

EAR HEALTH MATTERS LTD

PRIVACY POLICY

Last updated: 5 September 2023

1. ABOUT THIS PRIVACY POLICY

- 1.1 The website <https://earhealthmatters.co.uk> (the **Site**) is operated by EAR HEALTH MATTERS LTD (“we”, “us”, “our”), a company incorporated in England and Wales under company number 13216411. Our registered office is at Office 7 35/37, Ludgate Hill, London, EC4M 7JN.
- 1.2 We are committed to protecting your privacy and complying with our data protection obligations under the Data Protection Act 2018 (the **DPA 2018**), the UK General Data Protection Regulation 2016/679 (the **UK GDPR**) and any other applicable UK legislation (together, **Data Protection Law**).
- 1.3 When you interact with us or use the Site, we act as the data controller of your personal data. This means that we are responsible for processing your personal data and deciding how to use it. This privacy policy explains the types of personal data we may collect about you when you interact with us, why we collect it, what we use it for and what rights you have over that data. Personal data is any information about an identifiable person. Processing is anything we do with your personal data, including using, storing, sharing and deleting it.
- 1.4 This policy was last updated on the date shown at the top. We may change this policy at any time by posting an updated version on the Site and will make reasonable efforts to bring any material changes to your attention. You may wish to check it before using the Site as any changes will be effective from the date that they are made.

2. CONTACT INFORMATION

- 2.1 If you have any concerns or would like further information about our use of data or this policy in general, you can contact David Clark at contact@earhealthmatters.co.uk or on +442038388018.

3. WHAT INFORMATION DO WE COLLECT?

- 3.1 We collect, store and use the types of personal data set out in the table at the end of this policy.

4. HOW WILL WE USE YOUR PERSONAL DATA?

- 4.1 We will use your personal data for the purposes set out in the table at the end of this policy.

5. **HOW DO WE SHARE YOUR PERSONAL DATA?**

5.1 When we share personal data, we do so in accordance with Data Protection Law. We may share certain personal data, where necessary, with employees, contractors, consultants or advisers, to facilitate sales and for general commercial purposes.

In addition, where necessary, your personal data may be shared:

5.1.1 with parties who provide products or services to us, such as software development, data hosting, user analytics, email services, payment processing, advertising, user notification and feedback functionality, delivery couriers, marketing companies who help us manage our communications with you, data insight companies, product and service suppliers etc.

5.1.2 with government or quasi-governmental organisations, law enforcement and other regulatory authorities or third parties when required or permitted by law, including but not limited to in response to court orders, for the prevention and detection of crime and to protect intellectual property and any other legal rights.

5.1.3 if the company or business is sold, transferred or integrated with another business, with our advisers, a prospective purchaser, a prospective purchaser's advisers or the new owner of the company or business to facilitate the process.

5.1.4 To a GP or other medically qualified professional where assessment outcomes deem it necessary to do so.

5.2 We may also provide third parties with aggregated but anonymised information and analytics about our customers. Before we do so we will make sure that it does not identify you.

5.3 In some cases when we share personal data, it will involve the transfer of that personal data to countries outside the UK which have different data protection standards to those which apply in the UK.

5.4 Where we transfer personal data outside the UK, we will ensure that there are adequate safeguards to protect your privacy rights under Data Protection Law. You can request a copy of the safeguards we have put in place by contacting us using the details in paragraph 2 above.

6. **THIRD PARTY LINKS**

6.1 This Site may contain links to other websites over which we have no control. We are not responsible for and do not review or endorse the privacy policies or practices of other websites which you choose to access from this Site. We encourage you to review the privacy policies of those other websites, so you can understand how they collect, use and share your personal information.

