

de Smit Medical - Privacy Policy

DE SMIT MEDICAL SYSTEMS LTD



1. Introduction

- 1.1 We are committed to safeguarding the privacy of our website visitors and service users.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our website visitors and service users; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 We will ask you to consent to our use of cookies in accordance with the terms of this policy when you first visit our website.
- 1.4 In this policy, "we", "us" and "our" refer to de Smit Medical Systems Ltd.

2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://selegal.com>).

3. How we use your personal data

- 3.1 In this Section 3 we have set out:

- 3.1.1 the general categories of personal data that we may process;
- 3.1.2 in the case of personal data that we did not obtain directly from you, the source and specific categories of that data;
- 3.1.3 the purposes for which we may process personal data; and
- 3.1.4 the legal bases of the processing.

- 3.2 We may process data about your use of our website, products and services ("**usage data**"). The usage data may include your IP address, login data, geographical location, browser type and version, browser plug-in types and versions, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your use of this website. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

- 3.3 We may process your account data ("**account data**"). The account data may include your name and email address. The source of the account data is you or your employer. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

- 3.4 We may process your information included in your personal profile on our website ("**profile data**"). The profile data may include your name, address, telephone number, email address, username and password, profile pictures, gender, date of birth, relationship status, interests and hobbies, educational details and employment details. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

- 3.5 We may process your personal data that are provided in the course of the use of our services ("**service data**"). The service data may include

- **Usage Data** see paragraph 3.2 for further information.
- **Account Data** see paragraph 3.3 for further information.
- **Profile Data** see paragraph 3.4 for further information.
- **Publication Data** see paragraph 3.7 for further information.
- **Enquiry Data** see paragraph 3.8 for further information.
- **Transaction Data** see paragraph 3.9 for further information.
- **Notification Data** see paragraph 3.10 for further information.
- **Correspondence Data** see paragraph 3.11 for further information.

- 3.6 The source of the service data is you or your employer. The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this



processing is our legitimate interests, namely the proper administration of our website and business OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

- 3.7** We may process information that you post for publication on our website or through our services ("**publication data**"). The publication data may be processed for the purposes of enabling such publication and administering our website and services. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.8** We may process information contained in any enquiry you submit to us regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.
- 3.9** We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website including your user name or similar identifier ("**transaction data**"). The transaction data may include your contact details, your card details and the transaction details including payment. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of our website and business.
- 3.10** We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters including information about your preference, feedback and survey response ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.11** We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.12** We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- 3.13** We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risk.
- 3.14** In addition to the specific purposes for which we may process your personal data set out in this Section 3, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 3.15** Please do not supply any other person's personal data to us, unless we prompt you to do so.

4. Providing your personal data to others

- 4.1** We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 4.2** Financial transactions relating to our website and services may be handled by our payment services providers, SagePay. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about



the payment services providers' privacy policies and practices at <https://www.sagepay.co.uk/policies/privacy-policy>.

- 4.3** In addition to the specific disclosures of personal data set out in this Section 4, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 4.4** 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.

5. International transfers of your personal data

- 5.1** We do not transfer your personal data outside the European Economic Area (EEA)
- 5.2** You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

6. Retaining and deleting personal data

- 6.1** This Section 6 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 6.2** 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.
- 6.3** 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.

Details of retention periods for different aspects of your personal data are available in our Data Retention and Destruction policy which you can request from us by contacting us.

7. Amendments

- 7.1** We may update this policy from time to time by publishing a new version on our website.
- 7.2** You should check this page occasionally to ensure you are happy with any changes to this policy.

8. Your rights

- 8.1** In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 8.2** Your principal rights under data protection law are:
- 8.2.1 the right to access;
 - 8.2.2 the right to rectification;
 - 8.2.3 the right to erasure;
 - 8.2.4 the right to restrict processing;
 - 8.2.5 the right to object to processing;
 - 8.2.6 the right to data portability;
 - 8.2.7 the right to complain to a supervisory authority; and
 - 8.2.8 the right to withdraw consent.
- 8.3** You have the right to confirmation (a "data subject access request") as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights



and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

- 8.4** You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed. We may need to verify the accuracy of new data you provide to us.
- 8.5** In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure and we will notify you at the time of your request if any of these apply. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 8.6** In some circumstances you have the right to request the restriction of the processing of your personal data. Those circumstances are: you want to evaluate the accuracy of the personal data we hold; processing of the personal data by us is unlawful but you do not want us to erase it; we no longer need the personal data for the purposes of our processing, but you need us to hold it for the establishment, exercise or defence of legal claims; and you have objected to our processing but we need to verify whether we have overriding legitimate grounds to use it, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 8.7** You have the right to object to our processing of your personal data on grounds relating to your particular situation which enables you to ask us to suspend the processing of your personal data in certain circumstances, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.8** You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 8.9** You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.10** To the extent that the legal basis for our processing of your personal data is:
- 8.10.1** consent; or
- 8.10.2** that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means; or
- 8.10.3** you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 8.11** If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 8.12** To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of any processing carried out before you withdraw consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.



8.13 You may exercise any of your rights in relation to your personal data by written notice to us.

9. 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.

10. 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 (for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address). We may also contact you to ask you for further information in relation to your request to speed up our response.

11. Time limit to respond

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

12. About cookies

12.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

12.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

12.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

13. Cookies that we use

13.1 We use cookies for the following purposes:

13.1.1 authentication - we use cookies to identify you when you visit our website and as you navigate our website;

13.1.2 status - we use cookies to help us to determine if you are logged into our website;

13.1.3 personalisation - we use cookies to store information about your preferences and to personalise the website for you;

13.1.4 security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally;

13.1.5 analysis - we use cookies to help us to analyse the use and performance of our website and services;

13.1.6 cookie consent - we use cookies to store your preferences in relation to the use of cookies more generally.

14. Cookies used by our service providers

14.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.

14.2 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to



create reports about the use of our website. Google's privacy policy is available at:
<https://www.google.com/policies/privacy/>. [The relevant cookies are: `_ga`, `_gat`, `_gid`.]

15. Managing cookies

15.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- 15.1.1 <https://support.google.com/chrome/answer/95647?hl=en> (Chrome)
- 15.1.2 <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- 15.1.3 <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- 15.1.4 <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- 15.1.5 <https://support.apple.com/kb/PH21411> (Safari); and
- 15.1.6 <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

15.2 Blocking all cookies will have a negative impact upon the usability of many websites.

15.3 If you block cookies, you will not be able to use all the features on our website.

16. Our details

16.1 This website is owned and operated by de Smit Medical Systems Ltd.

16.2 We are registered in England and Wales under registration number 6585345, and our registered office is at 584 Wellsway, Bath, BA2 2UE.

16.3 Our principal place of business is at Unit 15 Falcons Gate, Dean Road, Bristol, BS37 5NH.

16.4 You can contact us:

- 16.4.1 by post, to the postal address in section 14.3;
- 16.4.2 by email using our website contact form;
- 16.4.3 by telephone, on the contact number published on our website; or
- 16.4.4 by email, using the email address published on our website.

17. Data protection officer

17.1 Our data protection officer's contact details are:
Jo Portch, Office Manager - jo@desmitmedical.com.