The URLs of pages visited;
  - Your navigation to or from our website (including date and time of navigation);
  - Page response times;
  - Error messages;
- Technical information related to the device you use:
  - The IP address of your device;
  - Your login data;
  - The type and version of browser you are using (Safari, Chrome, Internet Explorer, etc.);
- In some cases, we may also store and process sensitive data relating to your health. This will only occur in cases:
  - Where you provide the data and the explicit consent for the processing of those data, through a consultation form (or other positive action on your part);
  - Where the provision and processing of such data is necessary for us to be able to provide safe and appropriate services to you, and thus protect your vital interests, and;
  - Where processing of such data may be necessary for the establishment, exercise or defence of legal claims.

We do not handle sensitive personal data concerning or revealing your racial or ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs or trade union membership, nor do we process genetic data or biometric data for the purpose of uniquely identifying a natural person, or process data concerning a natural person's sex life.

## **3. What is the purpose of our data processing?**

We collect and process your personal data for the purpose of:

- Meeting our contractual obligations, in particular to allow you to book an appointment and purchase products;
- Reminding you about upcoming, missed, cancelled or moved appointments;
- Updating you about essential information that affects the service you receive;
- Managing unpaid balances;
- Monitoring our business relationship;
- Sending you news and offers for products and services via email and SMS, if you have given us explicit consent to do so;
- Administering our Site and undertaking internal operations (eg, resolving anomalies, analysing data, conducting tests, etc.);

- Allowing you to access our Site;
  - Ensuring the safety and continued availability of our Site;
  - Managing your requests to exercise your rights under Article 10 of this Privacy Policy.
4. **What is the legal basis for the processing of your data?**

The processing of your data is based on our legitimate interest to run, improve and optimise our service for you. This is based on the contract between you and our company, through the Terms and Conditions.

However, in the following cases, the processing of your data is based on your specific consent (which will be collected through the checkbox on our registration/account settings page or a positive action on your part):

- The use of your data for email and SMS marketing;
- The reuse of data for purposes other than those outlined in Article 3 of this Privacy Policy.

As stated in Article 10 of this Privacy Policy below, you can revoke this consent at any time.

For example, if you do want to receive marketing emails from us, you can let us know by following the steps outlined in Article 10 of this Privacy Policy below or using the unsubscribe button in marketing emails or SMSs that we send you.

We will make sure to consider your application as soon as possible and to inform recipients of your data.

We are committed to protecting the privacy of children aged 16 or under. If you are aged 16 or under, please get your parent's or guardian's permission beforehand whenever you provide us with personal information.

#### 5. **Who handles your data?**

We are responsible for the processing of your personal data.

The recipients of this data include:

- Authorised staff of our company (hairdressers, manager, administrators);
- Authorised staff of our business partners, our service providers, our subcontractors and any person involved in the execution of the contract with you (for example, the provider of online payment service, the hosting provider, data analytics providers and search engines, etc.);
- Public agencies, financial institutions and judicial officers, as required by law;
- Any entitled person, when we are obliged to disclose and/or share your personal data in order to fulfil our legal obligations, execute our Terms & Conditions or any other agreement, or to protect the rights, property, or safety of our company, our customers or third parties. This includes the exchange of information with third parties to prevent against fraud and reduce credit risk;
- Authorised staff of any affiliate of our company, such as parties interested in buying or selling assets of our company;
- Any third party that would acquire our company or a substantial part of its shares.

You explicitly agree that your personal data may be transmitted to and processed by our software provider, the company Nearcut Limited, whose registered office is located at 7 Bell Yard, London,

England, WC2A 2JR (UK). This activity will only serve to supply of the software system needed to run the service provided on the Site. We disclose only personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure.

The use of personal data by third parties to our business (including through our online payment service provider) is governed by their own privacy policies. Please be assured we will not release your information to third parties for the use for their own direct marketing purposes, unless you have requested us to do so.

## **6. Where are your data processed?**

Your data are handled mainly within the European Union.

