

## Privacy Policy

Updated 10<sup>th</sup> June 2019

### ABOUT US

The Black and White Agency is a marketing and communications agency based in the UK.

Our Site, [www.theblackandwhiteagency.com](http://www.theblackandwhiteagency.com) is owned and operated by DES Communications Limited trading as The Black and White Agency, a limited company registered in England under 05016519, whose registered address is DES Communications Limited, 109 Silverdale Avenue, Walton-On-Thames, Surrey, KT12 1EH, UK and whose main trading address is Ample House, 46 Uxbridge Road, Hampton Hill, Middlesex, TW12 3AD, UK. Our VAT number is 834 0471 46

### INTRODUCTION

The Black and White Agency understands that your privacy is important to you and that you care about how your information is used and shared online. We respect and value the privacy of everyone who visits Our Site and will only collect and use information in ways that are useful to you and in a manner consistent with your rights and Our obligations under the law.

This Policy applies to Our use of any and all data collected by us in relation to your use of Our Site. Please read this Privacy Policy carefully and ensure that you understand it. Your acceptance of Our Privacy Policy is deemed to occur upon your first use of Our Site. If you do not accept and agree with this Privacy Policy, you must stop using Our Site immediately.

### DEFINITIONS AND INTERPRETATIONS

In this Privacy Policy (the "Privacy Policy"), unless the context otherwise requires, the following expressions have the following meanings:

"Content"	means any and all text, images, audio, video, scripts, code, software, databases and any other form of information capable of being stored on a computer that appears on, or forms part of, Our Site; and
"Cookie"	means a small text file placed on your computer or device by Our Site when you visit certain parts of Our Site and/or when you use certain features of Our Site. Details of the Cookies used by Our Site are set out in section 7, below;
"personal data"	means any and all data that relates to an identifiable person who can be directly or indirectly identified from that data. In this case, it means personal data that you give to Us via Our Site. This definition shall, where applicable, incorporate the definitions provided in the EU Regulation 2016/679 – the General Data Protection Regulation ("GDPR"); and
"We/Us/Our"	means DES Communications Limited trading as The Black and White Agency, a company registered in England under 05016519 whose registered address is DES Communications Limited, 109 Silverdale Avenue, Walton-On-Thames, Surrey, KT12 1EH, UK and whose main trading address is Ample House, 46 Uxbridge Road, Hampton Hill, Middlesex, TW12 3AD, UK.

## 1. SCOPE – WHAT'S COVERED?

- 1.1. This Privacy Policy applies only to your use of Our Site. It does not extend to any websites that are linked to from Our Site (whether We provide those links or whether they are shared by other users). We have no control over how your data is collected, stored or used by other websites and We advise you to check the privacy policies of any such websites before providing any data to them.

## 2. YOUR RIGHTS

- 2.1. As a data subject, you have the following rights under the GDPR, which this Policy and Our use of personal data have been designed to uphold:
  - 2.1.1.1. The right to be informed about Our collection and use of personal data;
  - 2.1.1.2. The right of access to the personal data We hold about you (see section 3);
  - 2.1.1.3. The right to rectification if any personal data We hold about you is inaccurate or incomplete (please contact Us using the details in section 13);
  - 2.1.1.4. The right to be forgotten – i.e. the right to ask Us to delete any personal data We hold about you (We only hold your personal data for a limited time, as explained below, but if you would like Us to delete it sooner, please contact Us using the details in section 13);
  - 2.1.1.5. The right to restrict (i.e. prevent) the processing of your personal data;
  - 2.1.1.6. The right to data portability (obtaining a copy of your personal data to re-use with another service or organisation);
  - 2.1.1.7. The right to object to Us using your personal data for particular purposes; and
  - 2.1.1.8. Rights with respect to automated decision making and profiling.
- 2.2. You have the right to withdraw your consent to Us using your personal data at any time, and to request that We delete it.
- 2.3. We do not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Data will therefore be retained for no longer than 12 months from the date we last communicated with you unless you specifically

engage us to need us to do so in relation to an enquiry or to provide our services to your company.

- 2.4. If you have any cause for complaint about Our use of your personal data, please contact Us using the details provided in section 13 and We will do Our best to resolve the problem for you, normally within 28 days.
- 2.5. For further information about your rights, please contact the Information Commissioner's Office [ico.org.uk](http://ico.org.uk) or your local Citizens Advice Bureau.

