



PRIVACY POLICY

This Privacy Policy forms part of the Terms and Conditions of RKJOnline.
It refers to RKJOnline and its website

RKJOnline is a tradename of RKJ Consulting Ltd

(Note this document owes credit in part to the Information Commissioners Office and this link & its subsequent pages
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

(Please also see ICO copyright statement <https://ico.org.uk/global/copyright-and-re-use-of-materials/>)

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RKJ Consulting Limited trades as RKJOnline for the purposes of Web Design, Web Hosting, Search Engine Optimisation (SEO) & Social Media services

Note “RKJWebDesign” is also a logo / brand name of RKJOnline.

Note also that RKJOnline is sometimes known as “RKJOnline Web Design Cheshire”.

This Privacy Policy has specifically been created with compliance to the General Data Protection Regulation “GDPR” in mind (more info below).

Effective Date: 25th May 2018

Review Date: The next review will be 25th November 2018

Ad Hoc reviews and changes may be necessary – see below.

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1: KEY DEFINITIONS:

The following words and expressions shall have the following meanings:

“the client” means the company or individual requesting the various website design, hosting, SEO, Social Media services of RKJOnline

“the client focal point” refers to the person with whom we are in contact about the services we are providing the business. This is most often the business owner themselves but could be an employee of a bigger business, who has the authority to represent the business

“the supplier” means RKJ Consulting Ltd. - the primary designer & employees or affiliates, also trading as (but not limited to) “RKJOnline”, “RKJ Web Design”, “RKJOnline Web Design Cheshire” and “Coming Write Up”.

Note that “RKJOnline” is used frequently in this privacy notice because that is the trade name best known by our clients.

"URL" stands for uniform resource locator (otherwise known as the “domain name”);

"the Website": with regard to Web Design, Maintenance, Hosting & Search Engine Optimisation, email boxes, means the website and its content to be designed by / as designed by the Supplier for the client (known by its url/domain name.

“Intellectual Property Rights” means any patent, trademark, service mark, registered design, copyright, design right, right to extract or exploit information from a database, database rights, topography rights, rights in know-how, trade or business names and other similar rights or obligations whether registerable or not in any country, confidential information or process, any application for any of the above, and any other Intellectual Property Right recognised in any part of the world whether or not presently existing or applied for;

"IP address" stands for internet protocol address which is the numeric address for the server;

"ISP" stands for internet service provider;

"the Services" / “web services” means web design, hosting, email, Search Engine Optimisation (SEO) and any other services or facilities such as plug-ins, use of images (with appropriate copyright), blogs, social media & online business directories provided by either RKJOnline or a 3rd party (usually Fasthosts Internet Limited)

“server" means the computer server equipment supplied and operated by a 3rd party (usually Fasthosts Internet Limited) in connection with the provision of their web hosting Services;

"spam" means unsolicited and/or bulk emails;

"virus" means a computer programme that copies itself or is copied to other storage media, including without limitation magnetic tape cassettes, memory chips, electronic cartridges, optical discs and magnetic discs, and destroys, alters or corrupts data, causes damage to the user’s files or creates a nuisance or annoyance to the user and includes without limitation computer programs commonly referred to as "worms" or "Trojan horses";

"Visitor" means a third party who has accessed the Website;

Additionally, the following words and expressions are GDPR related and shall have the following meanings:-

GDPR - The General Data Protection Regulation is a new, European-wide law that replaces the Data Protection Act 1998 in the UK. It places greater obligations on how organisations handle personal data. It comes into effect on 25 May 2018.

Data controller - A controller determines the purposes and means of processing personal data. Note that RKJOnline is a Data Controller

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Personal data – Is any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. It applies to both automated personal data and to manual filing systems.

Sensitive Data - The GDPR refers to sensitive personal data as “special categories of personal data” which include genetic data, and biometric data where processed to uniquely identify an individual, also for example, health, ethnic, religious data.

2: PRIVACY POLICY INTRODUCTION

Via this document, RKJOnline seeks to be transparent and provide clear, concise and accessible information about how we will gather, hold and process personal data, according to the EU General Data Protection Regulation (GDPR), which comes into UK law on 25th May 2018.