However, when our relations with partners, our subcontractors or third parties (such as those who provide us with support services) involve cross-border exchanges of your personal data outside the European Union, we ensure that such transfers are made to countries with an adequate level of protection, or that they are supported by legal tools to ensure that such transfers comply with the European Union's requirements on protection (such as the European Commission's Standard Contractual Clauses, internal company policies and/or by the membership of the recipient entities of these data to the Privacy Shield, when located in the United States).

If you use our services while you are outside the EU, your information may be transferred outside the EU in order to provide you with those services.

In any event, you agree to your personal data being processed under these conditions, outside the European Union.

## **7. How are your data protected and conserved?**

Security is at the heart of our concerns.

We implement appropriate technical and organisational measures, including physical solutions, hardware and software, in order to preserve the security, integrity and confidentiality of your personal data and protect against unauthorised access, use, misuse, alteration, disclosure or destruction by unauthorised persons.

We demand sufficient guarantees of security and confidentiality from the recipients of data.

Furthermore, we encourage you to notify us of any security breach capable of generating a breach to your rights and freedoms, unless such communication is not necessary in cases referred to in Article 34 of the Regulations.

You are responsible for the confidentiality of the password you select and/or the password assigned to you to access certain features of the Site. You are not allowed to share the password with others.

## **8. How long are your data kept by us?**

### **Regarding data relating to the management of our customers:**

The data of our customers will not be retained beyond the time strictly necessary for the management of the business relationship.

However, we will keep your data for analysis and statistics, for longer than the time required for the purpose of contract fulfilment, after having irreversibly anonymised this data.

Your data that is used for marketing purposes will be retained for a maximum period of three (3) years from the end of the business relationship (such as booking appointments, purchasing products and your last contact).

After this period of three (3) years, we are committed to destroying your personal data.

#### **Regarding the measurements of Site activity:**

The information stored in your device (e.g. through cookies), or any other item used to identify you and allow your traceability, will not be retained beyond thirteen (13) months.

New visits that you make to our website will not extend the life of such information.

Beyond this time, your data will be deleted or anonymised.

#### **Regarding the data from your account on our site:**

Your account will be considered inactive beyond two (2) years after your last use of this account. After this period, the data on your inactive account will be deleted after you have been informed and have had the opportunity to oppose it.

### **9. Cookies**

A 'Cookie' is a file sent by a website which is intended to collect and store information about your interaction with that particular website.

All of our use of cookies and further information about them is available in the Cookie Policy.

These cookies will be stored for a maximum of thirteen (13) months. They will then be deleted.

### **10. What are your rights with regard to the processing of your data?**

Under the Regulations, you have, with regard to the processing of your personal data, a right of access, rectification, erasure, restriction, portability and a right to object.

#### **Right of Information and Access**

You have the right to obtain from us confirmation as to whether or not your personal data are being processed, where it is, access to the personal data and the following information:

- The purposes of processing;
- The categories of personal data concerned;
- The recipients, or categories of recipients, to whom the personal data have been, or will be disclosed, including recipients in third countries or international organisations;
- Where possible, the length of time that the personal data will be stored for, or the criteria used to determine that period;
- The existence of the right to request from us rectification or erasure of personal data or restriction of processing or to object to such processing;
- The right to lodge a complaint with the supervisory authority;

- Where personal data are not collected from you, the information about the source (such as the identity of the source, for example, a company or public directory, or how we collected this data from the source, for example by using a search engine);
- The existence of automated decision-making, including profiling, the logic involved in such decision-making and any consequences for you; and
- Where personal data are transferred to a third country or international organisation, details of any safeguards in place.

### **Right to Rectification**

As a data subject, you have the right to obtain from us, the data controller, without undue delay, the rectification of inaccurate personal data concerning you.

Subject to the purposes for processing, you have the right to have incomplete data completed, including by means of providing a supplementary statement.

### **Right to Erasure ('Right to be Forgotten')**

You have the right to obtain from us the erasure of personal data concerning you without undue delay and we are obliged to erase that data where one of the following grounds applies:

- The personal data are no longer necessary in relation to the purposes for which it was collected or processed;
- You withdraw the consent on which the processing is based and there is no other legal ground for processing;
- You object to the processing and there are no overriding legitimate grounds for processing;
- The personal data have been unlawfully processed;
- The personal data have to be erased for compliance with a legal obligation; or
- The personal data have been collected in relation to the offering of information society services under Article 8.1 of the Regulations.

