

PRIVACY POLICY

INTRODUCTION

Kirsten English Genealogy respects your privacy and is committed to protecting your personal data. This Privacy Policy will inform you as to how we look after your personal data when you visit our website, currently <http://www.ke-genealogy.co.uk> (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY POLICY

This Privacy Policy aims to give you information on how Kirsten English Genealogy collects and processes your personal data through your use of this website, including any data you may provide through this website for us to provide our service to you.

This website is for persons 18 years or older. The website not intended for children and we do not knowingly collect data directly from children under the age of 13 years old.

It is important that you read this Privacy Policy together with any other Privacy Policy 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 Policy supplements the other notices and is not intended to override them.

CONTROLLER

Kirsten English Genealogy is the data controller and responsible for your personal data (collectively referred to as "Kirsten English Genealogy", "we", "us" or "our" in this Privacy Policy).

We have a Data Privacy Manager who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact the Data Privacy Manager using the details set out below.

CONTACT DETAILS

Name: Data Privacy Manager
Email address: info@ke-genealogy.co.uk

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). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

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

This version was last updated on 25th 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.

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 (anonymous data).

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

- Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- Contact Data includes billing address, delivery address, email address and telephone numbers.
- 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, 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.
- Profile Data includes purchases or orders made by you, your interests, preferences and feedback.
- Usage Data includes information about how you use our website, products and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

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

We 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 we collect any information about criminal convictions and offences.

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 goods or services). In this case, we may have to cancel a product or 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, 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 our products or services;
- subscribe to our service or publications;
- request marketing to be sent to you;
- enter a survey; or
- give us some feedback.

Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We 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 (as defined below).

Third parties or publicly available sources. We 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; and search information providers such as Google based outside the EU and Findmypast based inside the EU.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Paypal (<https://www.paypal.com/en/webapps/mpp/ua/privacy-full>) based outside the EU.
- Identity and Contact Data from data brokers or aggregators such as Findmypast.co.uk and Ancestry.co.uk based inside the EU.
- Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

4. COOKIES

Our website uses Cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. By continuing to browse our website, you are agreeing to our use of Cookies.

A "Cookie" is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log Cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, Cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline Cookies. Most web browsers automatically accept Cookies, but you can modify your browser setting to decline Cookies if you prefer. This may prevent you from taking full advantage of the website however.

We use the following Cookies:

- Essential Cookies. These are Cookies that are required for the operation of our website. They include, for example, Cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
- Analytical/Performance Cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- Functionality Cookies. These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- Targeting Cookies. These Cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it, more relevant to your interests. We may also share this information with third parties for this purpose.

You can find more information about the individual Cookies we use and the purposes for which we use them in the table below:

COOKIES USED ON OUR WEBSITE

Cookie – Universal Analytics (latest version)

What we use them for

This is used by Analytics to calculate visitors, session, campaign data, etc. Expiration time is set to two (2) years and it resets each time when a visitor hits a page. No personal information or data is stored. Used to distinguish users.

_ga

This cookie enables us to estimate our audience size and usage pattern.

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

Described by Google as “Used to throttle request rate” (no more information is available about this cookie). Expires in ten (10) minutes. This cookie enables us to limit the number of times information is recorded.

_gat

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

This is used to distinguish users but has a 24hours expiration time.

_gid

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

PHPSESSID

This is used to enable websites to store serialised state data. On the website it is used to establish a user session and to pass state data via a temporary cookie, which is commonly referred to as a session cookie. Expires approximately after 24 minutes. No information is stored in the user's browser and this cookie can only be used by the current website.

HOW TO MANAGE COOKIES

Our Cookies do not store financial information, or information which is capable of directly identifying you (such as your name or address). Cookies simply allow our website to retrieve this information in order to personalise and improve your experience of our website.

However, if you wish to restrict, block or delete Cookies provided by our website, or any other website, you can use your browser to do this. Each browser is different so check the ‘Help’ menu of your particular browser to learn how to change your cookie preferences, or use the following weblinks:

Microsoft Internet Explorer Help:

<http://support.microsoft.com/?ln=en-gb>

How to manage Cookies in IE 11:

<https://support.microsoft.com/en-us/help/17442/windows-internet-explorer-delete-manage-cookies>

Mozilla Firefox Help:

<http://support.mozilla.org/en-US/home?as=u>

Cookies:

<http://support.mozilla.org/en-US/kb/Cookies?s=manage+cookies&r=0&e=es&as=s>

Google Chrome Help:

<http://support.google.com/chrome/?hl=en-GB>

Manage Cookies:

<http://support.google.com/chrome/bin/answer.py?hl=en-GB&answer=95647>

Our analytics partner also provides the ability for users to opt-out using the following links:

Google Analytics:

<https://tools.google.com/dlpage/gaoptout>

Further information on Cookies is available online at: www.aboutcookies.org

Please bear in mind that if you do this, certain personalised features of this website and others cannot be provided to you.

THIRD PARTY COOKIES

We also use other third party websites such as Facebook and Twitter to allow businesses to communicate with their clients along with analytics to help improve user experience. We do not control these websites and we suggest you read their cookie policy to see which ones they use and how to manage them.

Third-party Cookies

What their Cookies are used for

Google

<http://www.google.co.uk/intl/en/policies/privacy/>

Findmypast.co.uk

<https://www.findmypast.co.uk/content/privacy-policy>

Ancestry.co.uk

<https://www.ancestry.co.uk/cs/privacyphilosophy>

Social Tools

We take advantage of social networks and like to share our content with friends across these networks, such as twitter, you may receive Cookies from these websites.

