



# PRIVACY POLICY

©September 2021



Please read this Privacy Policy carefully before using our web services or mobile based applications. If you are reading this Privacy Policy in a language other than English, please note that it is the English language version that will prevail for the purposes of interpretation.

When you share data with Pavelka, you accept and agree to be bound and abide by the Privacy Policy. If you do not agree to the Privacy Policy, you should not share your data with Pavelka.

## 1. INTRODUCTION

- 1.1. For us to operate our business and provide our services to you, it is sometimes necessary for us to collect or process information about you.
- 1.2. Pavelka respects your privacy and is committed to protecting your personal data. This Privacy Policy sets out the detail of what information we collect, as well as how that data is used and protected.
- 1.3. We use your personal data to provide and improve our services. By using our services, you agree to the collection and use of information in accordance with this Privacy Policy.
- 1.4. Our web services or mobile based applications are not intended for children and we do not knowingly collect data relating to children.
- 1.5. It is important that you read this Privacy Policy together with any other privacy or fair processing notice we may provide to you 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 includes for example, data you provide through our web services or mobile based applications, when you sign up to our newsletter, purchase a product or service, or take part in a competition. This Privacy Policy supplements the other notices and is not intended to override them.

## 2. DATA CONTROLLER

- 2.1. Pavelka means Pavelka Limited, Pavelka Singapore PTE and Pavelka Incorporated is the Data Controller and responsible for your personal data (collectively referred to as Pavelka, "we", "us" or "our" in this Privacy Policy).
- 2.2. We have appointed a Data Protection Officer (DPO) 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 DPO using the details set out below.

### 2.3. CONTACT DETAILS

If you have any questions about this Privacy Policy, you can contact:

Name and title of DPO: Jill Tipping, Co-Founder & Director  
Email address: [jill@pavelka.co.uk](mailto:jill@pavelka.co.uk)  
Postal address: Pavelka Ltd, Office 1, Garrity House, Miner's Way, Aylesham, Kent. CT3 3BF

2.3.1. 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](http://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.

## 3. CHANGES TO THIS PRIVACY POLICY

- 3.1. We may update our Privacy Policy from time to time. We will notify you of any changes by posting the new Privacy Policy on this page.
- 3.2. We will let you know via email and/or a prominent notice on our service, prior to the change becoming effective and update the "Last updated" date at the top of this Privacy Policy.
- 3.3. You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page. Historic versions can be obtained by contacting us.
- 3.4. 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.



#### 4. THIRD-PARTY LINKS

4.1. Our web services or mobile based applications may include links to third-party websites, plugins and applications. 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 web services or mobile based applications, we encourage you to read the privacy notice of every website you visit. We do not review how any of these third parties use the data and cannot be liable for anything that they do with it.

#### 5. DEFINITION OF PERSONAL DATA

5.1. When we refer to 'personal data' we mean any information that allows us to identify you personally. Obvious examples include your name, email address, postal address etc.

#### 6. THE DATA WE COLLECT ABOUT YOU

##### 6.1. PERSONAL DATA

6.1.1. While using our web services or mobile based applications, we may ask you to provide Us with certain personally identifiable information that can be used to contact or identify you. It does not include data where the identity has been removed (anonymous data).

6.1.2. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows, but is not limited to:

6.1.2.1. Identity Data includes first name, last name, username or similar identifier, title, date of birth and gender.

6.1.2.2. Contact Data includes billing address, delivery address, email address and telephone numbers.

6.1.2.3. Financial Data includes bank account and payment card details.

6.1.2.4. Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.

6.1.2.5. Technical Data includes internet protocol (IP) address, your login data, 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 our web services or mobile based applications.

6.1.2.6. Profile Data includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.

6.1.2.7. Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

##### 6.2. USAGE DATA

6.2.1. Usage Data is collected automatically when using our web services or mobile based application.

6.2.2. Usage Data may include information such as your Device's Internet Protocol address (e.g. IP address), browser type, browser version, device type and operating system, the pages or areas of our service that you visit, the content that you access, like and comment on, the time and date of your visit, the time spent on those pages, and other diagnostic data to inform our content strategy, your engagement with our product, future product development and upgrades to Our technology as some examples.

