

Privacy Notice

Hive Design is a design agency specialising in branding and design across all media.

This Privacy Notice sets out how Hive Design processes personal data, whether on individuals as our clients, intermediaries or other third parties that we interact with, any individual who is connected to those parties, or otherwise.

Hive Design acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017, which provides a number of requirements in terms of processing activities involving personal data. We further acknowledge the general principles of processing as well as the rights of a data subject and more information in relation to these provisions are provided within this Privacy Notice.

Any questions in relation to this Privacy Notice or requests and/or questions in respect of our processing of personal data should be directed to dataprotection@hive-design.com in the first instance.

A) OBTAINING YOUR PERSONAL DATA

Hive Design will only collect personal data that is necessary and proportionate to provide the design services. The type of personal data that we collect and hold includes:

- Contact details (including names, postal addresses, email addresses and telephone numbers);
- Information provided in the course of the provision of the design services (for example, information on professional relationships and background, legal disclaimers, references and referees, social media accounts);
- bank account details for payment information;
- correspondence records;
- Any other information you may provide to us.

We primarily collect your data from information which you or your authorised representative provides to us and/or from third party sources such as the internet.

B) ACCOUNTABILITY

The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.

The controller and Data Protection Officer of Hive Design is:

Paul Smith
Tel: 07839 789123
Email: paul@hive-design.com

C) PURPOSES OF PROCESSING

Hive Design processes personal data for the following purposes:

(The below table also confirms the lawful basis upon which we are relying in each case):

Purpose	Lawful Basis for Processing
To enter into client relationships and provide design services	Any one or more of the following: The legitimate interests of Hive Design as a provider of design services to process personal data for the purpose of providing those services. Where the client is an individual: to fulfil the contract we have entered into with the individual to provide design services.
To manage our client, intermediary and other business relationships	The legitimate interests of Hive Design to seek to ensure its business is conducted efficiently and with a view to enhancing client service.
To ensure the security of Hive Design systems, staff and premises	The legitimate interests of Hive Design in protecting its systems, staff and premises from being misused or the victim of any criminal activity.
To provide our contacts with marketing material, to invite contacts to events which may be of interest to them and to participate in competitions and to manage such mailings and events	The legitimate interests of Hive Design as a provider of branding and design services to process personal data to communicate with persons on topics and events which may be of interest to those individuals. The right of those individuals to unsubscribe from mailings and/or manage preferences will be included within all mailings and any requests to unsubscribe may be made via links available in the mailings.

To meet all legal, regulatory and ethical obligations applicable to Hive Design (including in respect of managing potential conflicts of interest)	<p>The legitimate interests of Hive Design as a provider of branding and design services to process data to the extent necessary to ensure it meets all legal, regulatory and ethical obligations incumbent on it.</p> <p>In certain instances, the processing of data may also be necessary for the exercise of functions of public authorities and/or necessary for compliance with a legal obligation to which Hive Design is subject.</p>
For the purposes of internal know-how and training	The legitimate interests of Hive Design as a provider of design services to process data for the purposes of internal know-how and staff training. Hive Design will use reasonable endeavours to ensure any personal data contained in the material which is not integral to the understanding of the material is redacted.

D) SOURCES AND RECIPIENTS OF DATA

The sources of data may include clients, intermediaries, data subjects directly, third parties connected to the data subject (for example, their employer or another service provider who provides services to the data subject) and information they provide and/or open-source material.

The following is a list of potential recipients of data (in each case including respective employees, directors and officers):

- Other providers of services (design or otherwise, including any bank or financial institution providing services in relation to any matter on which Hive Design is instructed) where disclosure to that provider of services is considered necessary to fulfil the purposes set out above;
- Any sub-contractors, agents or service providers of Hive Design;
- Courts or tribunals;
- Third parties with whom Hive Design engages for the hosting of events or other marketing initiatives;
- Regulators or other governmental or supervisory bodies with a legal right to the material or a legitimate interest in any material;
- Any registrar of a public register where the data is to be included in a public registry.

Where Hive Design is entering into an engagement with a third party pursuant to which data may be processed by that third party, we will seek to enter into an agreement with that third party setting out the respective obligations of each party and will seek to be reasonably satisfied that the third party has measures in place to protect data against unauthorised or accidental use, access, disclosure, damage, loss or destruction.

E) RIGHTS OF DATA SUBJECTS

Hive Design will take all reasonable steps to allow you to exercise your rights under the Data Protection Law. However, in some circumstances, you may not be able to do so where the exercising of those rights may prejudice legal or regulatory purposes.