Where we have made the personal data public and are obliged to erase the personal data, we, taking account of available technology and the cost of implementation, must take reasonable steps to inform data controllers processing the personal data that you have requested erasure. Personal data are not required to be erased where processing is necessary:

- For exercising the right of freedom of expression and information;
- For compliance with a legal obligation;
- For reasons of public interest in the area of public health Article 9.2(h) and (i) and Article 9.3 of the Regulations;
- For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, in accordance with Article 89.1 of the Regulations; or
- For the establishment, exercise or defence of legal claims.

### **Right to Restriction of Processing**

You have the right to restrict our processing of your personal data where:

- The accuracy of the personal data is contested by you. Processing can be restricted until we have verified the accuracy of the personal data;
- The processing is unlawful but you oppose erasure and request restriction instead;

- We no longer need to process the personal data but the data are required by you for the establishment, exercise or defence of legal claims; or
- You have objected to processing pursuant to Article 21.1 of the Regulations, pending verification whether the legitimate grounds of ours override those of you own.

### **Right to Portability**

You have the right to receive your personal data (where you have provided it to the us), in a structured, commonly used and machine-readable format and to have the data transmitted to another data controller without hindrance, where:

- Processing is based on consent; and
- Processing is carried out by automated means.

This right is dependent on the transfer between the us and you being technically feasible.

The right will not apply to processing necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the us.

This right cannot be exercised if it will adversely affect the rights and freedoms of others.

### **Right to Object**

You have the right to object (on grounds relating to your situation) at any time to the processing of your personal data which is based on:

- The necessity for the performance of a task carried out in the public interest, or in exercise of official authority vested in us, as described in Article 6.1.e of the Regulations; or
- The necessity for the purposes of legitimate interests pursued by us or other third parties, except where this overrides your interests and fundamental freedoms, as described in Article 6.1.f of the Regulations.

We will have to stop processing the personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the establishment, exercise or defence of legal claims.

If personal data are processed for direct marketing purposes, you can object at any time to such processing, including profiling that is related to direct marketing. Where you do object, the personal data can no longer be processed for these purposes.

### **Automated Processing and Profiling**

You have the right to not be subjected to a decision based solely on automated processing, including profiling, which produces legal effects concerning you, or significantly affects you. This right will not apply if the decision:

- Is necessary for entering into, or the performance of, a contract between you and us;
- Is authorised by Union or Member State law; or
- Is based on your explicit consent;

We must implement suitable measures to safeguard your rights, freedoms and legitimate interests, or at least the right to obtain human intervention and contest the decision.

In addition, you have the right to provide us with guidelines that define how you want your personal data to be processed after your death (by indicating for example if you want them to be stored, deleted, or sent to a designated third party).

Finally, you can, if necessary, ask for the deletion of your personal data that has been collected when you were a minor.

To exercise these rights you will need to send us your request by email to the following email address: [hannah@nuerabarbershop.com](mailto:hannah@nuerabarbershop.com)

To access your application, we will need to know your identity.

We will therefore require a photocopy of one of your identity documents (such as a passport) with your signature. We will retain this copy for the time required to process your request (subject to periods specifically mentioned in section 8 above).

You will also need to provide us with at least one correspondence address, which the reply should be sent to.

Your application does not need to be justified, except in cases where you are exercising your right to object. In cases where you exercise your right to object, you must provide proof of the existence of a legitimate reason, except in the case where your data are processed for marketing purposes, including commercial.

#### **11. Privacy Policy changes and amendments**

We reserve the right to modify this Privacy Policy at any time and without prior notice.

When necessary, we will notify you by email about any changes to this privacy policy.

We invite you to check this Privacy Policy, which is available on our website, to be aware of any amendments.

If you have any questions, please contact us by email at: [hannah@nuerabarbershop.com](mailto:hannah@nuerabarbershop.com)