### 3. WHAT INFORMATION DO WE COLLECT?

- 3.1. We may collect, store and use the following kinds of personal data. Information about your computer and about your visits to and use of this website (including your IP address, geographical location, browser type, referral source, length of visit and number of page views):
- 3.2. Information that you provide to us for the purpose of registering with us;
- 3.3. Information that you provide to us for the purpose of subscribing to our website services, email notifications and/or newsletters;
- 3.4. Any other information that you choose to send to us.
- 3.5. Some data will be collected automatically by Our Site using Google Analytics, other data will only be collected if you voluntarily submit it. This includes some or all of the following data:
  - 3.5.1. First Name;
  - 3.5.2. Last Name;
  - 3.5.3. Company name
  - 3.5.4. Job title;
  - 3.5.5. Contact information such as email addresses and telephone numbers;
  - 3.5.6. Demographic information such as postal address including post code;
  - 3.5.7. Social profile name and links

### 4. HOW DO WE USE YOUR DATA?

- 4.1. All personal data is stored securely in accordance with the principles of the Data Protection Act 1998 and the General Data Protection Regulation. For more details on security see section 10, below.
- 4.2. We use your data to provide the best possible products and services to you. This includes:
  - 4.2.1. Supplying Our products and services to you;
  - 4.2.2. Personalising and tailoring Our products and services for you;
  - 4.2.3. Responding to communications from you;
  - 4.2.4. Supplying you with email communications that you have subscribed to, you may unsubscribe (opt-out) at any time by selecting to unsubscribe from within the email copy and following instructions provided;
- 4.3. With your permission and/or where permitted by law, we may also use your data for Our marketing purposes which may include contacting you by email AND/OR telephone AND/OR text message AND/OR post with relevant information, news and offers on our products AND/OR services.
- 4.4. We will take all reasonable steps to ensure that we fully protect your rights and comply with our obligations under the Data Protection Act 1998, the General Data Protection Regulation and the Privacy and Electronic Communications (EC Directive) Regulations 2003, as amended in 2004, 2011 and 2015.

### 5. HOW AND WHERE DO WE STORE YOUR DATA?

- 5.1. We only keep your data for as long as we need to in order to use it as described above, and/or for as long as we have your permission to keep it.
- 5.2. Your data will only be stored on secure UK based servers. Data security is of great importance to us, and to protect your data we have taken suitable measures to safeguard and secure data collected through Our Site.
- 5.3. Notwithstanding the security measures that we take, it is important to remember that the transmission of data via the internet may not be completely secure and that you are advised to take suitable precautions when transmitting to us data via the internet.

### 6. DISCLOSURES - DO WE SHARE YOUR DATA?

- 6.1. We may disclose information about you to any of our employees, officers, insofar as reasonably necessary for the purposes as set out in this privacy policy.
- 6.2. In addition, we may disclose information about you:
  - 6.2.1. to the extent that we are required to do so by law;
  - 6.2.2. in connection with any legal proceedings or prospective legal proceedings;
  - 6.2.3. in order to establish, exercise or defend our legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk); and
  - 6.2.4. to the purchaser (or prospective purchaser) of any business or asset which we are (or are contemplating) selling.
- 6.3. We may share your data with other companies in our group. This includes our subsidiaries AND/OR our holding company and its subsidiaries.
- 6.4. We may sometimes contract with third parties to supply products and services to you on our behalf. These may include payment processing, delivery of goods, search engine facilities, advertising and marketing. In some cases, the third parties may require access to some or all of your data. Where any of your data is required for such a purpose, we will take all reasonable steps to ensure that your data will be handled safely, securely, and in accordance with your rights, our obligations, and the obligations of the third party under the law.
- 6.5. We may compile statistics about the use of Our Site including data on traffic, usage patterns, user numbers, sales and other information. All such data will be anonymised and will not include any personally identifying information.
- 6.6. We will not share your data with third parties without your prior consent.

### 7. WHAT HAPPENS IF OUR BUSINESS CHANGES HANDS?

- 7.1. We may, from time to time, expand or reduce our business and this may involve the sale and/or the transfer of control of all or part of our business. Data provided by users will, where it is relevant to any part of our business so transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this Privacy Policy, be permitted to use the data for the purposes for which it was originally collected by us.
- 7.2. In the event that any of your data is to be transferred in such a manner, you will not be contacted in advance and informed of the changes. When contacted you will, however, be given the choice to have your data deleted or withheld from the new owner or controller.