RKJOnline is a tradename of RKJ Consulting Ltd. In this context RKJ Consulting Ltd is a data controller and is registered as such with the UK regulator, ICO.

We have appointed a Data Protection Officer; please contact us for further information (see bottom of this document)

This Privacy Notice forms part of our overall GDPR Management System and together with our Terms and Conditions, Terms Of Website Use, Cookie Policy and Privacy Notice for clients & employees, explains our commitment to GDPR and to the security and confidentiality of personal data that we collect, hold and process; as well as underlining the rights of individuals to access that data.

Please read the information provided carefully to understand how we gather, hold and process personal information. **By visiting www.rkjonline.com you are accepting and consenting to the practices described in this privacy policy.**

Clients should also pay particular notice to our Terms and Conditions & privacy notice.

RKJOnline offers “web services” to clients. This covers services such as:-

- Domain name registration – through our 3rd party supplier Fasthosts
- Website hosting – through our 3rd party supplier Fasthosts
- Website development – we now only offer WordPress development
- Search Engine Optimisation and set up of social media accounts on some platforms
- Mailbox set - – through our 3rd party supplier Fasthosts

Note that there may be occasion another 3rd party supplier is required in preference to Fasthosts (for example for SSL) – under such circumstances it is the client that has the account with the 3rd party and should make themselves aware of the 3rd parties’ GDPR rules – RKJOnline can assist if requested.

We are a small family business with 2 employees who are the 2 Directors; our work is generally for (but not entirely limited to) small local businesses.

We are committed to responsible data management and subscribe to the principals of the data protection legislation in the United Kingdom.

We are committed to maintaining the privacy of our users, website visitors, clients and employees - and maintaining the security of any personal information received from them.

The personal information provided by you is not available for sale or use by third party.

NOTE THAT information for a website is business content which will be in the public domain. It is the choice of each client how much of that content refers to business information of a “personal” nature such as contact info or “About Us” information.

RKJOnline does not hold or use any information that comes from **Cookies** on our website.

In all cases, personal data is used fairly, lawfully and in a transparent manner

Is used for limited, specifically stated purposes; if there is need of a **change of purpose** we will a) contact you first and request consent or b) explain the lawful reason behind the change or c) action that change of purpose in compliance with GDPR rules where that is made necessary by law (e.g. a subpoena)

Is used in a way that is adequate, relevant and not excessive

Is kept accurate and up to date

Is kept for no longer than is absolutely necessary

Is handled according to people’s data protection rights (specifically the “8 individual rights” under GDPR)

Is kept safe and secure; we employ various levels of data security

Is not transferred outside the [European Economic Area](#) without adequate protection

All the above is explained below in more detail.

3: WHAT PERSONAL INFORMATION DO WE COLLECT AND HOLD?

This privacy policy covers personal information obtained:-

- From Clients who use our services
- From employees of RKJOnline
- From 3rd party suppliers
- From other members of the public who may contact us
- Via use of the website e.g. Cookies
- Via other methods of communications with RKJOnline

Personal Information relating to our Clients

We have a privacy notice with full details of how we handle client personal data.

<http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf>

Our lawful basis for processing this data is “legitimate interests”

If you register for any of the Services you enter into a verbal contract with RKJOnline and are bound by our Terms and Conditions as well as the terms and conditions of Fasthosts (or other 3rd party supplier) and any domain registrar used to register your domain name.

As new clients, you will be asked to provide basic personal information; this is **contact info** (name, address, phone, email). You may supply Title and Job title but this is not needed. No other sensitive data is requested.

This information is usually the same as the business contact information you will want to see on your website.

**The personal information provided by you is not available for sale or use by third party.
We do not collect client personal information by any other means other than direct from the client.**

NOTE THAT information for your website is business content which will be in the public domain. It is the choice of each client how much of that content refers to business information of a “personal” nature such as contact info or “About Us” information.

Personal Information relating to our Employees

We have a privacy notice with full details of how we handle employee personal data.

