
PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

1 INTRODUCTION

- 1.1 Individuals and companies or entities that are in a contractual relationship with the Company have separate Privacy Notices and/or GDPR agreements relevant to their relationship with the Company i.e. employees, consultants and service providers. The Privacy Notices can be obtained from the Data Protection Contact: James Brass, Partner, York Aviation LLP, Primary House, Spring Gardens, Macclesfield, SL10 2DX.
- 1.2 This Privacy Notice sets out how the Company deals with personal data shared with Us by You, and/or any third-parties on Your behalf, in connection Your interaction with Company by telephone, email, post, in-person or through Our Website. We take privacy and security of Your information seriously and will only use such personal information as set out in this Privacy Notice and in ways which are reasonably ancillary to what is set out below.
- 1.3 This privacy notice is issued on behalf of the Company so when we mention “**We**”, “**Us**” or “**Our**” in this privacy notice, are referring to the Company responsible for processing your data.
- 1.4 References to “**You**” or “**Your**” include all individuals whose personal data We collect, hold and process in the course of operating the various business within the Company.
- 1.5 You and the Company acknowledge that the personal information You share with Us and/or by any third-parties on Your behalf is provided voluntarily to Us and by providing this information You have given Your consent for Us to process it for the purposes described in paragraph 6.
- 1.6 We may also act as a controller when someone else provides Your personal data to Us as part of Our obligation to provide a service to a third party or parties, including but not limited to fulfilling Our legal and regulatory obligations in connection with Client Due Diligence. The identity of the relevant Company entity responsible for Your personal data in such situations can be provided to You by contacting the Data Protection Contact James Brass, Partner, York Aviation LLP, Primary House, Spring Gardens, Macclesfield, SL10 2DX.
- 1.7 You and the Company acknowledge that the personal information shared with Us by any third-parties on Your behalf will be treated in the same manner as if You had personally shared the data with Us.
- 1.8 You and the Company acknowledge that, if the data You or any third party shared with Us for the intended purpose described in paragraph 6 is incomplete and You refuse to provide Us with or give consent to obtain any further information that We request, We may not be able to:
 - 1.8.1 respond to Your enquiry;
 - 1.8.2 correspond with You;
 - 1.8.3 complete the process for which the information is required;
 - 1.8.4 maintain a relationship with You; or,
 - 1.8.5 conclude or implement an agreement with You.

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

2 CONTACT DETAILS

- 2.1 The Company’s Data Protection Contact is James Brass, Partner, York Aviation LLP, Primary House, Spring Gardens, Macclesfield, SL10 2DX.

3 TYPES OF PERSONAL INFORMATION WE PROCESS

- 3.1 **Candidates for Employment:** Your identification information which includes Your name, surname, residential address, details concerning education and experience and professional qualifications, Your employment, Salaries, employer’s name and details of directorships and other offices which You may hold). Other particulars provided by a candidate for an employee may also be processed, such as contact details in the form of a telephone number, e-mail address or image in the form of a photograph attached to the CV.
- 3.2 **Business Associates:** Your identification information which includes Your name, surname, residential address, contact details, details concerning education and experience and professional qualifications, Your employment, Salaries, employer’s name and details of directorships and other offices which You may hold). Other particulars provided by a candidate for a business associate may also be processed, e.g. their image (photograph in the CV).
- 3.3 **Persons Contacting the Company by Telephone, Email, Post, In-Person or Through Our Website:** Your identification information which includes Your name, surname, electronic address, telephone number, correspondence address and other information provided by the person contacting the Controller.
- 3.4 **Recipients of Company Information You have Consented to Receive including Marketing:** Your identification information which includes Your name, surname, e-mail address, telephone number, workplace, position, business activity address.

