

Privacy and cookies policy

1. Introduction

- 1.1 We are committed to safeguarding the privacy of our website visitors and client services.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of website visitors and client services; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and client services, we will ask you to consent to our use of cookies when you first visit our website.
- 1.4 Our website incorporates privacy controls which affect how we will process your personal data should you accept the cookies and/or submit an enquiry. By using the privacy controls, you can specify whether you would like to receive direct marketing communications and limit the publication of your information.
- 1.5 In this policy, "we", "us" and "our" refer to Market Avenue Limited. For more information about us, see Section 18.

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;
 - (c) the purposes for which we may process personal data; and
 - (d) 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 Google Analytics and the Facebook Pixel. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is consent should you request to receive information from legitimate interest, namely monitoring and improving or us our website and services.
- 2.3 We may process your client account data ("**account data**"). The account data may include your name, telephone number and email address. The source of the account data is you or your employer. 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 consent or contract purposes for legitimate interests, namely the proper administration of our website and business or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.4 We may process your information included in your personal profile on our website or public social media profile ("**profile data**"). The profile data may

include your name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, interests and hobbies, educational details and employment details. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent or contract purposes for legitimate interests, namely the proper administration of our website and business or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

- 2.5 We may process your personal data that are provided in the course of the use of our services ("**service data**"). The profile data may include your name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, interests and hobbies, educational details and employment details. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent or contract purposes for legitimate interests, namely the proper administration of our website and business or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.6 We may process information that you post for publication on our website or through our services ("**publication data**"). The publication data may be processed for the purposes of enabling such publication and administering our website and services. The legal basis for this processing is consent or our legitimate interests, namely the proper administration of our website and business or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.7 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 or based on legitimate interests in our services suiting your business requirements.
- 2.8 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 or the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 2.9 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.
- 2.10 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.

- 2.11 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.
- 2.12 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 due to structural changes within the company.
- 2.13 Please do not supply any other person's personal data to us, unless we prompt you to do so.

3. Automated decision-making

- 3.1 We will use your personal data for the purposes of automated decision-making in relation to the Facebook advertising platform or Google AdWords should you visit our website or like any of our social media profiles. This data is used to match demographic and interest preferences only, the result being that we will not hold specific personal data on file.
- 3.2 This automated decision-making will involve you seeing branded messages and adverts from us that relate to online pages you will have visited.
- 3.3 The significance and possible consequences of this automated decision-making is simply to keep you aware of our company.

4. Providing your personal data to others

- 4.1 We may disclose your personal data to any sub-contractor insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy. This will only happen if you become a client.
- 4.2 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.
- 4.3 We may disclose personal data such as your name, email, telephone number or business address to our suppliers or subcontractors insofar as reasonably necessary to fulfill our contract or for marketing purposes.
- 4.4 In the rare circumstance that we may disclose your enquiry data to one or more of those selected third party suppliers of goods and services identified on our website for the purpose of enabling them to contact you so that they can offer, market and sell to you relevant goods and/or services. Each such third party will act as a data controller in relation to the enquiry data that we supply to it; and upon contacting you, each such third party will supply to you a copy of its own privacy policy, which will govern that third party's use of your personal data.
- 4.5 In addition to the specific disclosures of personal data set out in this Section 4, 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.

5. International transfers of your personal data

- 5.1 In this Section 5, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 5.2 We do not operate outside the European Economic Area (EEA).
- 5.3 Some of the software companies (platforms) we use to carry out our website and client services are situated in the US, New Zealand and Australia. All companies are compliant with EU GDPR requirements and appropriate safeguards will protect all personal data. Each platform has published their own privacy policies, terms of use and GDPR data implications. A copy of which can be found by clicking [here](#).
- 5.4 You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use or misuse of such personal data by others.

6. Retaining and deleting personal data

- 6.1 This Section 6 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.
- 6.2 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.
- 6.3 We will retain your personal data as follows:
 - (a) All personal data categories will be retained for the duration of a works provision contract. Personal data is held thereafter for a minimum period of five years following the date of acquisition, and for a maximum period of ten years following the date of acquisition.
- 6.4 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 all personal data categories will be determined based on consent and contract legitimate interests.
- 6.5 Notwithstanding the other provisions of this Section 6, 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.