<http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

Our lawful basis for processing this data is “legal obligations”

In terms of **employees** of which there are 2 – the 2 Directors – personal info supplied is contact info, NI number and of course some salary and possibly pension information that we need to not just collect but calculate.

The personal information is used for Government reporting e.g. PAYE and NI or reporting to official bodies such as Companies House

We do not collect employee personal information by any other means other than direct from the employee OR information that comes from automating PAYE calculations – we use the Governments own RTI system.

Personal Information relating to our Suppliers:-

In terms of 3rd party **suppliers** we hold and use only generic business contact data i.e. no individual personal data. We gather this information directly from the supplier (initially from their websites).

Personal Information gathered / processed via use of our Website.

See also our Website Terms Of Use <http://www.rkjonline.com/wp-content/uploads/website-terms-of-use.pdf>

The purpose of this part of the policy is to inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from)

We do not use an SSL certificate (data encryption is not mandatory under GDPR) but for the reasons detailed below “data held” and “data in transit” issues that might occur through simple website use or interaction are not relevant to RKJOnline

Data In Transit

RKJOnline does not collect data that is sent via the website in traditional ways such as via a contact form (we do not have a contact form) or an email newsletter sign up or via an ordering system (we do not sell from the site).

As such there are also no “data in transit” issues that occur because of website use.

Data held

We do not hold any data on the website that comes from customers, clients or visitors.

Any data stored by our (WordPress) website is held in a standard MySQL database – this is website content (words, photos & coding) that is in the public domain ; passwords held in this database are protected. Our own “personal data” is our contact information. The database is on servers which reside in the UK, at the premises of our 3rd party supplier Fasthosts. Fasthosts data centres have ISO 27001 certification (more info here <https://www.fasthosts.co.uk/about/data-centre>).

Furthermore Fasthosts contacted RKJOnline with its updated Privacy Notice in accordance with GDPR – this is public and it can be read here:- <https://www.fasthosts.co.uk/terms/privacy-notice>

Note that there may be occasion another 3rd party supplier is required in preference to Fasthosts (for example for SSL) – under such circumstances it is the client that has the account with the 3rd party and should make themselves aware of the 3rd parties’ GDPR rules – RKJOnline can assist if requested.

Analytics

RKJOnline’s website does NOT use Google (or any other) Analytics. We never make any attempt to find out personal information and the identities’ of visitors to our website.

Search engine optimisation (SEO)

We use the “YOAST” plug-in to help with on-site SEO. No specific personal information which can identify an individual is used or logged as a result.

WordPress

RKJOnline’s website is a WordPress (.org) site. We do not collect or process any personal information via WordPress and we do not enable any feedback features.

We have strived to make the RKJOnline website GDPR compliant and we are monitoring “GDPR for WordPress” as part of our efforts to keep the website complaint <https://www.gdprwp.com/>

Cookies

RKJOnline has a cookie policy which can be found here <http://www.rkjonline.com/wp-content/uploads/cookie-policy.pdf>

It explains the cookies we use and why. Overall, our cookies help us give you a good experience when you browse our website and also allow us to maintain, improve and keep safe our site.

Our cookie policy also explains how you can manage your cookies including deleting them.

RKJOnline does not use cookies in any way to gather, store or process any kind of personal data.

Third Party Links

We do not control third-party websites, plug-ins or other applications that our website visitors may view via links from our website. We are also not responsible for their privacy statements, policies or notices. When you click onto a third part site you may allow third parties to collect or share data about you – for example via use of cookies.

We would encourage you to read the privacy notice, policy, statement of any website you visit, irrespective of your route to that website.

Data processed due to communications with RKJOnline

Via Email

Any communications by email are deleted unless necessary to be stored a) our legal reasons or b) they relate to clients or ex clients.

So for example, request for quotes which are not followed up (the requestor does not become a client of RKJOnline) are deleted either at the point that we receive confirmation the person has no further interest in RKJOnline or after 1 month.

For client correspondence, we have a privacy notice here with full details of how we handle client personal data. <http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf>

Our lawful basis for processing this data is “legitimate interests”. There is more info below.

