

# MOTIV-8 SW LIMITED PRIVACY NOTICE

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## 1. Introduction

The security of your personal data is very important to us and we appreciate the trust placed in us by you when you share your personal data with us. In this document, we will explain how we collect, use and protect your personal data.

We will also explain what rights you have with regards to your personal data and how you can exercise those rights.

## 2. Who we are

Motiv-8 SW Ltd is an empowering coach-mentoring organisation delivering life changing, specialist development programmes and one to one coaching throughout England. So helping move people towards and into employment, further education or training.

Through our coach-mentoring techniques we challenge people to think differently and change their attitudes, behaviours and beliefs to overcome the barriers and challenges they face in their everyday lives and become work ready.

To find out more, please click [here](#).

## 3. Collection of personal data

We collect personal data from you for one or more of the following purposes:

1. To provide you with information that you have requested or which we think may be relevant to a subject in which you have demonstrated an interest;
2. To initiate and complete commercial transactions with you, or the entity that you represent, for the purchase of products and/or services;

3. To fulfil a contract that we have entered with you or with the entity that you represent;
4. To ensure the security and safe operation of our websites and underlying business infrastructure, and
5. To manage any communication between you and us.

The table in Section 4 below provides more detail about the data that we collect for each of these purposes, the lawful basis for doing so, and the period for which we will retain each type of data.

### Technical information

In addition, and to ensure that each visitor to our website can use and navigate the site effectively, we collect the following:

- Technical information, including the Internet Protocol (IP) address used to connect your device to the Internet;
- Your login information, browser type and version, time zone setting, browser plug-in types and versions;
- Operating system and platform;
- Information about your visit, including the Uniform Resource Locators (URL) clickstream to, through, and from our site.

Our cookies policy, which can be viewed in Section 8, describes in detail how we use cookies.

In Section 7 below, we identify your rights in respect of the personal data that we collect and describe how you can exercise those rights.

## 4. Lawful basis for the processing of personal data

The table below describes the various forms of personal data we collect and the lawful basis for processing this data. We have processes in place to make sure that only those people in our organisation who need to access your data can do so. Several data elements are collected for multiple purposes, as the table below shows. Some data may be shared with third parties and, where this happens, this is also identified below.

When we process on the lawful basis of legitimate interest, we apply the following test to determine whether it is appropriate:

**The purpose test** - is there a legitimate interest behind the processing?

**Necessity test** - is the processing necessary for that purpose?

**Balancing test** - is the legitimate interest overridden, or not, by the individual's interests, rights or freedoms?

| Purpose of collection | Information category | Data collected | Purpose for collection | Lawful basis for processing | Data shared with? | Retention period |
|-----------------------|----------------------|----------------|------------------------|-----------------------------|-------------------|------------------|
|-----------------------|----------------------|----------------|------------------------|-----------------------------|-------------------|------------------|

|                                    |                            |  |   |                               |                 |   |
|------------------------------------|----------------------------|--|---|-------------------------------|-----------------|---|
| 1. To provide you with information | Subject matter information | Name, company name, geographic location, email address, business sector.                             | To provide appropriate online or email information about products and services that you have requested                            | <b>Contractual fulfilment</b> | Internally only | Maximum 8 years from the data the information is collected. |
|                                    |                            |  | To provide further, related, online or email information and ongoing news updates in relation to the identified area of interest. | <b>Legitimate interest</b>    | Internally only |   |
|                                    |                            | Telephone number   | Follow-up to ensure requested information meets needs and identify further requirements   | <b>Legitimate interest</b>    | Internally only |   |
|                                    |                            | Personal contact information as provided through website forms or at trade shows or any other means. | General mailing list subscription   | <b>Consent</b>                | Internally only |   |

