

Absolute Apparel Privacy Policy



Version: June 2020

INTRODUCTION

Welcome to the Absolute Apparel's privacy policy.

Absolute Apparel 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 (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

PURPOSE OF THIS PRIVACY POLICY

This privacy policy aims to give you information on how Absolute Apparel collects and processes your personal data through your use of our website, including any data you may provide through our website, when you sign up to our newsletter, make a purchase, take part in a survey, competition or when communicating with us by email, letter/post, social media or telephone or in person.

Our website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy 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 other notices and privacy policies and is not intended to override them.

CONTROLLER

Absolute Apparel Ltd is the controller and responsible for your personal data (collectively referred to as "Absolute Apparel", "we", "us" or "our" in this privacy policy).

If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us using the details set out below.

CONTACT DETAILS

If you have any questions about this privacy policy or our privacy practices, please contact us in the following ways:

Absolute Apparel Ltd

By email: sales@absoluteapparel.co.uk

By Post: FAO Data Protection Officer,
Absolute Apparel Ltd,
Racecourse Road,
Wolverhampton,
West Midlands, WV6 0QD

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By telephone: 0800 408 5511

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

We keep our privacy policy under regular review. If we make changes to our privacy policy, our updated privacy policy will be made available to you on our website.

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.

THIRD-PARTY LINKS

Our website may include links to third-party websites, plug-ins and applications that allow you to connect with your social network in various ways. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

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 as follows:

- **Identity Data** includes your title, first name, last name, position, username or similar identifier. When you create an account or transact with us, we will collect personal data as necessary to maintain and manage your account. In order to create an account, we will require you to fill out our Application for Commercial Credit form available on our website.
- **Contact Data** includes postal/billing address, email address and telephone/mobile numbers.
- **Financial Data** includes bank account and sort code, payment card details, tokenised card details (limited details to aid future purchases and refunds), product orders and invoice history. We may also process your signature (when you sign for a delivery).
- **Transaction Data** When you order online and pay using the services offered at checkout, to make payment from merchants to process payments, we collect information about the transaction, as well as other information such as amount paid for products and merchant information to complete the transaction, device information, technical usage data and geolocation information. This includes order history and 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, your login data, browser type and version, time zone setting and geolocation, browser plug-in types and versions, operating system and platform, device

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information and other technology on the devices you use to access our website. We may use tracking pixels or beacons to collect certain personal data if you have opted to receive our e-newsletter. The following data is collected against your email address: IP Address, (this is not GPS Data or accurate location data) what time the email was opened, the number of clicks together with what images are clicked, the email client type, device interaction with an email, your operating system information, your browser ID, and other information about your system and connection. On occasions the device on which an email is opened is also collected.

- **Profile Data** includes your username and password used on our platform, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **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 your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **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:
 - enquire about or order one or more for our products or services;
 - create an account on our website;
 - subscribe to our e-newsletter or other publications;

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- request marketing to be sent to you;
 - enter a competition, promotion or survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, or sign up for our e-newsletter, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, tracking pixels, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see the section below on cookies for further details.
 - **Third parties sources.** We may receive personal data about you from various third parties, such as Mailchimp, who may share your Identity and Contact data with us when you connect your e-commerce account with Mailchimp or when you sign up for a member's distribution list on a Mailchimp signup form. For more information on Mailchimp's privacy policy please click here: mailchimp.com/legal/privacy/. We may also obtain information about you from other third-party sources, such as social media platforms and third-party data providers. We use this information to provide publicly available social media information about you to members who have enabled the "Social Profiles" feature in their Mailchimp accounts.

4. 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 obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although where required we will get your consent before sending certain marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below a description of all the ways we plan to use your personal data.

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 below.

- For our internal records and references.
- To provide and facilitate access to our products and services to you as a customer and to handle orders, deliver products and services, process payments/ invoices, communicate with you about orders, products,

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services and promotional offers, update our records and generally maintain your accounts with us.