For legal issues to do with RKJOnline business, our lawful basis for processing such data is “legal obligation.

Information about how we keep electronic communications secure is also in the section below.

By phone

After telephone communications, personal information regarding RKJOnline is not held other than to schedule meetings with our existing clients in an Outlook calendar (contact info) or to follow up legal obligations (e.g. a phone call to companies House or HMRC).

No personal information of any kind s given out by RKJOnline over the telephone.

Information about how we keep electronic communications (such as in Outlook) secure is in the section below.

Via Social Media

For various reasons, RKJOnline tends not to use social media albeit we do have the following social media platforms as follows:-

Facebook

Twitter

LinkedIn

We do not keep any personal information provided by visitors to our social media platforms.

By hardcopy

A minimum amount of information is stored in hardcopy form by RKJOnline. This refers to:

- Hardcopy invoices – kept for legal obligations
- Workplace pension documentation - kept for legal obligations

Information about how we keep electronic communications (such as in Outlook) secure is in the section below.

4: WHAT DO WE DO WITH THE PERSONAL INFORMATION AND WHAT ARE WE PLANNING TO DO WITH IT?

For specific information about client or employee data please go to <http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or <http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

In general, such personal data is used for limited, specifically stated purpose:-

Client personal data is **necessary for us to fulfil the service that our clients have requested of us and paid for.**

Specifically:

- a) to develop a website at a specific domain
- b) provide email capability
- c) provide search engine optimisation and reports
- d) provide social media platforms
- e) facilitate occasional contact with our clients
- f) facilitate billing of our clients

Some personal data (name and address) is used to register the domain name that the client has requested be registered to them. This is done by our service provider, (usually) Fasthosts and is the mechanism for registering the domain at the public registry “Nominet” (the official registry for .UK domain names) and for non-UK registries such as ICANN (.com domains).

Some data may be used for bios on social media – this is business information that the client gives consent to using and has the ability to update (e.g. they are an “admin” or “manager” of the social media account).

We do not provide personal data to Fasthosts/Nominet or to other UK/International 3rd party domain registrars that we do not HAVE to provide in order to fulfil our obligations to our clients

We do not provide personal data to any other 3rd party without expressly gaining consent from our clients first. For example if a client requested a new plug-in for their website and this meant providing personal data, we would always seek consent first.

In summary, we are diligent with and respectful of the personal data provided by our clients. We build strong relationships with our clients based on goodwill and have verbal contracts to provide the web services and products they ask us to provide. They abide by our Terms and Conditions and Privacy Notice which they are reminded about any time we have to send an invoice.

Employee personal data is used solely for legal obligations such as completing HMRC returns e.g. PAYE.

5: WHO DO WE SHARE THIS INFORMATION WITH? USE OF 3RD-PARTIES

For specific information about client or employee data please go to

<http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or
<http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

RKJOnline considers all personal information highly confidential and respects the privacy of our clients, website visitors and employees. As such we generally will not share any personal information except where it is necessary to fulfil our obligations to our clients so as to provide the services they have requested and pay us for. When we do this, we seek client approval first. A prime example of this is to register the domain name they have chosen for their website or to set up an email box, both of which we do via Fasthosts (or on occasion such as for the purposes of SSL, a different provider).

RKJOnline is bound by the terms and conditions and Privacy Notice of Fasthosts and the Data Processing Agreement in place – both of which form the basis of the contract between us.

Fasthosts has issued an updated Privacy Notice in compliance with GDPR:

<https://www.fasthosts.co.uk/terms/privacy-notice>

Note that there may be occasion another 3rd party supplier is required in preference to Fasthosts (for example for SSL) – under such circumstances it is the client that has the account with the 3rd party and should make themselves aware of the 3rd parties' GDPR rules – RKJOnline can assist if requested.

Note that we reserve the right to use other 3rd parties where this provides a benefit to our clients and with their agreement. We would always seek suppliers who comply with GDPR.

We will only share employee personal data where we have to for legal obligations such as to HMRC.

