

## Privacy and Data Protection Policy

December 2022

This policy sets out how Enscape Consulting (company number SC312413) Uses and protects your personal information, including data from your use of our website.

Enscape Consulting is the Data Controller for personal data about individual, corporate and community stakeholders, service users, event attendees, grant applicants, staff and newsletter subscribers. For the purpose of this document we will use the group term 'associates' to describe any one of these groups.

### Key Definitions

#### Data processing

Data processing is any activity that involves the use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it.

Processing also includes transmitting or transferring personal data to third parties.

#### Personal data

Personal data is any information identifying a data subject (a living person to whom the data relates). It includes information relating to a data subject that can be identified (directly or indirectly) from that data alone or in combination with other identifiers Enscape Consulting possesses or can reasonably access. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

#### How we process your personal information

We do not trade personal data for commercial purposes and will only disclose it if required by law, if it is necessary to arrange a service you have asked us for, or if it is with your consent. Enscape Consulting uses providers (processors) based in the European Economic Area to process associate data, except where specified.

#### Information you give to us.

This is information about you that you give us by filling in forms on our site or by corresponding with us by phone, email or otherwise. It includes information you provide when you:

- Use our site
- Subscribe to any services offered by us or register for our events
- Register to receive downloadable information, newsletters or other information
- Send us a request to contact you or when you report a problem with our site(s).
- The information you give us may include your name, position, and employer details, number of staff in your organisation, address & post code, email address and phone number.

#### We will use this information:

- to send you the information you have requested;
- to inform our marketing and sales activities, including market mapping, client and prospect mapping and analysis;
- to provide you with news and information which we think may be of interest to you and with information about our products and services. If you no longer wish us to use your data in this way, please let us know by clicking the unsubscribe button on our e-mail communications;
- to ensure that content from our site is presented in the most effective manner for you and for your computer.

#### Information we collect about you.

With regard to each of your visits to our site we will automatically collect the following information:

- Technical information, including the Internet Protocol (IP) address used to connect your computer to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- Information about your visit, including items you viewed or searched for, page response times, length of visits to certain pages.

#### We will use this information:

- to administer our site so that it works well when you visit and we may also ask you for your opinion to help us do that, and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- to improve our site to ensure that content is presented in the most effective manner for you and for your computer;
- to allow you to participate in interactive features of our services, when you choose to do so; and
- as part of our efforts to keep our site secure.

#### Information we receive from other sources.

This is the information we receive about you:

- If you create an account via our Enscape Consulting website or associated programme websites or web tools, delivered by Enscape Consulting.
- From our third party service providers (including, for example, sub-contractors in technical and delivery services, analytics providers, search information providers).

#### Legal basis for processing your information

We process your personal information lawfully and fairly in accordance with data protection laws. We may process your personal information where:

1. it is necessary for performing our functions and providing services to you;
2. you have consented to our processing of your personal information;
3. we have a legal obligation to do so; or
4. we have a legitimate interest to do so, for example on a business sale or for fraud prevention purposes.

#### Sharing your information

We may disclose your personal information to third parties, including:

- the Scottish Government, UK and devolved Governments, governmental agencies and the European Union institutions for the purpose of disclosing how we spend money in respect of grants and other funding received from any of these bodies or institutions;

- analytics and search engine providers, that assist us in the improvement and optimisation of our site;
- our professional advisers and services providers;
- If Enscape Consulting or substantially all of its assets are acquired by a third party, in which case personal data held by us about you will be one of the transferred assets; and/or
- If we are under a duty to disclose or share your personal information in order to comply with any legal obligation or in order to enforce or apply our website provider's [policy](#).
- With client organisations such as the Scottish Government, Crown Estate Scotland, Zero Waste Scotland, Scottish Enterprise, Highlands and Islands Enterprise; Business Gateway(s) (list is not exhaustive) with whom we work– in all circumstances this will be made clear at the time of collecting your data.

While we are not currently subject to the requirements of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, we may (in our sole discretion) choose to adhere to the principles of this legislation in respect of the disclosure of information.

#### [Where we store your personal data](#)

All information you provide to us is stored in our databases on a secure server located within the EEA (European Economic Area). These are cloud services hosted for us by Microsoft.

Your data may be processed by staff operating outside European Economic Area (EEA) who work for us or for one of our suppliers. This includes staff engaged in, among other things, providing the information you have requested, marketing activities and the provision of support services. We will only transfer your data outside of the EEA provided appropriate or suitable safeguards are in place to protect your data, these being either Standard Contractual Clauses or, in the case of transfers to the US, a Privacy Shield certification. Please contact us if you would like a copy of the appropriate safeguards. By submitting your personal data, you agree to this transfer.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security

of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

### Retention of your personal data

We will only keep your personal data within the timeframes allowed by law and for so long as is necessary to comply with our legal obligations.