4 HOW WE COLLECT THE PERSONAL INFORMATION WE PROCESS

- 4.1 We collect Your personal information from the following sources:
- 4.1.1 personal information which You give to Us, including but not limited to:
- a. *any personal information provided by way of correspondence with Us by phone, post, e-mail, visiting Our Website or otherwise;*
 - b. *such other forms and documents as We may request that are completed in relation to the administration/management Your enquiry;*
 - c. *such other forms and documents as We may request that are completed in relation to the administration/management of any contractual and business obligations and service that may be concluded as a result of Your contact with Us;*
 - d. *information gathered through client due diligence carried out as part of Our compliance with regulatory requirements as a result of Your contact with Us.*
- 4.1.2 Personal information We receive from third party sources, such as:
- a. *third-parties in which You or someone connected to You has an interest;*

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- b. Your legal and/or financial advisors;*
- c. other financial institutions who hold and process Your personal information;*
- d. credit reference agencies and financial crime databases for the purposes of complying with Our regulatory requirements; and*
- e. personal information received in the course of dealing with advisors, regulators, official authorities and service providers by whom You are employed or engaged or for whom You act.*

4.1.3 We may also collect and process personal data regarding people connected to You, either by way of professional (or other) association or by way of family relationship.

5 WHY WE COLLECT YOUR PERSONAL INFORMATION:

LAWFUL GROUNDS FOR PROCESSING:

- 5.1 We may hold and process Your personal information on the following lawful grounds where:
- 5.1.1 where We have obtained Your consent to processing Your personal information for a specific purpose;
 - 5.1.2 the processing is necessary for Our legitimate interests, provided Your interests and fundamental rights do not override those interests;
 - 5.1.3 the processing is necessary to comply with Our contractual duties;
 - 5.1.4 the processing is necessary for Us to administer and carry out Our business;
 - 5.1.5 the processing is necessary for Us to supply Our services to You, including HR;
 - 5.1.6 the processing is necessary to comply with Our legal and regulatory obligations; and
 - 5.1.7 on rare occasions, where it is needed in the public interest.

6 PURPOSES OF PROCESSING

- 6.1 Pursuant to paragraph 5.1 above, Your personal information may be processed for the purposes set out below (“**Purposes**”). The Purposes based on Our legitimate interests are set out in paragraphs 6.1.1 to 6.1.4 inclusive:
- 6.1.1 communicating with You as necessary in connection with Your enquiry, providing information to You that You requested or gave Us permission to provide, or Our contractual and/or business relationship with You or the provision of Our services to/for You;
 - 6.1.2 facilitating the administration of Our business and/or Our service providers;
 - 6.1.3 monitoring and recording telephone and electronic communications and transactions:

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- a. *for quality, business analysis, training and related purposes in order to improve service delivery;*
- b. *for investigation and fraud prevention purposes, for crime detection, prevention, investigation and prosecution of any unlawful act (or omission to act);*
- c. *to enforce or defend Our legal and contractual rights or those of third party service providers; and*
- d. *liaising with or reporting to any regulatory authority (including tax authorities) with whom We are either required to cooperate or report to, or with whom We decide or deem it is appropriate to cooperate with in relation to Our contact with You.*

6.1.4 **Candidates for Employment:** with the intent to recruit potential employees to the Company. The processing of personal data of employment candidates takes place in connection with an intent to enter into an employment agreement on the basis of their consent. If the data We request is not provided, the Company may not be able to communicate with You or complete the recruitment process with You.

6.1.5 **Business Associates:** with the intent to enter into a business relationship with You or recruit You to act on our behalf. The processing of personal data of Business Associates takes place in connection with the intent to enter into an agreement with the Company for the Company to provide services to the Associate or for the Business Associate to provide services to the Company i.e. to act on behalf of the Company on the basis of a civil law agreement. If the data We request, or consent is not given to obtain data from third parties that We inform You are necessary for the recruitment process, is not provided, the Company may not be able to communicate with You, undertake due diligence to comply with legal or regulatory obligations imposed on Us or to complete the recruitment and contracting process with You.