We may also share with others if:-

- we believe in good faith that we are legally or morally obliged to do so, such as for law enforcement, to prevent crime, to address fraud or illegal activities or for national security issues, to respond to a subpoena or court case etc
- to protect our own rights including legal rights, to defend against legal claims, collect debt or to protect our own or safety or the safety of others

6: OUR LAWFUL BASIS FOR GATHERING, HOLDING AND USING THE PERSONAL INFORMATION

For specific information about client or employee data please go to

<http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or
<http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

RKJOnline must have a lawful reason to gather, hold and use the personal information as detailed in “3” above.

Our lawful reason for **client** personal data will usually be “**legitimate interests**” i.e. to fulfil our legitimate interests in supplying agreed web services to our clients and in return being paid for those services.

To clarify, verbal agreements are in place to supply web services to all of our existing clients and to date all clients agree to our Terms and Conditions as published on our website.

In order to fulfil those agreements for web services we will need to contact our clients, register their choice of domain name for their website, send SEO reports, potentially use passwords of their business social media accounts to send “social signals” and also bill our clients. It is in the legitimate interests of both parties – RKJOnline as the supplier and also our clients’ – that we gather, hold and use the personal information in order to do this. It should be noted that much of that contact information is also business contact information in the public domain.

There may occasionally be times when we would like to seek (or refresh previously obtained) **Consent** from clients. What we do in that eventuality is detailed in the Client Privacy Notice. For **employees**, our lawful basis is generally “**Legal obligations**” – when sharing employee data with the Government, The Pensions Regulator, Companies House etc.

Other Lawful basis

If we are legally obliged to share personal information (such as the examples in “5” above) then our lawful purpose would again be “**legal obligations**” (e.g. a subpoena) or “**public interest**” (e.g. prevention of crime) or “**vital interests**” (e.g. protect the safety of others).

Information Shared Publicly

We do not share personal information publicly. It is worth reiterating here that business data for the website or for social media bios, contact info etc is by nature “in the public domain” – that is its purpose (to ensure the client’s business is out there for the public to see and choose).

Info such as “contact”, “About” or shared via a blog on site may contain business information that has a personal slant – this is 100% the responsibility of the client. They choose how much of such information to make public as website content.

7: RETENTION OF THE PERSONAL INFORMATION

For specific information about client or employee personal data please go to <http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or <http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

Principle 5 of the GDPR concerns retaining personal data (storage limitations). RKJOnline documents where we keep the personal under ICO Step 2 “Personal Information You Hold and How Shared”, part of our GDPR management System. It underlines that we do not hold any more or different data than we need to.

Our policy on retention is:-

For clients, to delete contact info as soon as possible after a client leaves us at the point we are sure we don’t need to contact them (even just to help them) any more – bearing in mind that “contacting them” IS the processing we carry out. So essentially, personal data is securely deleted as soon as the relationship between us ends.

We may however have to keep copies of invoices we have sent clients, for legal (HMRC) reasons and they would be retained as per HMRC guidelines.

For employees, we follow the legal obligations for retention.

We need for example to keep copies of payslips, pension regulator returns, Companies House returns for a certain amount of time.

8: HOW DO WE KEEP PERSONAL DATA SECURE?

For specific information about client or employee data please go to <http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or <http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

One of the GDPR Principles (f) relates to security, integrity & confidentiality.

It states that personal data is “processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

RKJOnline is diligent with and respectful of the personal data provided by our clients, employees and others. We build strong relationships with our clients based on goodwill and have verbal contracts to provide the web services and products they ask us to provide.

RKJOnline takes the security and confidentiality of client data very seriously and has undergone a thorough security audit, changing any procedure or measure where we felt it in the clients’ or employees’ best interests to do so.

Additionally we build security and confidentiality into everything we do, particularly IT based work.

Examples of appropriate security measures to guard against loss, theft, damage, destruction are locked and alarmed premises, password protected computers and phones, and strong password protected spreadsheets, client website passwords stored in “Steganos” – an encrypted password manager system - erasure of cookies, cache, browsing history etc. each time a browser is closed.