7. YOUR RIGHTS

- 7.1 We respect your rights to privacy and will respond to requests for access or control over information about you in accordance with Data Protection Law. We may require you to verify your identity before we take any action.
- 7.2 Depending on the reason we have your personal data, you have a right to:
- 7.2.1 access the personal information we hold about you (commonly known as subject access);
 - 7.2.2 request that we correct or complete personal information we hold about you that is inaccurate or incomplete;
 - 7.2.3 request that we erase your personal information in some circumstances, or object to our processing it as detailed at paragraph 7.5;
 - 7.2.4 restrict how we use your personal information, in certain circumstances;
 - 7.2.5 request that we provide you with copies of your personal information in a machine-readable format or transfer it across different services; and
 - 7.2.6 where we have asked for your consent to process your data, to withdraw this consent.
- 7.3 These rights are limited in some situations under Data Protection Law – for example, where we can demonstrate that we are under a legal obligation to process your data.
- 7.4 If you wish to exercise any of these rights, please contact us using the details in paragraph 2 above.

7.5 Your right to object

You have a right to object to our processing of your personal data and ask us to stop doing so. If we are processing your personal data for direct marketing purposes (which includes profiling to the extent that it is related to such direct marketing) and you object to this, we will stop processing your personal data immediately.

If our processing of your personal data is in the public interest or pursuant to our legitimate interests and you object to this, we will stop processing your personal data unless we have compelling reasons which override your interests, or our use of your personal data is for the establishment, exercise or defence of legal claims.

- 7.6 We hope that we can satisfy any queries you may have about the way we process your data. However, if you have unresolved concerns you also have the right to complain to data protection authorities (in the UK, the Information Commissioner's Office). You can call the ICO on 0303 123 1113 or go to their website: <https://ico.org.uk/make-a-complaint/>).

8. DATA RETENTION

- 8.1 Your personal data will only be kept for as long as necessary for our purposes. Specific retention periods are set out in the table at the end of this policy.

8.2 At the end of the specified retention periods, your personal data will either be securely destroyed or anonymised, unless we are required to keep it to comply with our legal obligations.

9. DATA PROTECTION PRINCIPLES

9.1 We process your personal data in accordance with the following principles:

9.1.1 we process your personal data lawfully, fairly and in a transparent way;

9.1.2 we collect your personal data for specified, explicit and legitimate purposes; any further processing we do is compatible with the original purposes for which we collected it;

9.1.3 we only process personal data that is adequate, relevant and limited to what is necessary to achieve the purpose for which it is processed;

9.1.4 we take reasonable steps to ensure that all personal data is accurate and kept up to date where necessary;

9.1.5 we do not store personal data in a form that identifies you for any longer than is necessary for the purposes of our processing; and

9.1.6 we process personal data securely and in a way that protects against unauthorised or unlawful processing, accidental loss, destruction or damage.

9.2 When we ask for your personal data we will tell you whether you are required by law or contract to provide it, and what will happen if you do not provide the data.

9.3 Any request for consent to the processing of your personal data will be made directly to you and will include information about why we require the personal data and what will be done with it.

10. WHAT IS OUR LAWFUL BASIS FOR PROCESSING?

10.1 We will only process personal data when we have a lawful basis for doing that processing. The table at the end of this policy sets out the lawful basis we rely on for each type of data we process.

10.2 We will choose one of the lawful bases in the UK GDPR to justify how we use your personal data. These are:

10.2.1 **Consent:** You have given consent to the processing of your personal data for one or more specific purposes. You have the right to withdraw your consent at any time, as detailed in paragraph 7.2.

10.2.2 **Contract:** The processing is necessary for the performance of a contract with you or to take steps at your request before entering into a contract.

10.2.3 **Legal obligation:** We need to process your personal data to comply with a legal obligation.

10.2.4 **Vital interests:** The processing is necessary to protect the vital interests of you or another person.

10.2.5 **Public interest:** Processing is necessary for the performance of a task carried out in the public interest or in the exercise of some official authority.

10.2.6 **Legitimate interests:** Processing is necessary for the purposes of legitimate interests pursued by us or someone else, except where such interests are overridden by your interests or fundamental rights and freedoms requiring the protection of your personal data.