6.2.3. When you access the service by or through a mobile device, We may collect certain information automatically, including, but not limited to, the type of mobile device you use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data.

6.2.4. We may also collect information that your browser sends whenever you visit Our service or when you access the service by or through a mobile device.

##### 6.3. SURVEY DATA

6.3.1. From time to time We may conduct Surveys of users to further understand their needs, experiences and attitudes in relation to Well-being. Data collected will be linked to personal data and Usage Data for the purposes of analysis only. Insights generated from Survey Data will only ever be at an aggregated level and personal data and individually attributable answers will never be published or shared.

6.3.2. The Company has the right to use Survey Data to further improve and enhance its commercial products and services including but not limited to online web services, mobile based applications, real world events and experiences, industry reports and white papers.

#### 6.4. AGGREGATED DATA

6.4.1. 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 web service or mobile based application 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 notice.

### 7. DATA WE DON'T COLLECT

7.1. 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, genetic and biometric data – although mobile based applications may use bio-metric access, this data is stored on the local device). Nor do we collect any information about criminal convictions and offences. Where you are able to add data to our systems, we ask that you please do not give us any information that falls into this category and if you do give us this data, we will destroy it in accordance with this privacy notice.

### 8. IF YOU FAIL TO PROVIDE PERSONAL DATA

8.1. Where we need to collect personal data by law, or under the terms of a contract we have with you or a third party connected to you and you fail to provide that data when requested, or you withdraw your consent for us to use that data, we may not be able to perform the contract we have or are trying to enter into with you or a third party connected to 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.

### 9. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

#### 9.1. Direct interactions.

9.1.1. 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;
- create an account on our web service or mobile based application;
- subscribe to our service or publications;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give us some feedback.

#### 9.2. Automated technologies or interactions.

9.2.1. As you interact with our web services or mobile based applications, 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. Please see our [Cookie Policy](#) for further details.

9.2.2. Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:

##### 9.2.2.1. Technical Data from the following parties:

- analytics providers such as Google
- advertising networks such as Google, Facebook & LinkedIn
- search information providers such as Google
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Shopify based inside and outside the EU.

## 10. HOW WE USE YOUR PERSONAL DATA

10.1. 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:

10.1.1. Where we need to perform the contract we are about to enter into or have entered into with you or a third party connected to you.

10.1.2. 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.

10.1.3. Where we need to comply with a legal or regulatory obligation.

10.2. Please refer to the Glossary for details of what is meant by lawful basis.

10.3. Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting the DPO.

## 11. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

11.1. 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.

11.2. 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 the DPO 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 or user	(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	(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) To attend and manage your requests (b) Notifying you about changes to our terms or privacy policy (c) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile	(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) (d) Which you have the right to withdraw at any time by notifying us.
To contact you by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities, products or contracted services, including the security updates, when necessary or reasonable for their implementation.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Technical	(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) (d) which you have the right to withdraw at any time by notifying us.
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage	(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)

		(c) Which you have the right to withdraw at any time by notifying us.
To administer and protect our business and our web services or mobile based applications (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) (b) Necessary to comply with a legal obligation
To deliver relevant web services or mobile based applications content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) 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), which you have the right to withdraw at any time by notifying us.
To use data analytics to improve our web services or mobile based applications, 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 web services or mobile based applications updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing	Necessary for our legitimate interests (to develop our products/services and grow our business) With your consent, which you have the right to withdraw at any time by notifying us.

## 12. PROMOTIONAL OFFERS FROM US

- 12.1. 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 and how we then may contact you to tell you which products, services and offers might be available (we call this marketing).
- 12.2. 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.

## 13. THIRD-PARTY MARKETING

- 13.1. We will get your express opt-in consent before we share your personal data with any company outside the Pavelka for marketing purposes.

## 14. OPTING OUT

- 14.1. You can ask us or third parties to stop sending you marketing messages at any time by contacting the DPO or by following the opt-out links on any marketing message sent to you. 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.

## 15. COOKIES

- 15.1. 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 web services or mobile based applications may become inaccessible or not function properly. For more information about the cookies we use, please refer to our [Cookie Policy](#).

## 16. CHANGE OF PURPOSE

- 16.1. 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 the DPO.

- 16.2. 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.