Only the 2 RKJOnline employees know how to access passwords, guarding against unlawful access to the data. Firewall(s) and virus-checking are installed on computers i.e. laptops and PCs. Systems are regularly backup up with personal data files on devices that are stored under lock and key.

The lists of measures we take are extensive and (for the purposes of the regulator, should it wish to see them) are documented in a database that covers the following:-

- Computer Security
- Mobile Phones
- Email Security
- Fax security
- Hardcopy security
- Website security
- Premises security
- Staff Training and experience

No unauthorised processing can take place – we process only what our clients or employees expect us to process. We have only the 2 employees – the 2 Directors – no other staff are employed and thus nobody else (someone who was unauthorised) would be able to process the personal data.

The professional backgrounds of both RKJOnline staff lends themselves to security and risk analysis and awareness and we adopt a “Privacy By design” approach throughout our web services “lifecycle”.

All measures we take are reviewed and are systems are checked and tested for vulnerabilities. We’ll employ new or different security measures as technology or circumstances allow. We regard security as “work in progress” – it never stops.

For transparency: Websites designed by RKJOnline do not currently have SSL certification (are not “HTTPS” websites) and do not have encryption of data in transit (encryption is not mandatory under GDPR). This is explained to the client before agreement to continue with website development and acceptance of RKJOnline’s Terms and Conditions underlines the customer’s acceptance. It is the responsibility of the customer to assess any risk, be mindful of data protection (and GDPR) laws and rules and to consider limiting data requested from website visitors.

To that extent, contact forms which send data unencrypted to the client business are generally not used on RKJOnline-developed websites. If there are any exceptions then the client(s) have discussed the matter with RKJOnline before GDPR implementation and before deciding to use such forms and take full responsibility for the security of their own customers’ personal data. (This is a “data in transit” matter).

Similarly with “data held” in mind, RKJOnline has reviewed Woo Commerce sites built for clients (who on the whole use the Woo Commerce option to SHOW products and NOT sell them – thus avoiding any “data in transit issues” at time of an order) and generally no personal data is held on those sites. If there are any exceptions then the client(s) have discussed the matter with RKJOnline before GDPR implementation and before deciding to store customer personal data and take full responsibility for the security of that personal data.

No financial data is ever held or transmitted – any RKJOnline WooCommerce site that allows customers to BUY, uses a PayPal Gateway for payment processing.

RKJOnline business website - The information in it is business information which we have control over. For example what the ABOUT or CONTACT pages say about the 2 employees is what those 2 employees have agreed should be said (and coded the info). We do not use contact forms (no data in transit issues) or hold any customer or employee information on site.

We use Cookies but not to gather personal information – see our Cookie Policy.

Additionally, all RKJOnline WordPress websites have standard SQL databases on servers which reside in the UK, at the premises of our 3rd party supplier Fasthosts. Fasthosts data centres have ISO 27001 certification (more info here <https://www.fasthosts.co.uk/about/data-centre>) and passwords residing on the databases are in a protected format.

Furthermore Fasthosts contacted RKJOnline with its updated Privacy Notice in accordance with GDPR – this is public and it can be read here:- <https://www.fasthosts.co.uk/terms/privacy-notice>

Note that if the services of a different 3rd party supplier are necessary (such as for the purposes of SSL) it is the client that has the account with the 3rd party and should make themselves aware of the 3rd parties’ GDPR rules – RKJOnline can assist if requested.

Security Breaches - if we did suffer a security breach which affected our ability to protect your personal information, we would report it to the client(s) or employee(s) as soon as possible.

We have a data breach policy and response plan in place.

It’s highly unlikely that a personal data breach at RKJOnline could result in a risk to clients’ rights and freedoms. However we will notify the ICO if such an event occurred.

We would also follow ICO advice here:-

<https://ico.org.uk/for-organisations/report-a-breach/> and here <https://ico.org.uk/for-organisations/report-a-breach/personal-data-breach/>

It is also the case, under Article 32 of the GDPR that any EEA based 3rd party supplier RKJOnline uses must report a breach to us with undue delay.