11. **ATTRIBUTION**

11.1 This privacy policy was created using a template from Sparqa Legal (<https://www.sparqa.com>), 07 September 2023.

TABLE OF PERSONAL INFORMATION WE USE

The table below sets out detailed information about the types of personal information we collect, our purposes for processing, the basis for processing and the retention period for the personal data.

Category of personal data	Purpose of processing	Lawful basis for processing	Retention period
Name and contact details	To deliver your purchases to you To send you order updates For fraud prevention and detection To contact you with information, newsletters and marketing materials about our products and services	Performance of contract Compliance with legal obligation Consent	For 5 years from the last consent was given, or until consent is withdrawn if earlier.
Date of birth	For fraud prevention and detection the Company is only registered to deal with adults aged 18 years and over unless specific permission is given in writing by a minor's GP or ENT consultant.	Performance of contract Compliance with legal obligation Legitimate interests in ensuring your safety	For 5 years from the last consent was given, or until consent is withdrawn if earlier.
Payment information	To take payments and give refunds For fraud prevention and detection	Performance of contract Compliance with legal obligation	For three years since you last logged on to the Site

Category of personal data	Purpose of processing	Lawful basis for processing	Retention period
Contact history	<p>To provide customer service and support</p> <p>To train our staff</p> <p>to ensure compliance with record keeping as set out in the Health and Care Professions Council Standards of Proficiency for Hearing Aid Dispensers</p>	<p>Performance of contract</p> <p>Legitimate interests in dealing with complaints or claims</p>	For six years since you last logged on to the Site
Saved items in online shopping basket	To sell products and services to you	Performance of contract	Until you complete your order or for seven days after the item is saved
Purchase history	<p>To provide customer service support and handle returns</p> <p>to advise users of other goods or services which may be complimentary to their previous purchases or to advise when new items are available which may have additional features that might be of benefit to the user</p>	<p>Performance of contract</p> <p>Consent</p>	<p>Users who purchase hearing aids and associated accessories will have details of the purchase retained for as long as the user remains an active client of the Company.</p> <p>Users who purchase services such as earwax removal or hearing tests for 3 years since the last consent was given, or until the customer withdraws consent if sooner</p>

Category of personal data	Purpose of processing	Lawful basis for processing	Retention period
Responses to surveys, competitions and promotions	To run the survey, competition or promotion	Performance of contract Legitimate interest in administering and/or improving our products and services generally	For six years
Customer comments and product reviews	To improve our products and services Where relevant, to establish, exercise or defend legal claims to allow other users to read customer reviews so that they may determine whether they wish to engage in any interaction with the Company	Performance of contract Legitimate interest in dealing with complaints or claims and improving our products and/or services generally	For six years
Information generated in the course of the use of our products and services	For internal research and development purposes To improve and test the features and functions of our Site	Performance of contract Legitimate interest in maintaining our Site and improving our products and/or services generally	for as long as the user remains an active client of the business, or for 7 years after the last contact by the user
Information collected through cookies and similar technologies	To conduct and store Site usage analytics, statistical and trend analysis and market research to help maintain functionality and performance of the website	Consent	For three years since you gave consent, or until you withdraw consent if earlier

Category of personal data	Purpose of processing	Lawful basis for processing	Retention period
<p>medical and lifestyle questionnaire</p>	<p>In order to assess that services and goods provided to the user are appropriate to their needs or to give relevant advice on future management or referral to a suitably qualified medical professional such as their GP or an ENT consultant</p>	<p>Performance of contract Compliance with legal obligations Legitimate interest: To provide goods and services to the user Consent</p>	<p>We will only retain your personal data for as long as reasonably necessary for our purposes. To determine the appropriate retention period, we will consider a number of factors, including the purposes of our processing, the nature of the data and compliance with our legal obligations.</p>