6.1.6 **Persons Contacting the Company by Telephone, Email, Post, In-Person or Through Our Website (the “Enquiror”):** with the intent to respond to Your enquiry or communicate with You. The processing of personal data of Enquirors takes place in connection with an intent to respond to enquiries or process requests. This may require the Enquiror to submit further information to the Company or for the Company to seek consent from the Enquiror to obtain information from third parties that We inform You is necessary to complete the enquiry or request. If We are unable to obtain this information from You or the third party, We may not be able to communicate with You, respond to Your enquiry or complete Your request.

6.1.7 **Recipients of Company Information You have Consented to Receive including Marketing:** with the intent to send information to Data Subjects, including Marketing Materials. The processing of personal data of information recipients takes place in connection with an intent to send Company Information or Company Marketing Materials that You have previously indicated to Us that:

- a. *You wish to receive;*

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- b. You believe would be useful to You; or,*
- c. We believe would be useful to You on the basis of Our communications with You.*

7 SHARING PERSONAL INFORMATION

- 7.1 If the Company sells, transfers or merges parts of the Company’s business or assets, Your personal data may be transferred to a third party. Any new owner of the Company’s business may continue to use Your personal data in the same way(s) that the Company have used it, as specified in this Privacy Policy.
- 7.2 In some limited circumstances, the Company may be legally required to share certain personal data, which might include Yours, if the Company is involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.
- 7.3 The Company may share Your personal data for the purpose of facilitating the administration of Our business and/or Our service providers in relation to Your communication with Us, to repond to Your request or complete Our contract or agreement with You. This includes subsidiaries and the Company’s holding company and its subsidiaries.
- 7.4 We may share Your personal information with third parties, including banks, financial institutions or other third party lenders, IT service providers, auditors and legal professionals) to facilitate the running of Our business.
- 7.5 Where We share Your information with a third party, We require the recipients of that personal information to put in place adequate measures to protect it.
- 7.6 Where We transfer Your personal information outside the European Economic Area, We will ensure that it is protected and transferred in a manner consistent with legal requirements applicable to the information. This can be done in a number of different ways, for instance:
 - 7.6.1 the country to which We send the personal information may be approved by the European Commission as providing adequate protection for personal data;
 - 7.6.2 by utilising a contract based on model contractual clauses which have been approved by the European Commission; or
 - 7.6.3 where the recipient is located in the US, it may belong to the EU-US Privacy Shield scheme.
- 7.7 In other circumstances, the law may permit Us to otherwise transfer Your personal information outside the EEA.
- 7.8 If You would like further information about the safeguards We have in place to protect Your personal information, please contact the Data Protection Contact.

8 RETENTION OF PERSONAL INFORMATION

- 8.1 Your personal information will be retained for as long as required:

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- 8.1.1 for the purposes for which the personal information was collected;
- 8.1.2 in order to establish or defend legal rights or obligations or to satisfy any reporting or accounting obligations; and/or
- 8.1.3 as required by data protection laws and any other applicable laws or regulatory requirements.
- 8.1.4 **Candidates for Employment:** up to 6 months after the end of the recruitment process. In the case of granting consent for data processing during further recruitment: up to 5 years.
- 8.1.5 **Business Associates:** up to 6 months after the end of the recruitment process. In the case of granting consent for data processing during further recruitment: up to 5 years.
- 8.1.6 **Persons Contacting the Company by Telephone, Email, Post, In-Person or Through Our Website (the “Enquirer”):** as long as necessary to communicate with You, respond to Your enquiry or complete Your request until consent is withdrawn or to pursue the legitimate interest of the Controller or a third party.
- 8.1.7 **Recipients of Company Information You have Consented to Receive including Marketing:** until the consent is withdrawn or as long as necessary to pursue the legitimate interest of the Controller or a third party.

