

# Privacy Policy

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## TRADE WEBSITE – PRIVACY NOTICE

### 1. Introduction

This Privacy Notice (**notice**) explains how Imperial Tobacco Limited of 121 Winterstoke Road, Bristol, BS3 2LL (referred to in this notice as “ITL”, “we” or “us”) will use the personal information you provide to us through your use of this website, including any personal information you may provide when you sign up to our newsletter, purchase a product or service, take part in a competition or any other communications you have with us for example when you call or email us.

The purpose of this notice is to explain to you how we collect and process your personal information and to inform you of your rights in relation to the personal information we collect under data protection laws. We respect your privacy and we are committed to protecting your personal information. We will always treat your personal information in an appropriate manner and in accordance with the relevant data protection laws.

This website is not intended for children and we do not knowingly collect data relating to children.

### 2. Important Information

#### Controller and Contact Details

ITL is the controller of the personal information you provide and is responsible for your personal information. If you have any questions about this notice, including any requests to exercise your legal rights, please contact us by emailing [dataprotection@uk.imptob.com](mailto:dataprotection@uk.imptob.com).

#### Changes to this notice

We will keep this notice updated and keep you informed of any material changes to the way we process your personal information. Future changes will be posted here and, where appropriate, notified to you by email. We encourage you to read about the changes so that you keep up to date. This version of the notice was last updated on 15 August 2018.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

#### Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

### 3. What personal information do we collect?

Personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We collect, use, store and transfer different kinds of personal information about you when you make contact with us through this website, enter a competition, attend events hosted on our behalf, or any other means of contacting us. We have grouped together the different types of personal information as follows:

**Identity Data** includes first name, last name, username or similar identifier, title and gender.

**Contact Data** includes billing address, delivery address, email address and telephone numbers.

**Financial Data** includes bank account, invoice and payment card details.

**Transaction Data** includes details about payments to and from you and other details of products you have purchased from us.

**Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

**Profile Data** includes your username and password, your feedback and survey responses.

**Usage Data** includes information about how you use our website, products and services

**Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

**Imagery Data** includes photographs and video footage taken at events, festivals, and other locations

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal information but is **not** considered personal information in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this notice.

We do not intentionally collect any **Special Categories of Personal Information** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you include any special categories of personal information when you contact us or provide us with data through your use of the website, it is your responsibility to make sure you are happy for us to use that personal information in accordance with this notice. You should be aware that this personal information is more sensitive and is more heavily protected by data protection legislation, so you should avoid including this kind of data if possible.

#### **If you fail to provide personal information**

Where we need to collect personal information by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with a prize following a competition you entered). In this case, we may not be able to fulfil our obligations to you but we will notify you if this is the case at the time.

## **4. How do we collect your personal information?**

We use different methods to collect data from and about you including through:

**Direct interactions** – You may give us your Identity, Contact Profile, and Marketing and Communications Data by completing online forms or by corresponding with us by post, phone, email or otherwise. This includes personal information you provide when you:

- contact us through any form of communication regarding a query, feedback or complaint;
- visit this website;
- attend events organised by us or on our behalf;
- create an account on our website;
- subscribe to any of our newsletters or other publications;
- request marketing to be sent to you; or
- enter a competition, promotion or survey.

**Automated technologies or interactions** – As you interact with our website, we will automatically collect Usage Data about how you use our website and Technical Data about your equipment, browsing actions and patterns. We collect this personal information by using cookies, server logs and other similar technologies. Please see our cookies policy at Section [Cookies](#) for further details.

**Third parties** – We may receive personal information about you from third parties such as Technical Data from analytics providers such as Google.

## **5. Use of your personal information**

Under data protection legislation we are only permitted to use your personal information if we have a legal basis for doing so as set out in the data protection legislation. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you;

- Where we need to comply with a legal or regulatory obligation; or
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; or
- With your consent (for example, where you have provided your consent in order for us to send you marketing materials), which you have the right to withdraw at any time by [contacting us](#) using the contact details above.

We may combine information that we collect about you through this website with information that you provide to us by other means, for example when you contact our sales representatives. We may also store personal information together in a combined database or in separate databases. We will not however, collect an excessive amount of information from you nor information that is not relevant to the purposes for that which it was collected.

