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This is a general template for a GDPR compliant Privacy Notice, which can be customised to suit your business needs and offers generic guidance for use. It is important to understand your notification responsibilities and to customise this template to ensure it is relevant and compliant.

The ICO have also published guidance and examples on their website for Privacy Notices; what should be included and suggested formats - [Privacy Notice Guidance](#)

**Privacy Notice vs Privacy Policy** – the two terms are used interchangeably, and there is no universally defined difference; however, some definitions suggest a Privacy Notice is the content presented at the time personal data is obtained (*pop-up, on-screen, paper form etc*); whereas the Privacy Policy is a constant poster, website page, link that is always available for visitors/individual to read – both having the same content. Know Your Compliance Ltd follow the same method as the ICO and only use and refer to this document as our Privacy Notice. If you prefer to use the term Privacy Policy or to have both options with the same content, you are free to do so.

***The headings for each section are suggestions, as is the exact wording in each paragraph, so you should customise both to suit your business type and requirements.***

**REMEMBER:** *You are obligated to provide a privacy notice to **ALL** individuals when you process their personal data, but the context/content of the notice will vary depending on the legal basis you are processing under. If you are using **consent** as your lawful basis for processing, you **must** keep the consent section at the end of the form **or** use your own consent form for each data subject, with an unticked, opt-in box or affirmative action mechanism for **each** processing activity.*

*Also remember to note if your services are provided to children and the parental consent mechanisms you have in place, along with customising the sections on **Non-EU Transfers** and **Legitimate Interests** if applicable, stating the reasons and safeguard mechanisms.*

## **Marketing**

When sending marketing materials to customers, you have the option to use **consent** or **legitimate interests**, so we have added examples for each (*which you can remove if you do not send marketing*).

You can only use legitimate interests for marketing if you have assessed that the information being sent is relative and beneficial to the customer, that you have weighed their interests against your own, there is little to no risk posed, the method & content is non-intrusive, and the material being sent is something a customer would usually expect to receive.

# Sample Privacy Notice

## Who We Are

[Insert Organisation Name] ('we' or 'us' or 'our') gather and process your personal information in accordance with this privacy notice and in compliance with the relevant data protection Regulation and laws. This notice provides you with the necessary information regarding your rights and our obligations, and explains how, why and when we process your personal data.

[Insert Organisation Name]'s registered office is at [insert organisation address] and we are a company registered in England and Wales under company number [insert company number]. We are registered on the Information Commissioner's Office Register registration number [insert ICO registration number], and act as the [data controller/data processor]. Our designated Data Protection Officer/Appointed Person for the organisation is [insert relevant name], who can be contacted at [insert relevant address and contact details].

## Information That We Collect

[Insert Organisation Name] processes your personal information to meet our legal, statutory and contractual obligations and to provide you with our products and services. We will never collect any unnecessary personal data from you and do not process your information in any way, other than as specified in this notice.

***The personal data that we collect from is: -***

- Name
- Date of Birth
- Home Address
- Personal Email
- Business Email
- Home Telephone Number
- Mobile Telephone Number
- National Insurance Number
- Passport Number
- Driver's License Number
- Special Category Data (*i.e. health/medical information, details about religion, sexuality etc*)
- Add/delete as applicable

***We collect information in the below ways: -***

[insert formats and mechanisms for obtaining personal data (*i.e. online form, website orders, employment CV's etc*)]

## How We Use Your Personal Data (Legal Basis for Processing)

[Insert Organisation Name] takes your privacy very seriously and will never disclose, share or sell your data without your consent; unless required to do so by law. We only retain your data for as long as is necessary and for the purpose(s) specified in this notice. Where you have consented to us providing you with promotional offers and marketing, you are free to withdraw this consent at any time. ***The purposes and reasons for processing your personal data are detailed below: -***

### **[insert purpose and/or reason as bullet points]**

- **Example:** We collect your personal data in the performance of a contract or to provide a service and to ensure that orders are completed and can be sent out to your preferred address
- **Example:** We collect and store your personal data as part of our legal obligation for business accounting and tax purposes
- **Example:** We have a legal obligation to share your personal data with [insert company name] who are a credit reference agency and provide us with financial background checks prior to you commencing employment with us
- **Example:** We will occasionally send you marketing information where we have assessed that it is beneficial to you as a customer and in our interests. Such information will be non-intrusive and is processed on the grounds of legitimate interests

### **Your Rights**

You have the right to access any personal information that **[Insert Organisation Name]** processes about you and to request information about: -

- What personal data we hold about you
- The purposes of the processing
- The categories of personal data concerned
- The recipients to whom the personal data has/will be disclosed
- How long we intend to store your personal data for
- If we did not collect the data directly from you, information about the source

If you believe that we hold any incomplete or inaccurate data about you, you have the right to ask us to correct and/or complete the information and we will strive to correct it as quickly as possible; unless there is a valid reason for not doing so, at which point you will be notified.