## 17. DISCLOSURES OF YOUR PERSONAL DATA

17.1. We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 11 above.

17.1.1. With internal Third Parties such as Pavelka employees, or consultants.

17.1.2. With external Third Parties such as our clients, service providers and suppliers including but not limited to Mailchimp, ZoHo CRM, SurveyMonkey, Eventbrite, Quickbooks, Xero, WordPress, Microsoft and others, professionals including accountants and legal advisers and government authorities such as HM Revenue & Customs. Where we share data with such third-party providers, we will confirm with them that they will process data in accordance with their privacy notices and as set out below.

17.1.3. With Service Providers to monitor and analyse the use of our service, to show advertisements to you to help support and maintain our service, to advertise on third party websites to you after you visited our service, for payment processing, to contact you.

17.1.4. With other users, when you share personal information or otherwise interact in the public areas with other users, such information may be viewed by all users and may be publicly distributed outside. If you interact with other users or register through a Third-Party Social Media Service, your contacts on the Third-Party Social Media Service may see your name, profile, pictures and description of your activity. Similarly, other users will be able to view descriptions of your activity, communicate with you and view your profile.

17.1.5. 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 notice.

17.1.6. We may disclose your personal information for any other purpose with your consent.

17.2. 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.

## 18. INTERNATIONAL TRANSFERS

18.1. Pavelka ensures it complies with data protection legislation in England and Wales. Our servers are located in England and Wales. It is possible that when sharing with some third parties it will involve transferring data outside England and Wales.

18.2. Whenever we or they transfer your personal data out of England and Wales, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

18.2.1. We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data in line with UK legislation.

18.2.2. 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.

18.2.3. 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.

18.3. Please contact the DPO if you want further information on the specific mechanism used by us when transferring your personal data out of England and Wales.

18.4. If there are other countries where your data is transferred, which do not have the same standards of data protection and privacy as those with which we comply, we will continue to protect your data in accordance with this privacy policy.

18.5. By sharing your data with us, you agree that we may transfer data as set out above.

18.6. If we receive complaints, we will work with the appropriate regulatory authorities, including local data protection authorities, to resolve any complaints regarding the transfer of your data that we cannot resolve with you directly.

## 19. DATA SECURITY

19.1. 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.

19.2. 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.

## 20. DATA RETENTION

20.1. 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.

20.2. 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.

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

20.4. In some circumstances you can ask us to delete your data. Please contact the DPO for details of how to arrange this.

20.5. 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.

## 21. YOUR LEGAL RIGHTS

21.1. You have rights under the relevant data protection laws in relation to your personal data and we respect the confidentiality of your personal data and guarantee to enable you to exercise your rights. These include:

21.1.1. Request access to your personal data.

21.1.2. Request correction of your personal data.

21.1.3. Request erasure of your personal data.

21.1.4. Object to processing of your personal data.

21.1.5. Request restriction of processing your personal data.

21.1.6. Request transfer of your personal data.

21.1.7. Right to withdraw consent.

21.2. Please see further explanation of these rights below. If you wish to exercise any of the rights set out above, please contact the DPO.

## 22. EXERCISING YOUR GDPR DATA PROTECTION RIGHTS

22.1. You may exercise your rights of access, rectification, cancellation, and opposition by contacting us. Please note that we may ask you to verify your identity before responding to such requests. If you make a request, we respond in line with the timeframes stipulated by the ICO ([www.ico.gov.uk](http://www.ico.gov.uk)) and the contact details of the DPO, to whom you must address your request, are listed within the Introduction at the start of this document.

22.2. You have the right to complain to a Data Protection Authority about our collection and use of your personal data. For more information, if you are in the European Economic Area (EEA), please contact your local data protection authority in the EEA.

22.3. 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.



22.4. 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.

22.5. Pavelka will respond in line with the timeframes stipulated by the ICO ([www.ico.gov.uk](http://www.ico.gov.uk)).

### 23. YOUR LEGAL RIGHTS

You have the right to:

23.1. 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.

23.2. 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.

23.3. 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.

23.4. 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.

23.5. 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.

23.6. 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.

23.7. 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.

## APPENDIX1 - GLOSSARY

### 24. LAWFUL BASIS

24.1. **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting the DPO.

24.2. **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we ar