### Purposes for which we will use your personal information

We have set out below, in a table format, a description of all the ways we plan to use your personal information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Please note that we may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground we are relying on to process your personal information where more than one ground has been set out in the table below.

We use information about you for the following purposes:

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you on our website and create an account	(a) Identity; (b) Contact;  (c) Profile; and  (d) Marketing and Communications.	Performance of a contract with you.
To administer your account and to manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy notice; and  (b) Responding to your queries.	(a) Identity; (b) Contact;  (c) Financial;  (d) Transaction  (e) Profile;  (f) Marketing and Communications.	(a) Performance of a contract with you; (b) Necessary to comply with a legal obligation; and  (c) Necessary for our legitimate interests (to keep our records updated and to develop our relationship with you in order to progress our business).
To enable you to partake in a prize draw or competition.	(a) Identity; (b) Contact;  (c) Financial  (d) Profile;  (e) Usage; and	(a) Performance of a contract with you; and (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).

	(f) Marketing and Communications.	
To enable you to take part in a survey.	(a) Identity; (b) Contact; (c) Profile; (d) Usage; and (e) Marketing and Communications.	Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity; (b) Contact; and (c) Technical.	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).
To promote our business including: (a) Sending you marketing materials; (b) Events hosted by us; and (c) Events hosted on our behalf.	(a) Identity; (b) Contact; (c) Marketing and Communications; and (d) Imagery.	(a) Consent; and (b) Necessary for our legitimate interests (to develop and grow our business understanding of customers and to inform our marketing strategy).
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical; and (b) Usage.	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy).

### Change in purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us using the contact details above. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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### Marketing

We strive to provide you with choices regarding certain personal information uses, particularly around marketing. We will provide you with a clear choice to opt into receiving any of our newsletters or other marketing communications.

We do not share your personal information with any company outside of the Imperial Brands PLC Group of subsidiary companies for marketing purposes.

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by [contacting us](#) using the “Contact Us” page on our website at any time: <http://www.imperial-trade.co.uk/contact-us/>.

You will receive marketing communications from us if you have requested information from us or if you provided us with your details when registering an account or when contacting us and in each case, you have not opted out of receiving that marketing.

## 6. Disclosures of personal information

We will treat all of your personal information as private and confidential and in accordance with the data protection laws. We may however, need to share your personal information with third parties who provide services to us to enable them to provide their services to us such as IT providers, payment facilitators, delivery services and system administration services.

Where we use third parties to process your personal information on our behalf, we will always carry out checks to ensure that there are appropriate protections for the safeguarding your personal information. We will also monitor the performance of these third parties (and their approved subcontractors) to ensure that your personal information remains secure.

Any third party service provider that we instruct will only process your personal information:

- for the same purposes for which we may use your personal information (as set out in this notice);
- as is strictly necessary to perform its obligations to us; and
- in the ways instructed by us.

We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

We will share your personal information with other members of the group of companies to which we belong, all under the heading of the Imperial Brands PLC Group.

We will not usually disclose your personal information other than as set out above. However, there may be circumstances where we need to share personal information other than as anticipated above. These include:

- where we are legally required to disclose the information, for example because a court orders us to do so;
- where the disclosure of the personal information is required for the purposes of the prevention and detection of crime. This includes sharing the personal information with tax authorities and law enforcement agencies;
- where we need to disclose the personal information for the purpose of or in connection with any legal proceedings, or for the purpose of obtaining legal advice, or the disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights;
- where disclosure is necessary to protect your vital interests (for example if you are unwell at one of our events, we may need to seek medical assistance); and
- where we share your personal information with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets if we reorganise our business. Alternatively, we may seek to acquire other businesses or merge with them.

## 7. Transfers outside of the EEA

We do not work with any third parties based outside of the European Economic Area (EEA) or store, host or transfer any of the your personal information outside the EEA. However, if this changes we will update this notice accordingly and notify you of our updated notice.

In the event that personal information is transferred to countries outside of the EEA, those countries may not offer an equivalent level of protection for personal information to the laws in the UK. If we

disclose your personal information to a third party which is outside the EEA, we will not do so until we have taken steps to ensure that appropriate safeguards are put in place and your personal information is afforded similar levels of protection as that required from us by data protection laws in the UK.