You also have the right to request erasure of your personal data or to restrict processing (*where applicable*) in accordance with the data protection laws; as well as to object to any direct marketing from us; to exercise your data portability rights, and to be informed about any automated decision-making we may use.

### **[Note any automated decision-making here]**

If we receive a request from you to exercise any of the above rights, we may ask you to verify your identity before acting on the request; this is to ensure that your data is protected and kept secure.

### **Sharing and Disclosing Your Personal Information**

We do not share or disclose any of your personal information without your consent, other than for the purposes specified in this notice or where there is a legal requirement. **[Insert Organisation Name]** uses **[a third-party/third-parties]** to provide the below services and business functions; however, all processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, the data protection laws and any other appropriate confidentiality and security measures.

**[Insert Organisation Name]**

**[Insert reasons for using the company, what they process, how they process it and provide a link to their privacy notice]**

**Example:** ABC Accounting Ltd

We use ABC Accounting Ltd to do our bookkeeping and tax returns and they act in the capacity of a processor on our behalf. The only information we provide them with is your name, address and order details to meet business and legal requirements.

For more information about ABC Accounting Ltd, please read their Privacy Notice at <https://www.abcaccounting.com/privacy-policy>

### **Safeguarding Measures**

**[Insert Organisation Name]** takes your privacy seriously and takes every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorised access, alteration, disclosure or destruction and have several layers of security measures in place, **including:** -

**[insert measures such as SSL, TLS, encryptions, pseudonymisation, restricted access, IT authentication, firewalls, anti-virus/malware etc]**

### **Transfers Outside the EU** (if applicable)

Personal data in the European Union is protected by the General Data Protection Regulation (GDPR) but some other countries may not necessarily have the same high standard of protection for your personal data. **[Insert Organisation Name]** does not transfer or store any personal data outside the EU.

**OR;**

**[Insert Organisation Name]** utilise some products or services (*or parts of them*) that may be hosted/stored in **[insert non-EU countries]**, which means that we may transfer any information which is submitted by you through the website outside the European Economic Area ("EEA") for the below purposes: -

**[Insert what services you utilise outside the EU (i.e. website hosting, email servers, marketing database (i.e. MailChimp, Ecommerce, Email Server etc))]**

Therefore, when you **[use our website/send us an email/sign up to our newsletter etc]**, the personal information you submit may be stored on servers which are hosted in **[insert non-EU countries]**. Where this is the case, we will take steps to ensure that those providers use the necessary level of protection for your information and abide by strict agreements and measures set out by **[Insert Organisation Name]** to protect your data and comply with the relevant data protection laws.

**OR;**

**[Insert Organisation Name]** transfers personal data outside of the EU for the below purposes: -

- **[Insert reason for non-EU transfer & who to]**
- **[Insert reason for non-EU transfer & who to]**
- **[Insert reason for non-EU transfer & who to]**

Where we transfer personal information for the above reasons, we utilise the below safeguarding measures and mechanisms to ensure that your personal data is always safe and secure: -

- **[Insert safeguarding measures taken]**
- **[Insert safeguarding measures taken]**
- **[Insert safeguarding measures taken]**

### **Consequences of Not Providing Your Data** *(if relying on statutory/contractual requirement basis)*

You are not obligated to provide your personal information to **[Insert Organisation Name]**, however, as this information is required for **[us to provide you with our services/deliver your products/legitimate interests]**, we will not be able to offer some/all our services without it.

### **Legitimate Interests** *(if applicable)*

As noted in the 'How We Use Your Personal Data' section of this notice, we occasionally process your personal information under the legitimate interests' legal basis. Where this is the case, we have carried out a thorough Legitimate Interests' Assessment (LIA) to ensure that we have weighed your interests and any risk posed to you against our own interests, ensuring that they are proportionate and appropriate.

We use the legitimate interests' legal basis for processing **[insert what data/purpose for processing is based on legitimate interests]** and have identified that our interests are **[state the legitimate interests that you are relying on]**.

### **How Long We Keep Your Data**

**[Insert Organisation Name]** only ever retains personal information for as long as is necessary and we have strict review and retention policies in place to meet these obligations. We are required under UK tax law to keep your basic personal data (*name, address, contact details*) for a minimum of 6 years after which time it will be destroyed. **[insert any other retention period or criteria used to determine the period as relevant to your business type or sector]**.

Where you have consented to us using your details for direct marketing, we will keep such data until you notify us otherwise and/or withdraw your consent.

### **Special Categories Data** *(if applicable)*

Owing to the products, services or treatments that we offer, **[Insert Organisation Name]** sometimes needs to process sensitive personal information (*known as special category data*) about you, to **[insert reasons special category data is required]**. Where we collect such information, we will only request and process the minimum necessary for the specified purpose and identify a compliant legal basis for doing so.