## 8. HOW YOU CAN ACCESS YOUR DATA AND YOUR RIGHT TO BE FORGOTTEN

- 8.1. You have the right to
  - 8.1.1. update the details you have provided to us
  - 8.1.2. request a copy of any of your personal data held by Us (where such data is held)
    - 8.1.2.1. Payment of a small fee which will not exceed £10 may apply
  - 8.1.3. request that we delete any of your personal information that we may hold
  - 8.1.4. Please contact us at [info@theblackandwhiteagency.com](mailto:info@theblackandwhiteagency.com), or by using the contact details below in section 14.

## 9. COOKIES

- 9.1. A cookie consists of information sent by a web server to a web browser and stored by the browser. The information is then sent back to the server each time the browser requests a page from the server. This enables the web server to identify and track the web browser. We may use both "session" cookies and "persistent" cookies on the website. We will use the session cookies to: keep track of you whilst you navigate the website and we may use the persistent cookies to: enable our website to recognise you when you visit; Session cookies will be deleted from your computer when you close your browser. Persistent cookies will remain stored on your computer until deleted, or until they reach a specified expiry date.
- 9.2. We do use Google Analytics to analyse the use of this website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated relating to our website is used to create reports about the use of the website. Google will store this information. Google's privacy policy is available at: [www.google.com/privacypolicy.html](http://www.google.com/privacypolicy.html). Most browsers allow you to refuse to accept cookies. (For example, in Internet Explorer you can refuse all cookies by clicking "Tools", "Internet Options", "Privacy", and selecting "Block all cookies" using the sliding selector.) This may, however, have a negative impact upon the usability of many websites.

## 10. SECURITY OF YOUR PERSONAL DATA

- 10.1. We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information. We will store all the personal information you provide on our secure (password- and firewall- protected) servers based in the UK. Of course, data transmission over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.

## 11. YOUR RIGHTS INCLUDING WITHOLDING INFORMATION

- 11.1. You may access certain areas of Our Site without providing any data at all. However, to use all features and functions available on Our Site you may, from time to time, be required to submit or allow for the collection of certain data.
- 11.2. You may instruct us to provide you with any personal information we hold about you. You may instruct us not to process your personal data for marketing purposes by email at any time. (In practice, you will usually either expressly agree in advance to our use of your personal data for marketing purposes when completing Our enquiry form, or we will provide you with an opportunity to opt-out of the use of your personal data for marketing purposes.)
- 11.3. When you submit information via Our Site, you will be given options to restrict Our use of your data. In particular, we aim to give you strong controls on Our use of your data for direct marketing purposes (including the ability to opt-in to receive communications from Us which you are happy to receive. You may unsubscribe from any of our communications at any time by using links provided in Our emails or by writing to us.
- 11.4. You may also wish to sign up to one or more of the preference services operating in the UK: The Telephone Preference Service ("the TPS"), the Corporate Telephone Preference Service ("the CTPS"), and the Mailing Preference Service ("the MPS"). These may help to prevent you receiving unsolicited marketing. Please note, however, that these services will not prevent you from receiving marketing communications that you have consented to receiving.

## 12. IF WE CHANGE OUR POLICY

- 12.1. We may change this policy as we may deem necessary from time to time, or as may be required by law. Any changes will be immediately posted on Our Site and you will be deemed to have accepted the terms of the Privacy Policy on your first use of Our Site following the alterations. We recommend that you check this page regularly to keep up-to-date.

## 13. IF YOU NEED TO CONTACT US

- 13.1. If you have any questions about Our Site or this Privacy Policy, please contact Us by email at [info@theblackandwhiteagency.com](mailto:info@theblackandwhiteagency.com) by telephone on 0208 481 9460, or by post at:

**The Data Controller**  
**DES Communications Limited**  
**Ample House, 46 Uxbridge Road, Hampton Hill**  
**Middlesex**  
**TW12 3AD**  
**UNITED KINGDOM**

Please ensure that the nature of your enquiry is clear and dated, particularly if it is a request for information about the data We hold about you.