We are not in control of these third-party Cookies, if you would

Facebook like to learn more about them – visit their websites below:
<https://www.facebook.com/privacy/explanation>

Twitter <https://twitter.com/en/privacy>

Controlling your personal information

You may choose to restrict the collection or use of your personal information in the following ways:

- Whenever you are asked to fill in a form on the website, look for the box that you can click to indicate that you do not want the information to be used by anybody for direct marketing purposes.
- If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time and can contact us to let us know

We will get your express opt-in consent before we share your personal data with any company outside Kirsten English Genealogy for marketing purposes.

5. 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 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 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 contacting us via email info@ke-genealogy.co.uk.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all 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.

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	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 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 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 our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to complete a survey or feedback	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our 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 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 deliver relevant website content	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	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)
To make suggestions and	(a) Identity	Necessary for our legitimate interests

recommendations to you about goods or services that may be of interest to you	(b) Contact (c) Technical (d) Usage (e) Profile	(to develop our products/services and grow our business)
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MARKETING

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

PROMOTIONAL OFFERS FROM US

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

You will receive marketing communications from us if you have requested information from us or purchased [goods or services] from us [or if you provided us 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.

OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time by checking the relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you or by contacting us 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, product/service experience or other transactions.

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 wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

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

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.

6. 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 above.

- Internal Third Parties. Other companies in our group acting as joint controllers or processors and that provide IT and system administration services and undertake reporting.
- External Third Parties. Including service providers acting as processors or hosts who provide IT and system administration services and service agents for support and delivery companies for the transportation of products.
- Professional advisers acting as processors or joint controllers including solicitors, barristers, bankers, auditors and insurers based in the United Kingdom or EEA who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Government Agencies for example for fraud or illegal activities.
- Third parties to whom we may choose to sell, transfer, or merge parts or all 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 Policy.

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.

7. INTERNATIONAL TRANSFERS

Some of our external third parties such as Dropbox are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA. View Dropbox's privacy policy - www.dropbox.com/en_GB/privacy

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

8. 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 those employees, agents, contractors and other third parties 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.

9. 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.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six (6) years after they cease being customers for tax purposes.

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

In some circumstances we 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.

10. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data as listed below:

- **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 we hold about you and to check that we are lawfully processing it.
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we 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 us to delete or remove personal data where there is no good reason for us continuing to process it.
- **Object to processing of your personal data** where we are 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.
- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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 (d) 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.** We 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 we are 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, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

Please email us on info@ke-genealogy.co.uk if you wish to exercise any of these rights.

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, we 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 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 thirty (30) calendar days from the date of receipt of your request. Occasionally it may take us longer, 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. Where you are sending us a request via post rather than email we recommend you send it via recorded delivery to guarantee safe delivery.

ICO, DATA PROTECTION ACT 1998 AND GDPR

We adhere to the following principles:

- access to your information is restricted to our relevant trained staff only;
- where any hard copies are created, the hard copies of your information and confidential documents are kept securely under lock and key.

We have registered with the ICO and adhere to the following principles:

- All our relevant employees have received training in how to handle your information. This includes ensuring they are aware of the importance of handling your information safely and securely and understanding the procedures in place to ensure this happens.
- We will periodically evaluate our database and securely delete any contacts no longer engaged or any information no longer needed by us.
- We have measures in place to keep your information we hold safe and secure.
- All personal information is transferred by secure email to secure servers on site to which access is only granted to key personnel. Where your information is downloaded to be updated, and as a backup to the cloud, it is only stored on personal drives, only accessible via individual log in.

SEVERABILITY

If a court finds part of this Privacy Policy illegal, the rest will continue in force. Each of the clauses of these terms operates separately. If any court or relevant authority decides that any of them are unlawful, the remaining clauses will remain in full force and effect.

PARTNERSHIP

Nothing herein contained shall give rise to a partnership or a contract of employment between you and us.

ASSIGNMENT

You may not assign, mortgage or otherwise transfer this Privacy Policy, data or any rights, duties and obligations hereunder. It is acknowledged by you that we may use our employees, officers, representatives or third party consultants to carry out our work within this Privacy Policy. We may assign the benefit of this Privacy Policy, data or any rights, duties or obligations to any firm or company in which we hereafter acquire a controlling interest or which acquires a controlling interest in us without prior approval from you. Save that we shall remain primarily liable hereunder until such time as the prospective assignee enters into an agreement to fulfil our obligations hereunder.

WAIVER

No waiver or affirmation of any breach of or non-compliance with any term hereof by the parties shall be deemed to be a waiver or affirmation of any preceding or succeeding breach of or non-compliance with the same or any other term.

THIRD PARTIES

Save to the extent expressly set out herein, this Privacy Policy is not intended to nor shall it create any rights, entitlements, claims or benefits enforceable by any person that is not a party hereto. Accordingly, save to the extent expressly set out in this Privacy Policy, no person shall derive any benefit or have any right entitlement or claim in relation to this agreement by virtue of the Contract (Rights of Third Parties) 1999.

JURISDICTION

This Privacy Policy shall be governed by and construed in accordance with the laws of England. The parties irrevocably agree that the English Courts shall have exclusive jurisdiction to settle any dispute arising out of or in connection with this Privacy Policy.

FURTHER INFORMATION

If you wish to learn more information or have a question about your Personal Data or Cookies please email us at info@ke-genealogy.co.uk with the title of your question in the email header.