F) RIGHT OF ACCESS

You have the right to know whether we are processing personal data relating to you. If you make a subject access request, you may have one free copy of your personal data that we hold. We will respond to your request within one month, however, exceptionally an extension of two further months may be applied by us but in doing so we will, within the 30-day period, tell you how long we need and the reasons for the extension.

G) RIGHT TO DATA PORTABILITY

Generally, you have the right to data portability; this means that you are able to arrange for the transfer of your personal data from one controller to another without hindrance from the first controller. This right can only be used where the processing is based on consent or for the performance of a contract.

H) EXCEPTION TO RIGHT OF PORTABILITY OR ACCESS INVOLVING DISCLOSURE OF ANOTHER INDIVIDUAL'S PERSONAL DATA

A controller of personal data is not required to comply with a request under the right of access or right to data portability where they cannot comply with the request without disclosing information in relation to another individual who is identified or identifiable from that information.

I) RIGHT TO OBJECT TO PROCESSING

You have the right to object to a controller's activities relating to the processing of personal data for direct marketing purposes, on grounds of public interest and for historical or scientific purposes.

J) RIGHT TO RECTIFICATION

You have the right to require us to complete any incomplete personal data and to rectify or change any inaccurate personal data.

K) RIGHT TO ERASURE

You have the right to submit a written request to us regarding the erasure of your personal data in the following circumstances:

- The personal data is no longer needed for the reason it was collected or processed
- The lawfulness of processing is based on consent and you have withdrawn your consent
- You object to the processing and we are required to stop the processing activity
- The personal data has been unlawfully processed
- The personal data must be erased in order to comply with any duty imposed by law

L) RIGHT TO RESTRICTION OF PROCESSING

You have the right to request, in writing, the restriction of processing activities which relate to your personal data. This right can be exercised where:

- The accuracy or completeness of the personal data is disputed by you and you wish to obtain restriction of processing for a period in order for us to verify the accuracy or completeness;
- The processing is unlawful, but you wish to obtain restriction of processing as opposed to erasure;
- We no longer require the personal data; however, you require the personal data in connection with any legal proceedings.

M) RIGHT TO BE NOTIFIED OF RECTIFICATION, ERASURE AND RESTRICTIONS

Where any rectification, erasure or restriction of personal data has been carried out, you have a right to ensure that we notify any other person to which the personal data has been disclosed about the rectification, erasure or restriction of processing. We must also notify you of the identity and contact details of the other person if you request this information.

N) RIGHT NOT TO BE SUBJECT TO DECISIONS BASED ON AUTOMATED PROCESSING

You have the right not to be subjected to automated decision making without human intervention.

If you wish to exercise your data subject rights please send your request to dataprotection@hive-design.com

In any case in which a data subject chooses not to provide any personal data or where any of the rights set out above are exercised to limit the processing of personal data, Hive Design may be unable to provide the required services, or there may be a restriction on the services which can be provided.

RIGHT TO MAKE A COMPLAINT

You may make a complaint in writing to the Supervisory Authority (the Data Protection Authority) if you consider we have breached, or are likely to breach, a relevant part of the Data Protection Law and the breach affects or is likely to affect any personal data relating to you or any of your rights (as listed above).

Additionally, if we are unable to address your questions or concerns to your satisfaction, you may make a complaint to the Data Protection Authority. Their contact details are as follows:

Office of the Data Protection Authority
St Martin's House, Le Bordage, St Peter Port, Guernsey GY1 1BR
01481 742074
enquiries@odpa.gg

RETENTION

In accordance with our record retention policy, Hive Design only keeps data for as long as necessary to fulfil the purposes (as set out above) for which we collected it. The Hive Design policy is to retain data in relation to a client matter for 11 years from the conclusion of that matter. This is subject to certain exceptions or in instances where the personal data is relevant to a dispute after closure of the matter or where the data cannot be deleted for legal, regulatory or technical reasons).

Any requests for further information in relation to the continued processing of specific data, and requests for destruction of data, should be made to dataprotection@hive-design.com

CONTACT DETAILS

Hive Design has a Data Protection Officer and all enquiries in respect of this Privacy Notice or any request to exercise any of the rights set out above should be directed to the Data Protection Officer via dataprotection@hive-design.com or by post at:

Data Protection Officer, Hive Design, St Jacques Cottage, Upper St Jacques, St Peter Port, Guernsey GY1 1SS

CHANGES TO THIS PRIVACY NOTICE

We keep this Privacy Notice under review and any updates are available on request.

We last updated this Privacy Notice on 12th November 2020.

HOW TO CONTACT US

If you have any questions about this Privacy Notice or any data which we hold about you, please contact:
dataprotection@hive-design.com

