

PRIVACY POLICY

1. Introduction

1.1 It is a necessary part of our business that we collect and manage data about our customers and website visitors and others. We are committed to the safe keeping of your information and, of course, compliance with data protection laws. As such, we therefore act as a "Data Controller".

1.2 This privacy notice details how we collect, manage, process, store and share information about you as a result of you visiting our website, as a customer or prospective customer or as a result of our marketing. In this policy we explain how we will handle your personal data.

1.3 This notice does not apply to any websites or web services linked to our website or any website or web services that we provide you with links to at any time, as we do not have control over them. By using our website and agreeing to this policy, you consent to our use of cookies in accordance with the terms of this policy as set out below.

1.4 Our website incorporates privacy controls which affect how we will process your personal data. By using the privacy controls, you can specify whether you would like to receive direct marketing communications and limit the publication of your information. You can access the privacy controls via [*msbanks.co.uk*].

2. How we use your personal data

2.1 In this Section 2 we have set out:

- (a) the general categories of personal data that we may process;
- (b) the purposes for which we may process personal data; and
- (c) the legal bases of the processing.

2.2 We may process data about your use of our website and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, 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 service use. 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 as well as to authenticate you as a user of our site. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

2.3 We may process your account data ("**account data**"). The account data may include your name and email address general information that you supply about yourself or others – such as name, address, date of birth, gender, other contact details, financial information etc. The source of the account data is you. 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. Your account data may also be used in relation to the collection, sharing and use of personal data for personalised ads: <https://policies.google.com/technologies/partner-sites>.

2.4 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.

2.5 We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website ("**transaction data**"). The transaction data may include your contact details, your card details and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. Transactional information is only gathered and used when required and is not stored. 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.

2.6 We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters ("**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.

2.7 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.

2.8 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.

2.9 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 risks.

2.10 In addition to the specific purposes for which we may process your personal data set out in this Section 2, 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. Providing your personal data to others

3.1 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.

3.2 We may disclose *notification data* and *correspondence data* to our suppliers or subcontractors insofar as reasonably necessary for the purposes of sending you the relevant notifications and/or newsletters and for the purposes of communicating with you.

3.3 Financial transactions relating to our website and services are handled by our payment services providers, [*Townsend music*] 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 [*www.townsend-music.com*].

3.4 In addition to the specific disclosures of personal data set out in this Section 3, 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.

3.5 In the instances of ticket purchases for an event we may provide your name and contact information to the venue or associated booking agent to allow them to confirm your identity or facilitate your entry to the event.

3.6 This website uses third party products provided by Google and Facebook in order to advertise on third party websites. We advertise to previous visitors and to people who are most likely to be interested in our products. Any data collected is used in accordance with this policy and the individual policies of Google and Facebook. To opt-out of remarketing on their sites visit:

Google:<https://support.google.com/ads/answer/2662922?hl=en>

Facebook:https://www.facebook.com/ads/preferences/?entry_product=ad_settings_screen

4. Retaining and deleting personal data

4.1 This Section 4 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.

4.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

4.3 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:

(a) the period of retention of contract and consent data will be determined based on the length of time you wish to remain a registered customer.

4.4 Notwithstanding the other provisions of this Section 4, we may retain your personal data where such retention 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.

4.5 We recognise that your information is valuable and we will take all reasonable steps to protect it while it is in our care.

We have systems in place to protect personally identifiable data from loss, misuse, alteration or destruction.

We also impose confidentiality obligations on internal and external parties to protect the confidentiality of all personal information and to ensure compliance with data protection laws.

We employ computer and digital data safeguards such as firewalls and data encryption to keep data safe.

5. Amendments

5.1 We may update this policy from time to time by publishing a new version on our website.

5.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

5.3 We may notify you of changes to this policy by email.

6. Your rights

6.1 Under the General Data Protection Regulations (GDPRs), you are entitled to access your personal data (this is the 'right to access'). In this Section 6, 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.

6.2 Your principal rights under data protection law are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

6.3 You have the right to confirmation 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.

6.4 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.

6.5 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. 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.

6.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, 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.

6.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, 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.

6.8 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.

6.9 To the extent that the legal basis for our processing of your personal data is:

(a) consent; or

(b) 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, 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.

6.10 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.

6.11 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 processing before the withdrawal.

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

7. Special Data

We do not require you to provide any Special category or sensitive personal data such as information about your or others' racial or ethnic origin, religion, sexual orientation, political opinions, health data, trade union membership, philosophical views, biometric and genetic data, nor data relating to criminal convictions and offences.

8. Personal data of children

8.1 Our website and services are targeted at persons over the age of 13.

8.2 If we have reason to believe that we hold personal data of a person under that age in our databases, we will delete that personal data.

8.3 In processing the data of persons over the age of 12 but under the age of 18 we:

- Will comply with all the requirements of the GDPR, not just those specifically relating to children.
- Have endeavoured to design our processing with children in mind from the outset, and have used a data protection by design and by default approach.
- Will make sure that our processing is fair and complies with the data protection principles.
- As a matter of good practice, use DPIAs to help us assess and mitigate the risks to children.
- As a matter of good practice, take children's views into account when designing our processing.

9. Updating information

9.1 Please let us know if the personal information that we hold about you needs to be corrected or updated.

10. Cookies and links to other websites

We may use cookies to store and help track information about you to offer and provide a personal service through our website. A cookie is a small text file sent to your device that we use to store limited information about your use of the website. We may use cookies to provide you with certain functionality (such as to enable access to secure log-in areas and to save you having to re-enter information into product or website forms) and to personalise our website content. Without cookies, this functionality would be unavailable.

By using our website you agree that we can place these cookies on your device.

We may also use analytics tools provided by Google. or other similar providers. The data collected enables us to understand aggregated user or visitor activity and how we might improve our website. This data is collected and used on an anonymised, aggregated basis only and does not enable any user or visitor to be personally identified.

In addition, we may also use marketing automation tools. These companies serve cookies to profile users or visitors' interests and activity. We may use data collected through these cookies to serve users or visitors with information, new articles and advertising tailored to their specific needs and requirements.

You have the right to refuse or disable cookies served through our website although, if you choose to do so, some functionality might become unavailable to you. As the methods to do this vary from browser to browser, we suggest that you access your browser's help menu for further information. We respect your right to choose whether or not to accept cookies.

Note: If you do not set your browser and e-mail settings to disable cookies, you will be indicating your consent to receive them.

If you want to find out more about cookies and clear gifs, you can visit www.allaboutcookies.org, an independent resource that explains what cookies and clear gifs are and how you might manage them. We are not responsible for, and have no control over, the content of this third-party website.

Our website might contain links to other websites or web services. Once you have used any link to leave our site, you should note that we do not have any control over that other website. We cannot be responsible for the protection and privacy of any information that you provide while visiting any other sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

11. Contact details

10.1 This website is owned and operated by [Le nouveau Ltd]

10.2 We are registered in [England and Wales] under registration number [12057624], and our registered office is at [71 -75 Shelton Street, Covent Garden, London, WC2H 9JQ]

10.3 Our principal place of business is at [64 New Cavendish Street, London, W1G 8TB]

10.4 You can contact us and our Data Privacy Manager: info@msbanks@gmail.com

(a) by post, to the postal address given above;

(b) using our website contact form;

(c) by email, using [info@msbanks@gmail.com]

Help & Contact – includes relevant links