|                              |                     |   |  |                                |                                      |  |
|------------------------------|---------------------|---|--|--------------------------------|--------------------------------------|--|
| 2. Transactional information | Transaction details | Name, physical address, email address, telephone number, bank account, other medium of content delivery | To process purchase transactions for products and services with customers, and to ensure any transaction issues can be dealt with. | <b>Contractual performance</b> | Internally only                      | Maximum 8 years from the date of the performance of the contract.  |
|                              |                     |   | For accounting and taxation purposes   | <b>Statutory obligation</b>    | Internally and professional advisers | 6 months from the date the data subject has input personal information but has not proceeded with a transaction. |
|                              |                     |   | Documentation should any contractual legal claim arise   | <b>Legitimate Interest</b>     | Internally and professional advisers | 8 years for VAT records from the performance of the contract   |
| 3. Fulfilment                | Fulfilment          | Name, dietary requirements  | Appropriate catering arrangements for events and training courses  | <b>Contractual performance</b> | Internally and external host venues  | Maximum 6 years from the date of ..  |
|                              |                     | Name, contact and identification details  | Access to training courses, events, attendance registers   | <b>Contractual performance</b> | Internally and external host venues  |  |

|                   |                      |   |   |                                |  |                                  |
|-------------------|----------------------|---|---|--------------------------------|--|----------------------------------|
| Information       | data                 | Name, address(es), email address, contact details   | Actual delivery of products or services, in physical or digital form, that you may have purchased from us.                  | <b>Contractual performance</b> | Internally and any third-party supplier companies with whom we contract in order to fulfil these requirements. | the performance of the contract. |
| 4. Security       | Security information | Technical information, as described above, plus any other information that may be required for this purpose | To protect our websites and infrastructure from cyber attack or other threats and to report and deal with any illegal acts. | <b>Legitimate interest</b>     | Internally, forensic and other organisations with whom we might contract for this purpose.                     | Relevant statutes of limitation  |
| 5. Communications | Contact information  | Names, contact details, identification details  | To communicate with you about any issue that you raise with us or which follows from an interaction between us.             | <b>Legitimate interest</b>     | Internally and, as necessary, with professional advisers.  | Relevant statutes of limitation  |

### 5. Storage of personal data

Moityv-8 SW Limited are a UK-domiciled organisation whose offices are in the UK.

- Our website and web applications are hosted in the EU and are accessed only by our EU-based staff.
- We use a range of Cloud Service Providers (CSPs) as part of our processing environment. Unless we specifically state otherwise, we are, in respect of all these CSPs, the data controller.
- Unless we specifically state otherwise all the CSPs that we use utilise EU-located processing facilities.

- Our payment processors and banking arrangements are based in the EU.
- We operate a data retention policy in respect of all data, whether paper-based or digital and those aspects of it which relate to personal data are contained in the table in section 4, above.

## 6. Security measures

Our information security system is operated and managed to a high standard. We have what we believe are appropriate security controls in place to protect personal data. Risk assessment, including assessing risks to the rights and freedoms of data subjects, is at the heart of our Information Security Systems. We do not, however, have any control over what happens between your device and the boundary of our information infrastructure. You should be aware of the many information security risks that exist and take appropriate steps to safeguard your own information. We accept no liability in respect of breaches that occur beyond our sphere of control.

## 7. Your rights as a data subject

As a data subject whose personal information we hold, you have certain rights. If you wish to exercise any of these rights, please email [info@motiv-8sw.co.uk](mailto:info@motiv-8sw.co.uk) or use the information supplied in the Contact us section below. To process your request, we will ask you to provide two valid forms of identification for verification purposes. Your rights are as follows:

- **The right to be informed**  
As a data controller, we are obliged to provide clear and transparent information about our data processing activities. This is provided by this privacy policy and any related communications we may send you.
- **The right of access**  
You may request a copy of the personal data we hold about you free of charge. Once we have verified your identity and, if relevant, the authority of any third-party requestor, we will provide access to the personal data we hold about you as well as the following information:
  - a) The purposes of the processing
  - b) The categories of personal data concerned
  - c) The recipients to whom the personal data has been disclosed
  - d) The retention period or envisioned retention period for that personal data
  - e) When personal data has been collected from a third party, the source of the personal data
- If there are exceptional circumstances that mean we can refuse to provide the information, we will explain them. If requests are frivolous or vexatious, we reserve the right to refuse them. If answering requests is likely to require additional time or occasions unreasonable expense (which you may have to meet), we will inform you.
- **The right to rectification**  
When you believe we hold inaccurate or incomplete personal information about you, you may exercise your right to correct or complete this data. This may be

used with the right to restrict processing to make sure that incorrect/ incomplete information is not processed until it is corrected.