In the event of any breach we would also work with affected individuals and ICO to put things right

We will then review the incident and take learnings for future mitigation.

9: TRANSFERS OF PERSONAL DATA OUTSIDE OF THE EEA (EUROPEAN ECONOMIC AREA)

For specific information about client or employee data please go to <http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or <http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

AS the ICO states here <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/international-transfers/> “The GDPR imposes restrictions on the transfer of personal data outside the European Union, to third countries or international organisations.

These restrictions are in place to ensure that the level of protection of individuals afforded by the GDPR is not undermined.”

It also explains that “you may transfer personal data where the organisation receiving the personal data has provided adequate safeguards. Individuals’ rights must be enforceable and effective legal remedies for individuals must be available following the transfer”.

ICO further explains that “The GDPR provides derogations from the general prohibition on transfers of personal data outside the EU for certain specific situations” and goes on to list examples, such as:-

- made with the individual’s informed consent;
- necessary for the performance of a contract between the individual and the organisation or for pre-contractual steps taken at the individual’s request;
- necessary for the performance of a contract made in the interests of the individual between the controller and another person;

RKJOnline does not transfer, hold or process employee personal information to a country outside the European Union, to third countries or international organisations.

However in the interest of transparency, we explain:-

- As mentioned above, we provide some personal information to our 3rd party supplier Fasthosts (or to a different supplier where that has been necessary e.g. for the purposes of SSL) so that they can arrange a domain registration such as for the RKJOnline and other client websites.
- A minority of our clients have “.com” domains and hence there is a strong probability that the personal data will have been sent to an international domain registrar based outside of the EU (at the time of publication of this privacy notice we are aware of the international registrar generally used and are very happy with their reputation and the fact it is reported they are pursuing GDPR compliance). It should also be noted that ICANN – as mentioned above – is reported to have requested GDPR guidance.

All of our “.com” clients have been made aware of this situation; as such – even though it is not RKJOnline that may need to transfer personal contact details outside of the EU – we believe that informed consent has been given. Without registering the domain, the client cannot have a website. This could also be argued as “pre-contractual steps”.

For the RKJOnline “.com” domain there is again a strong probability that the personal data of at least one employee will have been sent to an international domain registrar based outside of the EU.

Even though it is not RKJOnline that made any transfer out of the EEA, we believe that informed consent has been given by the 2 employees (ourselves). Without registering the domain, we couldn’t

have had the website that has helped us launch our business and help many other local businesses. This could also be argued as “pre-contractual steps”.

- We have reviewed our cloud “fallback” system to ensure no personal data is sent outside of the EEA from any of our websites. Indeed it isn't sent outside of the UK. Note that RKJOnline and other client website content (words, photos or other media, coding) is sent to a cloud system outside of the EEA but that is **business information** which is already in the public domain and NOT personal data, albeit the public business contact information may be the same as that which we hold for the employees. **Our “cloud” supplier sends and keeps all data in encrypted format.**

Note for any WooCommerce clients who have chosen to keep personal data of customers' on site that website's content is not sent outside of the EEA.

WooCommerce clients are also bound by the WooCommerce privacy policy

<https://automattic.com/privacy/>

10: INDIVIDUAL LEGAL RIGHTS – FOR THOSE WHOSE PERSONAL INFORMATION WE PROCESS

For specific information about client or employee data please go to

<http://www.rkjonline.com/wp-content/uploads/privacy-notice-clients.pdf> or
<http://www.rkjonline.com/wp-content/uploads/privacy-notice-employees.pdf>

Under GDPR legislation, the following rights are provided for, regarding the processing of personal information:-

1. The right to be informed
2. The right of access (**SUBJECT ACCESS REQUESTS**)
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

Note that whilst these rights apply generally to all personal information, some of the rights apply only in certain circumstances.

You may exercise your rights by contacting RKJOnline at the normal email address you, as a client or employee use – or see the bottom of this privacy notice for contact info. Please detail the personal information and the right(s) that you refer to.

We respectfully remind clients that if they choose not to share personal data with us, it is highly unlikely we can fulfil our agreement to provide web services to them.