9 ACCESS TO AND CONTROL OF PERSONAL INFORMATION – YOUR RIGHTS

- 9.1 You have the following rights (which may be exercisable depending on the circumstances) in respect of the personal information about You that We process:
 - 9.1.1 the right to access and port personal information;
 - 9.1.2 the right to rectify personal information;
 - 9.1.3 the right to restrict the use of personal information;
 - 9.1.4 the right to request that personal information is erased; and
 - 9.1.5 the right to object to processing of personal information.
- 9.2 You also have the right to lodge a complaint about the processing of Your personal information either with Us or with the applicable jurisdictional regulator for data protection matters:
 - 9.2.1 The Information Commissioner’s Office in the UK (<https://ico.org.uk>)
 - 9.2.2 If You are an EU resident, the supervisory authority in the EU member state of Your usual residence.
- 9.3 Where We have relied on consent to process Your personal information, You have the right to withdraw consent at any time. You also have the right to object to processing on the basis of legitimate interests (although this right is subject to certain exceptions).

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- 9.4 If You wish to exercise any of the rights set out in this paragraph, please submit a formal written request to the Data Protection Officer in the jurisdiction relevant to Your relationship. Please refer to the locations page for address details. Formal written requests may also be made to the Data Protection Contact. Please note that We shall only respond to email requests where the address corresponds to that which We have on file.

10 INACCURATE OR AMENDED INFORMATION

- 10.1 Please let Us know as soon as possible if any of Your personal information changes (including Your correspondence details) by contacting the Data Protection Contact. Failure to provide accurate information or to update information when it changes may have a detrimental impact upon Our ability to provide Our services. When receiving updated information We must also comply with all local laws and regulations with respect to anti-money laundering and associated verification and these legal obligations override any rights under GDPR.

11 COMMUNICATIONS AND MEDIA

People who email Us

- 11.1 The Company force the use of TLS (an encrypted end to end tunnel) for the secure transmission of emails. If Your email service does not support TLS, You should be aware that any emails We send or receive may not be protected in transit. Please contact Us for further detail should You require it.
- 11.2 We will also monitor any emails sent to Us, including file attachments, for viruses or malicious software. Please be aware that You have a responsibility to ensure that any email You send is within the bounds of the law.

Visitors to Our website

- 11.3 We are committed to protecting and respecting Your privacy on-line. We are aware of the concern which exists over the use of personal information provided over the internet and therefore, We do not collect personal data through Our Website.
- 11.4 We do not control and are not responsible for the privacy policy of any website or organisation to which Our Website provides links. By including references, hyperlinks or other connections to such third party websites, We do not imply any endorsement of them or any association with their owners or operators.

Cookies

- 11.5 Our <http://www.yorkaviation.co.uk> (“**Website**”) may use “cookies” to help analyse how (“**User**”s) use the site. Cookies are text files placed on Your computer to collect standard Internet log information and visitor behaviour information in an anonymous form. The information generated by the cookie about Your use of the Website (including IP address, type of device, type of browser, operating system etc) may then be used to evaluate visitors’ use of the Website exclusively to ensure better operation of the Website for the User, in particular to:

PRIVACY NOTICE

Dated: 7th March 2019

York Aviation LLP (the “**Company**”)

- 11.5.1 adjust the Website to the needs and preferences of the User,
 - 11.5.2 ensure a more efficient operation of the Website by maintaining a User session, save their settings and choices on a short-term basis,
 - 11.5.3 keep statistics, examine the popularity of particular functionalities and tabs.
- 11.6 By default internet browsers allow storage of cookies on a User’s device, so by using the Website, the User grants their consent for using cookies. Users can opt-out of the Website’s use of cookies by deleting or blocking them in the settings of their browser at any time.

12 QUESTIONS

- 12.1 If You have any questions about this data protection Privacy Notice or how We handle Your personal information (e.g. Our retention procedures or the security measures We have in place), or if You would like to make a complaint, please contact the Data Protection Contact .

13 CHANGES TO THIS PRIVACY NOTICE

- 13.1 We keep Our privacy notice under regular review. This privacy notice was last updated on 07 March 2019.