

# Privacy Notice for The Message Machine Ltd

The Message Machine Limited respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data in our regular business dealings with you, and it tells you about your privacy rights and how the law protects you. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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## 1. IMPORTANT INFORMATION AND WHO WE ARE

### Purpose of this privacy notice

This privacy notice aims to give you information on how The Message Machine Limited collects and processes your personal data through your use of this website, including any data you may provide through this website when you sign up to receive our news or offers, to receive client news or purchase a service.

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

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### Controller

The Message Machine Ltd is the controller and responsible for your personal data (collectively referred to as “TMM”, “we”, “us” or “our” in this privacy notice).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights (detailed below), please contact the data privacy manager using the details set out below.

### Contact details

Our full details are:

Full name of legal entity: The Message Machine Limited

Name or title of data privacy manager: Anne Harding

Email address: [Anne@themessagemachine.com](mailto:Anne@themessagemachine.com)

Postal address: 109 The Drive, Rickmansworth

Telephone number: See website [www.themessagemachine.com](http://www.themessagemachine.com) for current telephone number

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### Changes to the privacy notice and your duty to inform us of changes

This privacy notice was created on 24 May 2018.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us. Please check back in to review our privacy notice when you visit our website as we may update it from time to time.

### 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.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or 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 may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender, profile photos.
- Contact Data includes billing address, delivery address, email address and telephone numbers.
- Financial Data includes bank account and payment card details.
- Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.
- Technical Data includes internet protocol (IP) address, 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.
- Usage Data includes information about how you use our website and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data 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 data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any Special Categories of Personal Data 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 fail to provide personal data

Where we need to collect personal data 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 goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

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

Direct interactions. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- request our services;
- create an account with us online or otherwise;
- subscribe to our service, news or publications;
- request that marketing information on our services to be sent to you; or

- give us some feedback;
- meet us at trade exhibitions or business meetings.
- Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookies policy on our website for further details.
- Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:

(a) analytics providers such as Google based outside the EU;

(b) Identity and Contact Data from publicly available sources such as Companies House, Royal Mail post code lookup service the Electoral Register, based inside the EU.

(c) Identity and Contact Data when you subscribe to a third-party list that we have access to (e.g. the INFOSEC / IP EXPO registered press list).

## 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests detailed in section 6 below (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.
- We do not rely on consent as a legal basis for processing your personal data.

## 5. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

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

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please read 'How we use your personal data' in section 4 below if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<b>Press and analyst contacts</b>		
To register you as a new member of our Press database of journalists and editors	(a) Identity	Necessary for our legitimate interests (to keep our records updated in order to allow us to perform our PR services on behalf of our clients)
	(b) Contact	
To inform you of applicable news stories that our clients are wishing to release to the press	(a) Contact	Necessary for our legitimate interests (in order to allow us to perform our PR services on behalf of our clients)
<b>Clients, former clients, potential new clients, target organisations</b>		
To register you as a former or new customer	(a) Identity	Performance of a contract with you

	(b) Contact	
To process and deliver our services to you including:	(a) Identity	(a) Performance of a contract with you
(a) Manage payments, fees and charges	(b) Contact	(b) Necessary for our legitimate interests (to recover debts due to us)
(b) Collect and recover money owed to us	(c) Financial	
	(d) Transaction	
	(e) Marketing and Comms	
To manage our relationship with you which will include:	(a) Identity	(a) Performance of a contract with you
(a) Notifying you about changes to our terms of business or privacy policy	(b) Contact	(b) Necessary to comply with a legal obligation
(b) Asking you to leave a review or take a survey	(c) Marketing and Comms	(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity	(a) 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)
	(b) Contact	(b) Necessary to comply with a legal obligation
	(c) Technical	
To deliver relevant content to you and measure or understand the effectiveness of the content we deliver for you	(a) Identity	Necessary for our legitimate interests (to study how customers benefit from our services, to develop them, to grow our business and to inform our marketing strategy)
	(b) Contact	
	(c) Usage	
	(d) Marketing and Comms	
	(e) Technical	
To use data analytics to improve our website, services, marketing, customer relationships and experiences	(a) Technical	Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
	(b) Usage	
To communicate to you about goods or services that may be of interest to you (either our services or the goods and services of our clients) or about your own goods or services.	(a) Identity	Necessary for our legitimate interests (to develop our services and grow our business and to assist our clients to grow their business)
	(b) Contact	
	(c) Technical	
	(d) Usage	
<b>Suppliers</b>		
To register you as a supplier of The Message Machine Ltd	(a) Identity Data	Performance of a contract with you
	(b) Contact Data	
To process and receive goods/services:	(a) Identity Data	(a) Performance of a contract with you
(a) Manage payments & charges	(b) Contact Data	(b) Necessary for our legitimate interests (to defend legal claims)
(b) Accounting purposes	(c) Financial Data	(c) Necessary to comply with a legal obligation
(c) Defence of any legal claims brought against The Message Machine Ltd	(d) Transaction Data	
(d) Necessary to comply with a legal obligation	(e) Marketing and Comm Data	

## 6. LEGITIMATE INTEREST ASSESSMENT (LIA)

We have carried out a Legitimate Interest Assessment (LIA) corresponding with press contacts, clients, former clients, prospective clients and target organisations as advised by the ICO.

