



St Nicholas Productions Limited Privacy Notice

Introduction

This privacy notice applies to all personal data, and sensitive personal data, collected and processed by St Nicholas Productions Limited in the conduct of its business, in electronic format in any medium and within paper filing systems.

St Nicholas Productions Limited manages the activities of the Family of Burnett (www.burnett.uk.com).

The Company recognises the General Data Protection Regulation (GDPR) and actively works towards compliance with that Regulation.

The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information both during and after your relationship with the Company. We are required under the GDPR to notify you of the information contained in this privacy notice.

What types of personal information do we collect about you?

The Company collects, uses and processes a range of personal information about you.

This includes, **as is applicable**:

- your contact details, including your name, address, telephone numbers and personal email addresses
- your bank details
- photographs

The Company may also collect, use and process “special categories” of your sensitive personal information (as applicable), such as any disabilities or information in relation to your health.

How do we collect your personal information?

The Company may collect personal information about you in a variety of ways. This can be directly from you in paper form, via the internet, by email, or through telephone calls or face to face meetings or sometimes from a third party.

Your personal information may be stored in different places, including in paper filing systems and in IT systems, including our email system.

Why and how do we use your personal information?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where it is necessary for the performance of a contract between you and us
- where it is necessary for compliance with a legal obligation
- where it is necessary to protect your vital interests (or someone else’s vital interests)
- where it is necessary for a task carried out in the public interest
- where it is necessary for our legitimate interests, and your interests, or your fundamental rights and freedoms do not override our interests.

Where the use of your personal information does not fall into any of the circumstances listed above, we will only use your personal information where we have received your consent.

The purposes for which we are processing, or will process, your personal information include (as applicable):

- to enable us to administer all aspects of any contract we have entered into with you
- to ensure compliance with our statutory and legal obligations
- to communicate with you in connection with Company news and information

What if you fail to provide personal information?

If you fail to provide certain personal information when requested or required, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our statutory or legal obligations.

Why and how do we use your sensitive personal information?

We will only collect and use your sensitive personal information, which includes special categories of personal information, when the law allows us to.

Some special categories of personal information, i.e. information about any disabilities or health, is processed so that we can administer all aspects of any contract we have entered into with you, and to protect your vital interests, to the fullest extent possible.

Change of purpose

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

Who has access to your personal information?

Your personal information will be used internally by those whose access to your personal information is necessary for the performance of their roles.

The Company may also share your personal information with third-party service providers (and their designated agents), where this is deemed necessary in accordance with those circumstances listed under “*Why and how do we use your personal information*”.

How does the Company protect your personal information?

The Company has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those internally and externally who have a business need to know in order to perform their job duties and responsibilities.

Where your personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

The Company also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner’s Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

For how long does the Company keep your personal information?

The Company will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, tax, health and safety, reporting or accounting requirements.

The Company will generally hold your personal information for the duration of any contractual relationship plus a period of one year from the end of any contractual relationship, but this is subject to any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, for example, our obligation to maintain accounting records for the current financial year plus the previous six complete financial years.

This means that we will “thin” the file of personal information that we hold on you one year after the termination of our contractual relationship, so that we only continue to retain for a longer period what is strictly necessary.

Where your personal information has been collected for reasons other than a contractual relationship with the Company, your personal information will generally be held for a period of six months, or until you have withdrawn your consent to the Company making use of your personal information, whichever is the later.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

In some circumstances we may anonymise your personal information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

Your rights in connection with your personal information

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes so that our records can be updated. The Company cannot be held responsible for any errors in your personal information unless you have notified the Company of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances:

- you have a **right to access** your personal information, subject to a number of exceptions. In most circumstances no fee will be charged for this, and the you will be provided with a copy of your personal information within 1 month from the date of the request
- you have a **right to rectification** of your personal information. This enables you to have any inaccurate or incomplete personal information we hold about you corrected
- you have a **right to data portability**. This enables you to obtain your personal information for your own purposes in a structured, commonly used electronic format. You have also the right to require us to transfer your information to another data controller
- you have a **right to erasure**. This enables you to ask us to delete or remove your personal information where there’s no compelling reason for its continued processing, e.g. it’s no longer necessary in relation to the purpose for which it was originally collected
- you have a **right to restrict processing**. This enables you to request that we suppress the processing of your personal information in certain circumstances. This means that we could hold your personal information, but would be unable to use it for any purpose
- you have a **right to object**. This enables you to object to the processing of your personal information on the basis of legitimate interest, unless there are compelling legitimate grounds for us to continue.

You also have the right to object to direct marketing and to the use of your information for research purposes.

If you wish to exercise any of these rights, please contact our Data Controller. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Transferring personal information outside the European Economic Area

The Company will not transfer your personal information to countries outside the European Economic Area.

Changes to this privacy notice

The Company reserves the right to update or amend this privacy notice at any time, including where the Company intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

Contact

The Company has appointed a Data Controller to oversee compliance with this privacy notice. If you have any questions about this privacy notice, or about how we handle your personal information, or if you wish to withdraw your consent for the Company to hold and process your personal information, please write to:

The Data Controller
St Nicholas Productions Limited
Banchory Business Centre
Burn O'Bennie Road
Banchory
AB31 5ZU

Or alternatively, please send an email with your query marked "For the Attention of The Data Controller" to burnettgathering@leysestate.co.uk