- **The right to erasure (the ‘right to be forgotten’)**  
Where no overriding legal basis or legitimate reason continues to exist for processing personal data, you may request that we delete the personal data. This includes personal data that may have been unlawfully processed. We will take all reasonable steps to ensure erasure.
- **The right to restrict processing**  
You may ask us to stop processing your personal data. We will still hold the data, but will not process it any further. This right is an alternative to the right to erasure. If one of the following conditions applies you may exercise the right to restrict processing:
  - a) The accuracy of the personal data is contested
  - b) Processing of the personal data is unlawful
  - c) We no longer need the personal data for processing but the personal data is required for part of a legal process
  - d) The right to object has been exercised and processing is restricted pending a decision on the status of the processing
- **The right to data portability**  
You may request your set of personal data be transferred to another controller or processor, provided in a commonly used and machine-readable format. This right is only available if the original processing was based on consent, the processing is by automated means and if the processing is based on the fulfilment of a contractual obligation.
- **The right to object**  
You have the right to object to our processing of your data where
  - Processing is based on legitimate interest;
  - Processing is for the purpose of direct marketing;
  - Processing is for the purposes of scientific or historic research;
  - Processing involves automated decision-making and profiling.

## 8. Cookies Policy

We use cookies on our site for several purposes. They help us to provide you with a good experience when you browse our website, and allow us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer’s hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation 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 find what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences.
- **Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

You can find more information about the individual cookies we use and the purposes for which we use them below.

### **First-party (Motiv-8 SW Limited) cookies**

This website will set some cookies that are essential for the website to operate correctly. These cookies, none of which capture personally identifiable information, are as follows:

- Visitor ID - this cookie is a numeric value that identifies unique visitors and provides coherence and consistency to a site visit;
- Page Number - this cookie identifies the page you are on;
- Session ID - this cookie identifies your website session;
- Test - this cookie checks if your browser supports cookies;

### **Third-party cookies**

Our website will set several types of third-party cookie, and we do not control the operation of any of them. The third-party cookies which may be set but not limited to include:

- **Google Analytics** - we use Google Analytics to collect data about website usage. This data does not include personally identifiable information. You can view the Google Privacy Policy here: [www.google.com/policies/privacy/](http://www.google.com/policies/privacy/).

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

## **9. Contact us**

Any comments, questions or suggestions about this privacy policy or our handling of your personal data should be emailed to [info@motiv-8sw.co.uk](mailto:info@motiv-8sw.co.uk)

Alternatively, you can contact us at our head office using the following postal address or telephone numbers:

Internal Data Protection Lead  
Motiv-8 SW Limited  
The Waterfront  
Odhams Wharf  
Topsham  
EX3 0PD  
**Telephone: 01392 873939**

Our telephone switchboard is open 8:30 am - 5:00 pm, Monday to Friday. Our switchboard will take a message and ensure the appropriate person responds as soon as possible.

## **10. Complaints**

Should you wish to discuss a complaint, please feel free to contact us using the details provided above. All complaints will be treated in a confidential manner.

Should you feel unsatisfied with our handling of your data, or about any complaint that you have made to us about our handling of your data, you are entitled to escalate your complaint to a supervisory authority within the European Union. For the United Kingdom, this is the Information Commissioner's Office (ICO), who is also our lead supervisory authority. Its contact information can be found at <https://ico.org.uk/global/contact-us/>.