Based upon that assessment it is deemed that the rights and freedoms of our contacts and representatives at our press contacts, clients, former clients, prospective clients and target organisations (the data subjects) would not be overridden in our correspondence with them where that correspondence serves the purpose of informing the press or confirming with current clients and informing all others about stories that report on our clients' news stories, new technology lines and other relevant newsworthy items, developed by us for our clients or developed by our clients who wish to promote and publicise such information. We are confident that in no way could a data subject be caused harm by such correspondence.

Based upon our segmentation of the Press Contacts by territory, sector and specialism, and a similar approach with all other contacts, coupled with our processing of personal data within the context of a business environment, we believe that any individual that receives correspondence from us in a direct marketing or sales capacity, could be legitimately interested in the message that sits behind such correspondence.

It is also deemed that such correspondence is necessary in the context of promoting our clients' products and services to the press contacts in order to enable our press contacts to fulfil their business purpose of placing editorial copy in relevant media. As per the ICO guidance, we can confirm:

- We have checked that legitimate interests is the most appropriate basis for processing data for the purposes of sending marketing and sales messages to our press contacts, clients, prospective clients, former clients and target organisations we wish to do business with.
- We understand our responsibility to protect the individual's interests.
- We have conducted a legitimate interests assessment (LIA) and kept a record of it, to ensure that we can justify our decision.
- We have identified the relevant legitimate interests.
- We have checked that the processing is necessary and there is no less intrusive way to achieve the same result.
- We have done a balancing test, and are confident that the individual's interests do not override those legitimate interests.
- We only use individuals' data in ways they would reasonably expect.
- We are not using people's data in ways they would find intrusive or which could cause them harm.
- We do not process the data of children.
- We have considered safeguards to reduce the impact where possible.
- We will always ensure there is an opt-out / ability to object to receiving our communications.
- Our LIA did not identify a significant privacy impact, and therefore we do not require a DPIA.
- We keep our LIA under review every 12 months, and will repeat it if circumstances change.

### Marketing

We have a dedicated marketing team that leads on the validity and quality of the data contained within our database. However, all members of staff use the system and are all responsible for continually cleansing the data held within the CRM system. Any records found to be out of date are amended or placed into a deletion queue which is regularly executed.

### Promotional offers from us

We may use your Identity, Contact, Technical and Usage Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you (we call this marketing).

You may receive marketing communications from us because we are of the view, having taken legal advice, that we have a legitimate business interest as detailed in section 4 above (as well as you) in communicating with you about our services or about the goods or services of others (such as of our clients whose press releases we wish to publish). In addition we will send marketing communications if you have requested information from us or purchased services from us before and, in each case, you have not opted out of receiving that marketing.

### Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside the TMM for marketing purposes.

### Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data of representatives at your organization whose data you provided to us in connection with our engagement as your PR agency service provider.

### Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookies Policy.

### Change of purpose

We will only use your personal data 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 get an explanation as to how the processing for the new purpose is compatible with the original purpose, please review Your legal rights below.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 7. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table above.

External Third Parties as set out in the Glossary below.

Specific third parties such as MailChimp, Google docs. Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 8. INTERNATIONAL TRANSFERS

We only transfer personal data outside the European Economic Area (EEA) where we have established lawful grounds to do so. Many of our external third parties and clients are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA. Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.

Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

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 data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us at [anne@themessagemachine.com](mailto:anne@themessagemachine.com) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 9. DATA SECURITY

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

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

## 10. DATA RETENTION

### How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any PR & marketing service, legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by email at [anne@themessagemachine.com](mailto:anne@themessagemachine.com)



## 11. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

If you wish to exercise any of the rights set out above, please email us at [anne@themessagemachine.com](mailto:anne@themessagemachine.com)

You will not have to pay a fee to access your personal data (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 data (or to exercise any of your other rights). This is a security measure to ensure that personal data 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.

## 12. GLOSSARY

### LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### External Third Parties

- Service providers acting as processors based in the EU who provide IT and system administration services.
- Service providers acting as processors based outside the EU who provide direct mailing services (MailChimp) and document management services (Google docs).
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

## YOUR LEGAL RIGHTS

You have the right to:

12.1 Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

12.2 Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

12.3 Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

12.4 Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

12.5 Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

12.6 Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

12.7 Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.