Whilst there is more specific info on your rights in the privacy notices for clients and employees, it should be noted here that the RKJOnline GDPR Management System contains policies or statements as appropriate for each of the 8 individual rights above. This includes details on how to make a Subject Access request – this information can be quickly passed to anyone with a legitimate reason in access the personal data we hold of theirs (or need more information about how we uphold their rights).

Further information can be found at the UK regulator's website here

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

This will also explain rules concerning any circumstances where we need not comply, whether or not we can charge a fee, the time limit we have to respond to you and the fact we will need to confirm your identity before we can respond to requests – an essential security measure that is in your best interests.

11: YOUR RESPONSIBILITIES

All clients may have a level of access to their own websites and access to their own email box. They must keep access ids and passwords secure and confidential and not disclose them to any third party. They must advise us immediately if they believe someone else has gained access to their website or mailbox.

We have the right to limit client access if we believe a client has failed to keep access to their website or mailbox private, whilst the situation is resolved.

Client and employees must keep us updated with any changes to the personal information we need to hold about them such as contact information and must ensure the information we have is accurate.

Websites and social media business pages we create for clients are at their own request and become their own copyright when the final balance is paid to RKJOnline at or shortly after Go Live.

As such each client is responsible for their own GDPR compliance and that includes website and social media compliance.

Clients must ensure they have administrative access to their social media platforms – this includes accepting requests by RKJOnline, giving them admin access.

Clients must obtain consent from individuals, where appropriate, for any social media posts they make which name or show people; RKJOnline re-share or post the info on the client's website on the understanding that consent has been given to the client. This also includes testimonials.

Prior to GDPR coming into force RKJOnline contacted all clients and set time aside to make changes where it was felt appropriate to client websites.

If clients require other changes they should contact RKJOnline at the usual email address they use and we'll seek to complete the work ASAP under current "maintenance" agreements. For example, where clients wish to add their own privacy notices, privacy policies, cookie policies, terms of use, terms and conditions to their business websites.

Clients are the data controllers of any personal data they may have collected (and then hold and/or process) as a result of any web service we have provided (e.g. via a website visitor interaction).

Hence, for example, any personal data collected by the client business and stored on the WordPress Database (and potentially processed) is the responsibility of the client.

For another example, where a visitor clicks a link to the business clients' email address and sends the business an email from their own (visitor) email – that data (and how it might be held and processed) is the responsibility of the client business.

Clients are responsible for protecting user/website visitor personal information they collect, hold and/or process and responsible for complying with all relevant legislation such as via the GDPR.

12: LINKS TO OTHER WEBSITES

The RKJOnline website may include links to other websites you may wish to visit. This policy does not cover those links or the websites they link to. We do not accept any responsibility or liability for such external sites' privacy practices.

Please read the privacy statements / policies/ notices (including cookie policies) on the other external websites you visit.

13: TO CONTACT US OR MAKE A COMPLAINT ABOUT HOW WE USE YOUR PERSONAL INFORMATION

If you have any questions or comments or you wish to make a complaint, please email your usual RKJOnline contact or use this email address:- gdpr@rkjonline.com

If we cannot resolve your complaint and wish to escalate it, you may contact the regulator – the **Information Commissioner's Office** - who is responsible for handling complaints about the use of personal information: <https://ico.org.uk/global/contact-us/>

“Our helpline and live chat services are usually available between 9am and 4:30pm, Monday to Friday (excluding bank holidays).”

Helpline: - 0303 123 1113

<https://ico.org.uk/concerns/> to “Report a Concern”

Contact Form at: <https://ico.org.uk/global/contact-us/email/>

Postal Address of Head Office: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

14: CHANGES TO THIS PRIVACY NOTICE

RKJOnline reserves the right to amend or update this Privacy Policy at any time. The updates or amendments are effective immediately. If we believe that any of the changes are substantial, we'll let clients and employees know as soon as possible.

It is however our client's responsibility to check back and review the Client Privacy Notice regularly for any changes.

Clients should pay particular notice to our Terms and Conditions, Client Privacy Notice and Cookie Policy as well as this privacy notice.