If we transfer your personal information out of the EEA, we will ensure that a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- we will ensure the countries that we transfer your personal information to have been deemed to provide an adequate level of protection for personal information by the European Commission;
- we will use specific contracts approved by the European Commission which give personal information the same protection it has in Europe; or
- where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal information shared between the Europe and the US.

In the event that we transfer personal information outside of the EEA, we will provide further information on the specific mechanisms used by us when transferring your personal information.

## **8. Security**

We will always treat your personal information in an appropriate manner and keep it protected. We do this by implementing policies, standards and procedures and enforcing them.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have also put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Personal information which you provide is held separate from our website. We protect the security of your information by using password protection and limiting access to your information (for example, only our staff or employees who need access to it for the purposes described above will have access to it).

Please help us to keep your information secure by not using an obvious password and ensuring that you do not divulge your password to any other person.

## **9. Retention**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

We will keep any personal information submitted through the website for as long as you have an account with us and generally for a period of 3 years following closure of your account. In the event that you do not have an account with us, we will generally hold your personal information for a period of 12 months after the relevant competition, survey or event you have taken part in ends or following resolution of your query, However, where we have a statutory obligation to keep the personal information for a longer period or where we may need to keep your personal information for a longer period in case of a legal claim or dealing with ongoing queries or complaints, then the retention period may be longer.

## **10. Your rights**

You have a number of rights in relation to your personal information. You have the right within certain legal parameters, to:

- Be informed about how we use your personal information (which we do in this Privacy Notice);
- Obtain access to your personal information that we hold;



- Request that your personal information is corrected if you believe it is incorrect, incomplete or inaccurate;
- Ask us to erase your personal information in certain circumstances;
- Ask us to restrict our information processing activities in certain circumstances;
- Ask us for a copy of certain personal information that you have provided to us in a commonly used electronic format;
- Object to our processing of your personal information;
- Not be subject to automated decisions about you and to request human intervention; and Withdraw consent where we are relying on consent to process your personal information. If you would like to exercise any of the rights set out above, please contact us using the contact details above.

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### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **11. Cookies**

We use 'cookie' technology to provide online visitors with a personalised online experience, to make things easier for website visitors, and to learn about how our website is performing.

In order to achieve this, we may store some information on your computer, usually within your web browser. This information will be in the form of a cookie, or similar file, and it allows the website to recognise your computer during your visit to our website. A cookie does not tell us any personal information about you, such as name, address, age, etc.

You can change the setting in your web browser to control how cookies are accepted or stored by your browser and computer. [www.aboutcookies.org](http://www.aboutcookies.org) is a useful website that gives you information about how different browsers manage cookies. However, if you disable or restrict cookies, then you may find that some areas of our websites no longer function correctly for you.

Our cookies help to:

- make our website work as you would expect;
- remember your settings during and between visits;
- improve your and other users' experiences of our website;
- allow you to sign up to marketing and updates if you have requested to do so; and
- improve the speed/security of our website.

We use the following types of cookies:

**Strictly necessary cookies** – these are cookies that are essential for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website.

**Analytical/performance cookies** – they allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

We use the following cookies:

<b>Cookie Name</b>	<b>Default Expiration Time</b>	<b>Description</b>
__utma	2 years from set/update	Used to distinguish users and sessions. The cookie is created when the javascript library executes and no existing __utma cookies exists. The cookie is updated every time data is sent to Google Analytics.
__utmt	10 minutes	Used to throttle request rate.
__utmb	30 mins from set/update	Used to determine new sessions/visits. The cookie is created when the javascript library executes and no existing __utmb cookies exists. The cookie is updated every time data is sent to Google Analytics.
__utmc	End of browser session	Not used in ga.js. Set for interoperability with urchin.js. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether the user was in a new session/visit.
__utmz	6 months from set/update	Stores the traffic source or campaign that explains how the user reached your site. The cookie is created when the javascript library executes and is updated every time data is sent to Google Analytics.
wordpress_[hash]	Session	Stores your authentication details. Its use is limited to the admin console area.
wordpress_logged_in_[hash]	Session	Indicates when you're logged in and who you are, for most interface use.



## **12. Complaints**

We are registered with the Information Commissioner's Office (**ICO**), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)), with registration number ZA106554. You have the right to make a complaint at any time to the ICO. We would however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance using the contact details above.