### Your rights under the GDPR

**Access to personal information** - Individuals who are the subject of personal data held by Enscape Consulting Ltd are entitled to:

- Ask what information the company holds about them and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how the company is meeting its data protection obligations

If an individual contacts the company requesting this information, this is called a subject access request or SAR. To assist us in dealing with your request to access your information, please email [info@enscapeconsulting.com](mailto:info@enscapeconsulting.com)

We will respond to Subject Access Requests within one month as is the requirement under GDPR. We will always verify the identity of anyone making a subject access request before handing over any information.

**Correcting personal information** – Individuals may ask us to correct any personal information about them that is inaccurate, incomplete or out of date.

**Deletion of personal information** – Individuals have the right to ask us to delete personal information about them where:

- They consider that we no longer require the information for the purposes for which it was obtained
- We are using that information with their consent and that consent has been withdrawn – see Withdrawing consent to using your information below

- They have validly objected to our use of their personal information – see [Objecting to how we may use personal information](#) below
- Our use of your personal information is contrary to law or our other legal obligations.

**Objecting to how we may use personal information** – Individuals have the right at any time to require us to stop using their personal information for direct marketing purposes. In addition, where we use personal information of an individual to perform tasks carried out in the public interest then, if the individual asks us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

**Restricting how we may use personal information** – in some cases, individuals may ask us to restrict how we use their personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold or assessing the validity of any objection made by an individual to our use of their information. The right might also apply where there is no longer a basis for using an individual's personal information but they don't want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with the individual's consent, for legal claims or where there are other public interest grounds to do so.

**Automated processing** – if we use personal information on an automated basis to make decisions which significantly affect an individual, that individual has the right to ask that the decision be reviewed by an individual within our organisation to whom representations may be made concerning the decision or to contest it. This right only applies where we use information with the individual's consent or as part of a contractual relationship with the individual.

**Withdrawing consent to using personal information** – Where we use personal information with individual consent the individual may withdraw that consent at any time and we will stop using that personal information for the purpose(s) for which consent was given.

For queries as to whether the GDPR applies to the processing of your personal information or, if the GDPR does apply, and you wish to exercise any of these rights then please contact us - see [Contact](#) information and further advice below.

[Changes to our privacy statement](#)

We keep this privacy statement under regular review and will place any updates on this website.

This policy was placed on the website in January 2023.

## Contact

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [info@enscapeconsulting.com](mailto:info@enscapeconsulting.com) for any data protection queries..

## Complaints

We seek to resolve directly all complaints about how we handle personal information but you also have the right to lodge a complaint with the ICO (Information Commissioner's Office) who are the regulators of data protection laws in the UK. They can be contacted via their website [here](#) or by post:

The Information Commissioner's Office - Scotland  
45 Melville Street  
Edinburgh  
EH3 7HL

Telephone: 0303 123 1115

Email: [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

[Read more about the personal data we process and store:](#)

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## Survey responders

If you take part in a survey on behalf of Enscape Consulting you may be asked to complete a web based form; a telephone survey or to send your response by e-mail. Because market research is a large part of why we conduct surveys, we may use a third party processor to undertake these activities and as such we will always ensure that your information is protected under the required data protection laws by binding our processors contractually to these regulations. Many of the web-based surveys we conduct will use [Survey Monkey](#) but in ALL cases, the information you provide to us or our appointed contractors will only be used for the purposes identified at the time. Additionally, you are always at liberty to not take

part or to take part anonymously. We will only re-contact you following a survey if you have expressed consent and only for the purposes provided at the time.

If you prefer to submit responses to these surveys in another format, please contact us at [info@enscapeconsulting.com](mailto:info@enscapeconsulting.com)

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### **'Contact us' web form users**

If you get in touch with us via the contact form on our website or via any of the associated programme websites, we will save the details you share with us on our database. This way, if you get in touch with us in future we can refer to our previous conversations. We will not contact you or share your details unless it is necessary in order to provide you with the information or service you have requested from us.

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### **Website visitors**

Our website is hosted on a server by the organisation Web Integrations. Information on their privacy policy can be accessed [here](#).

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### **Users under 16**

If you are under 16, please get your parent/guardian's permission beforehand whenever you provide personal information to Enscape Consulting's website. Users without this consent are not allowed to provide us with personal information