

GDPR: DATA PRIVACY NOTICE FOR CLIENTS AND SUPPLIERS (5)

Introduction

S CLARKE AND SON FUNERAL DIRECTORS LIMITED ("We") are committed to protecting and respecting your privacy.

This policy (together with our terms of use www.sclarkeandson.co.uk and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

1. Definitions

Data controller - A controller determines the purposes and means of processing personal data.

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

Data subject - Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, and trade union membership, and political opinions, religious or philosophical beliefs.

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

2. Who are we?

S CLARKE AND SON FUNERAL DIRECTORS LIMITED is the data controller. This means we decide how your personal data is processed and for what purposes. Our contact details are: 12 Court Square Newtownards Co. Down BT23 7NY. For all data matters contact our Data Protection Representative on 028 9181 2168 or email: admin@sclarkeandson.co.uk.

3. The purpose(s) of processing your personal data

We use your personal data for the following purposes: Performance of contract, legal obligations, health authority, local authority, central government obligations, judicial offices, fiscal and revenue services, your consent, and legitimate business interests

4. The categories of personal data concerned With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

- Personal data: Your name, salutation, addresses, contact numbers, personal email addresses, date of birth, gender, next of kin and emergency contact numbers
- Special categories of data: Information about your race or ethnicity, religious beliefs, marital status, sexual orientation, health including medical condition, genetic information and biometric data.

5. What is our legal basis for processing your personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

<input checked="" type="checkbox"/> Consent of the data subject;	Explicit written consent of data subject
<input checked="" type="checkbox"/> Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	Funeral Services, Business Contracts, Legal contract, Legitimate Business
<input checked="" type="checkbox"/> Processing necessary for compliance with a legal obligation	Health Services, Local Authority, Judicial Offices, Coronial Services, Central Government, fiscal and revenue requirements, and company law
<input checked="" type="checkbox"/> Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	Health Services, Local Authority, Judicial Offices, Coronial Services, Central Government, fiscal and revenue requirements, and company law
<input checked="" type="checkbox"/> Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	Health services, local authority, judicial offices, coronial services, central government, fiscal and revenue requirements, and company law

b) Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your special categories of data:

<input checked="" type="checkbox"/> Explicit consent of the data subject	Explicit written consent of data subject
<input checked="" type="checkbox"/> Processing necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement	Legal requirements and legitimate business interests in providing funeral services and /or pre-paid plan application
<input checked="" type="checkbox"/> Processing necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent	Legal requirements and legitimate business interests in providing funeral services and /or pre-paid plan application

<p>☒ Processing necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity</p>	<p>Health services, local authority, judicial offices, coronial services, central government, fiscal and revenue requirements, and company law</p>
<p>☒ Processing necessary for reasons of substantial public interest on the basis of EU or Member State law</p>	<p>Health services, local authority, judicial offices, coronial services, central government, fiscal and revenue requirements, and company law</p>
<p>☒ Processing necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional</p>	<p>Health services, local authority, judicial offices, coronial services, central government, fiscal and revenue requirements, employment law, legitimate business interests and company law</p>
<p>☒ Processing necessary for the reasons of public interest in the area of public health</p>	<p>Health services, local authority, judicial offices, coronial services, central government</p>
<p>☒ Processing necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes</p>	<p>Health services, local authority, judicial offices, coronial services, central government, legitimate business interests</p>

6. Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with those persons who we have a legitimate business, legal, contractual obligations, health, local authority, judicial office, coronial services, and central government.

7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary and we only retain your data for the following purposes and use the following criteria to determine how long to retain your personal data e.g. legal requirements, safeguarding purposes, legitimate business interests, health and central government legal requirements.

8. Providing us with your personal data

We require your personal data as it is a statutory and/or contractual requirement to enable us to provide the funeral services you require. If you fail to adhere the consequences will be that we may be unable to provide the professional funeral services you require or fulfil our legal obligations in arranging your funeral or communicating with the necessary health, judicial, fiscal, local and central government bodies.

9. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;

- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to withdraw your consent to the processing at any time, where consent was your lawful basis for processing the data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics)

10. Transfer of Data Abroad

We usually do not transfer personal data outside the EEA however where personal data is to be transferred outside the EEA we will normally seek your explicit consent unless there is a legal requirement for us to do so in order to comply with a court requirement or a health need so as to expedite a repatriation. Even in this case we will ensure that the relevant professional safeguards and standards will be implemented.

11. Automated Decision Making

We do not use any form of automated decision making in our business. If this is to change we will inform you of the change and seek your explicit permission.

12. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

13. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

14. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our Data Protection Representative on 028 9181 2168 or via email admin@sclarkeandson.co.uk or at our office S Clarke and Son Funeral Directors Limited, 12 Court Square Newtownards Co. Down BT23 7NY.

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with The Information Commissioner's Office - Northern Ireland, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB. Telephone: 028 9027 8757 / 0303 123 1114 Email: ni@ico.org.uk or

[Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.