7. Amendments

- 7.1 We may update this policy from time to time by publishing a new version on our website.
- 7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 7.3 We may notify you of significant changes to this policy by email or through the private messaging system on our website.

8. Your rights

- 8.1 In this Section 8, 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.
- 8.2 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.
- 8.3 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. You can access your personal data by sending us an email request [here](#).
- 8.4 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.
- 8.5 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.
- 8.6 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.

- 8.7 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.
- 8.8 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.
- 8.9 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.10 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.

- 8.11 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.
- 8.12 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.
- 8.13 You may exercise any of your rights in relation to your personal data by written notice to us by sending us an email request here.

9. Third party websites

- 9.1 Our website includes hyperlinks to, and details of, third party websites.
- 9.2 We have no control over, and are not responsible for, the privacy policies and practices of third parties.

10. Personal data of children

- 10.1 Our website and services are targeted at persons over the age of 16 years.
- 10.2 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.

11. Updating information

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

12. Acting as a data processor

- 12.1 In respect of usage of profile, service and enquiry data categories, we may act as a data processor on behalf of our clients.
- 12.2 Insofar as we act as a data processor rather than a data controller, this policy shall not apply. Our legal obligations as a data processor are instead set out in the contract between us and the relevant data controller.

13. About cookies

- 13.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 13.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 13.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

14. Cookies and tracking technologies

- 14.1 We use technologies such as cookies, beacons, tags and scripts for the following purposes:
 - (a) authentication - we use cookies to identify you when you visit our website and as you navigate our website;
 - (b) status - we use cookies to help us to determine if you are logged into our website;
 - (c) personalisation - we use cookies to store information about your preferences and to personalise the website for you;
 - (d) security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally;
 - (e) advertising - we use cookies to help us to display advertisements that will be relevant to you;
 - (f) analysis - we use cookies [to help us to analyse the use and performance of our website and services; and

- (g) cookie consent - we use cookies [to store your preferences in relation to the use of cookies more generally.

15. Cookies used by our service providers

- 15.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.
- 15.2 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available [here](#).
- 15.3 We use Facebook Pixel which gathers information about website use. The information gathered relating to our website is used to create data about our website demographics and location. The Pixel is also used through the Facebook advertising to provide a positive experience for users when on the Facebook platform.
- 15.4 We use social media features, such as the Facebook Like button and other widgets. These features may collect your IP address and which page you are visiting to set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our website. Your interactions with these features are governed by the privacy policy of the organisation providing it.

16. Managing cookies

- 16.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:
 - (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
 - (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
 - (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
 - (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
 - (e) <https://support.apple.com/kb/PH21411> (Safari); and
 - (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).
- 16.2 Blocking all cookies will have a negative impact upon the usability of many websites.
- 16.3 If you block cookies, you will not be able to use all the features on our website.

17. Cookie preferences

- 17.1 You can manage your preferences relating to the use of cookies on our website by visiting: [\[URL\]](#)

18. Our details

- 18.1 This website is owned and operated by Market Avenue Limited.
- 18.2 We are registered in England and Wales under registration number 6820331, and our registered office is at Rowan Suite, Second Floor, 7 Trinity Place, Midland Drive, Sutton Coldfield, B72 1TX.
- 18.3 Our company operates as a "virtual team" (also known as a geographically dispersed team, distributed team, or remote team) - a group of individuals who work together from different geographic locations and rely on communication technology such as email, instant messaging and video or voice conferencing services in order to collaborate.
- 18.4 You can contact us:
- (a) by post, to the postal address given above;
 - (b) using our website contact form;
 - (c) by telephone, on the contact number published on our website;
 - (d) by email, using this link here.
 - (e) by any of our social media profiles as published on our website

20. Data protection officer

- 20.1 Our data protection officer's contact details are: Anna Woolliscroft, Business Owner, contactable by one of the methods above.