- To manage our relationship with you, including notifying you about changes to our privacy policy and asking you to leave a review or take a survey.
- To administer and protect our business, including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data.
- To deliver relevant website content, advertisements, news and blog and guides content to you and measure or understand the effectiveness of the advertising we serve you.
- To use data analytics to improve our website, products and/or services, marketing, customer relationships and experience.
- To make suggestions and recommendations to you about products and/or services that may be of interest to you.
- To contact you in response to your query sent through the enquiry form on our website, by email or post.
- To allow us to review the performance of the message and offers/announcements of new collections and sub collections.
- To prevent or detect fraud.
- To comply with legal or regulatory obligations or in for use in legal proceedings.
- To enable third party suppliers to carry out logistical or other functions on our behalf when providing products or services to you.

MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Where you have provided us with your consent for receiving marketing and advertising related communications, you may revoke such consent by contacting us.

Where you have consented to our newsletter subscription or marketing communications, depending on your opted preferences, we may provide you with information relating to other products that we think might be of interest to you. You may contact us to opt out of receiving any marketing and advertising communications from us. Information includes any promotional information including surveys, competitions and other emails relating to products or services.

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

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or services from us and 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 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, warranty registration, product/service experience or other transactions.

If you have signed up to our e-newsletter and would like to opt out of tracking, then you can contact us to have your data collection set to do not track.

COOKIES

We also collect data on visits to our website using cookies. Cookies are small files stored on a user's computer. We use cookies to ensure our website works efficiently; for example, to remember if you have logged into your account between page views. You can find out more about cookies by visiting www.aboutcookies.org or www.allaboutcookies.org. Some cookies are essential to ensure that your order is remembered between pages so that it can be processed properly.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly.

We use the following cookies:

- **Strictly necessary 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 or performance cookies.** These 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.

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

All cookies expire when the session ends (when the browser is closed or 60 minutes of inactivity) except where stated below.

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Cookie Title Cookie Name	Purpose and storage duration	More information
ASP.NET_SessionId	This is set by the ASP.NET framework and it identifies uniquely the user session on the server; it's used by the framework to pass information between server requests.	
Mobile	Allows the user to show the desktop version of the website when using a mobile phone.	
ProductListView	Stores the users preferred view on the list page, grid or list format.	
VAT	Stores if the users prefer to see INC or EXC VAT Pricing.	
Mode	Stores a mode tag, which enables the website to show different skins and content. i.e. business site	
Itemrows	Stores products which have been added to the basket. Enables the basket to persist over visits. This is stored for 5 days.	
UTM	These cookies have names that start with UTM-, but are not fixed. In these cookies we store UTM parameters from URLs. This enables us to track visits from 3rd parties etc.	
Google Analytics	These cookies are inserted on our site by Google in order to assist with Google Analytics. Google may change these from time to time.	https://support.google.com/analytics/answer/6004245

We do not share the information collected by the cookies with any third parties except those mentioned above.

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our website.

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

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above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in section 4 above (under the heading *Purposes for which we will use your personal data*).

- Service providers acting as processors based in the EEA and the United States who provide order delivery and fulfilment services, email campaign, back-up providers, payment gateways, IT (including website developers) data storage, couriers (e.g. DPD) and system administration services.
- Any third parties that you have specifically consented to when entering a survey or competition.
- Professional advisers acting as processors or separate controllers including lawyers, bankers, auditors and insurers based in the EEA who provide consultancy, banking, legal, insurance and accounting services.
- Third parties to whom we may choose to sell, transfer or merge parts 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.

6. INTERNATIONAL TRANSFERS

Some of our external third party data processors are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA.

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.

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.

Where we use providers based in the US (such as Mailchimp), 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 Europe and the US.

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

7. DATA SECURITY

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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.

8. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for up to seven (7) years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see section 9 headed *your legal rights* below for further information.

In some circumstances we will 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.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

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.

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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. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

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. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your 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:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- 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.
- 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 products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

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 could refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

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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 one month. Occasionally it could 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.