Where we rely on your consent for processing special category data, we will obtain your explicit consent through **[a signature/explicit mechanism]**. You can modify or withdraw consent at any time, which we will act on immediately, unless there is a legitimate or legal reason for not doing so.

**[The below explicit consent statement can be added where the special category data is obtained if you are relying on consent – otherwise you should state the Article 9(2) basis relied on].**

If you consent to us collecting and using your **[health/medical]/[insert special category type]** for the purposes stated above, please sign below and print your name: -

Signature \_\_\_\_\_

Print Name: \_\_\_\_\_

**Marketing** *(if applicable)*

**CONSENT EXAMPLE**

Occasionally, **[Insert Organisation Name]** would like to contact you with the **[specify products/services/promotions]** that we provide. If you consent to us using your contact details for these purposes, you have the right to modify or withdraw your consent at any time by using the opt-out/unsubscribe options or by contacting **[Insert Organisation Name]** directly.

If you **consent** to us contacting you with the above-mentioned marketing and offers, please tick to say how you would like to be contacted: -

Post  Email  Telephone  Text Message (SMS)  Automated Call

**LEGITMIATE INTERESTS EXAMPLE**

**[Insert Organisation Name]** will occasionally send you **[specify products/services/promotions]** by **[email/SMS/post]** that have been identified as being beneficial to our customers and in our interests. Such information will be relevant to you as a customer and is non-intrusive and you will always have the option to opt-out/unsubscribe at any time.

If you would prefer **not** to receive above-mentioned marketing and offers, please tick below: -

I wish to opt-out of marketing

**Lodging A Complaint**

**[Insert Organisation Name]** only processes your personal information in compliance with this privacy notice and in accordance with the relevant data protection laws. If, however you wish to raise a complaint regarding the processing of your personal data or are unsatisfied with how we have handled your information, you have the right to lodge a complaint with the supervisory authority.

**[Insert Organisation Name]**

**[Insert Data Protection Officer Name]**

**[Insert Organisation Address]**

**[Insert Organisation telephone and email]**

**[Insert Supervisory Authority]**

**[Insert Supervisory Authority Address]**

**[Insert Supervisory Authority telephone and email]**

## Consent

[If you are relying on consent for your legal basis for processing you will need to obtain the data subjects consent to obtain and process their personal data. The format used for gaining granular, opt-in, demonstrable consent will depend on how you are obtaining the data (*i.e. online form, application, in person etc.*)

If gaining consent in person, it should be given as a signature, provided along with the Privacy Notice and any T&C's (*both separate form the consent form*). Once signed consent is given, this should be filed with a copy of the Privacy Notice and any other info provided to the data subject at the time of consent. Below is a sample of how you can obtain consent in a form.]

[Insert Organisation Name] take your privacy seriously and will only process your personal data with your consent and in accordance with the terms stated in our Privacy Policy. If you consent to us collecting and processing your personal data, please sign below: -

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

I confirm that I have been provided with a copy of [Insert Organisation Name's] Privacy Notice & Terms & Conditions prior to giving consent

**OR;** where consent is being obtained via an online/electronic format, you can use something like the below template and then use the system/applications settings to ensure that you have evidence of the consent, time, date and what info the data subject was provided with at the time (*i.e. Privacy Notice, T&C's etc*).

[Insert Organisation Name] take your privacy seriously and will only process your personal data with your consent and in accordance with the terms stated in our Privacy Notice. If you consent to us collecting and processing your personal data, please complete tick below: -

I [insert data subject name] consent to you processing my personal data as detailed in your Privacy Notice:

**NOTE:** You can also use double-opt in method whereby the data subject consents via tick box, then has to follow an email link to make sure that it is the correct person consenting – this double opt-in can also serve as evidence of the consent and must be retained.]

## Cookie Notice (optional extra)

[You can choose to have your cookie notice in with your privacy info, or as a separate cookie policy on your site with a permanent link to a page and the current mandatory cookie notice (this may change under the new ePrivacy Regulation, reducing the need for a pop-up notice & using browser controls instead - we are staying updated on the ePrivacy Regulation and will create new policies and templates when the final version is published).

**The below is a template only and should be customised to suit your needs or removed if you already have a notice.]**

A '*cookie*' is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing. When you visit a site that uses cookies for the first time, a cookie is downloaded onto your computer/mobile device so that the next time you visit that site, your device will remember useful information such as items added in the shopping cart, visited pages or logging in options.

Cookies are widely used in order to make websites work, or to work more efficiently, and our site relies on cookies to optimise user experience and for features and services to function properly.

Most web browsers allow some control to restrict or block cookies through the browser settings, however if you disable cookies you may find this affects your ability to use certain parts of our website or services. For more information about cookies visit <https://www.aboutcookies.org>.