

# JESS N TOM PRIVACY POLICY

## **INTRODUCTION**

- I. 'Jess n Tom' is a trading name of SMART Promotions Ltd UK (we/us/our) is committed to protecting and respecting your privacy.
- II. This policy (together with our Website Terms of Use and any other documents referred to in them) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.
- III. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting [www.jessntom.com](http://www.jessntom.com) or by purchasing any products from us you are accepting and consenting to the practices described in this policy.
- IV. For the purpose of the Data Protection Act 1998 (Act), the data controller is SMART Promotions Ltd, PE31 6NW.
- V. Our nominated representative for the purpose of the Act is Tom Dyer, Co-Owner.

## **1. INFORMATION WE COLLECT FROM YOU**

We will collect and process the following data about you:

### **1.1. Personally-Identifiable Information and Non-Personally Identifiable Information.**

- I. 'Jess n Tom' (also referred to herein as "SMART Promotions Ltd.") may collect two different types of information, Personally Identifiable Information ("PII") and Non-Personally Identifiable Information ("Non-PII").
- II. PII is information that identifies you as an individual – for example, your name, address, telephone number, e-mail address, credit card information, billing address and shipping information.
- III. Non-PII is aggregated information, demographic information, IP addresses, user behavior data from web interaction metrics tools and other information that does not reveal your specific identity.
- IV. PII and Non-PII may be collected anytime you access or use a website from SMART Promotions Ltd. PII and Non-PII may also be collected by SMART Promotions Ltd. during in-person discussions, telephone conversations, and electronic or other written communications. SMART Promotions Ltd. also collects information via cookies; blocking cookies may render you unable to access certain 'Jess n Tom' products, services, or websites.
- V. 'Jess n Tom' uses PII to respond to your inquiries, provide you with services you have requested, keep you informed of services 'Jess n Tom' thinks may

be of interest to you, and otherwise personalize your experience with 'Jess n Tom', and other reasons.

## 1.2. Information; Registration; User Names and Passwords

- I. As a 'Jess n Tom' website user, when you sign up to any of their membership programmes, you will be required to create an account with 'Jess n Tom'. You warrant that the information you provide 'Jess n Tom' is truthful and accurate, and that you are not impersonating another person.
- II. You are responsible for maintaining the confidentiality of any password you may use to access your 'Jess n Tom' account, and you agree not to transfer your password or User name, or lend or otherwise transfer your use of or access to your account, to any third party.
- III. You are fully responsible for all transactions with, and information conveyed to, 'Jess n Tom' under your account.
- IV. You agree to immediately notify 'Jess n Tom' of any unauthorized use of your password or User name or any other breach of security related to your account. You agree that 'Jess n Tom' is not liable, and you will hold 'Jess n Tom' harmless, for any loss or damage arising from your failure to comply with any of the foregoing obligations.

## 2. OTHER TYPES OF INFORMATION COLLECTED

2.1. Cookies. Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. For detailed information on the cookies we use and the purposes for which we use them see our Cookie Policy which is available on our website.

2.2. Uses made of the information. We use information held about you in the following ways:

Information you give to us. We will use this information to:

- I. Carry out our obligations arising from any contracts entered into between you and us and to provide you with the information, products and services that you request from us;
- II. Provide you with information about other goods and services we offer that are similar to those that you have already purchased or enquired about;
- III. Provide you, or permit selected third parties to provide you, with information about goods or services we feel may interest you. If you are an existing customer, we will only contact you by electronic means (email or SMS) with information about goods and services similar to those which were the subject of a previous sale or negotiations of a sale to you. If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have consented

to this. If you do not want us to use your data in this way, or to pass your details on to third parties for marketing purposes, please tick the relevant box situated on the form on which we collect your data;

- IV. Notify you about changes to our service;
- V. Ensure that content from our website is presented in the most effective manner for you and for your computer.

2.3. Information we collect about you. We will use this information to:

- I. Administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- II. Improve our website to ensure that content is presented in the most effective manner for you and for your computer;
- III. Allow you to participate in interactive features of our service, when you choose to do so;
- IV. As part of our efforts, keep our website safe and secure;
- V. Measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you;
- VI. Make suggestions and recommendations to you and other users of our website about goods or services that may interest you or them.

2.4. Information we receive from other sources. We will combine this information with information you give to us and information we collect about you. We will use this information and the combined information for the purposes set out above (depending on the types of information we receive).

### **3. DISCLOSURE OF YOUR INFORMATION**

3.1. You agree that we have the right to share your personal information with:

- I. Any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.
- II. Selected third parties including:  
Business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you; analytics and search engine providers that assist us in the improvement and optimisation of our website; credit reference agencies for the purpose of assessing your credit score where this is a condition of us entering into a contract with you.

3.2. We will disclose your personal information to third parties as follows:

- I. We do not sell or lease PII about you to others.
- II. We may share PII with 'Jess n Tom' affiliates and third parties contracting with us to provide services to you, e.g., financial institutions.

- III. We may also share PII when required by law, or when you have expressly requested us to do so.
- IV. We reserves the right to disclose and use your PII if we believes it is necessary to: (a) respond to legal process, e.g., a subpoena; (b) respond to a law enforcement agency's request; (c) enforce the Terms; or (d) protect the rights, privacy, safety, property, or operations of 'Jess n Tom' or third parties.
- V. If we are under a duty to disclose or share your personal data to comply with any legal obligation, or to enforce or apply our Terms of Use or Terms and Conditions of supply and other agreements; or to protect the rights, property, or safety of 'Jess n Tom', our customers, or others. This includes exchanging information with other companies and organisation for the purposes of fraud protection and credit risk reduction.
- VI. Because Non-PII does not personally identify You, we reserve the right to use and disclose to third parties Non-PII for any purpose.
- VII. We maintain reasonable physical, administrative and technical safeguards to protect PII from loss, misuse, or unauthorized access, disclosure, alteration or destruction. 'Jess n Tom' enforces its Privacy Policy via self-assessment.
- VIII. In the event that we wish to sell any business or assets, in which case we may disclose your personal data to the prospective buyer of such business or assets.
- IX. If we or substantially all of our assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.

#### **4. WHERE WE STORE YOUR PERSONAL DATA**

4.1. The data that we collect from you may be transferred to, and stored at, or accessed from a destination outside the European Economic Area (EEA). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. This includes staff engaged in, among other things, the fulfilment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

4.2. All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

4.3. 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 website; 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.

## **5. YOUR RIGHTS**

5.1. You may ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us at [hello@jessntom.com](mailto:hello@jessntom.com)

5.2. Our website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

## **6. ACCESS TO INFORMATION**

6.1. The Act gives you the right to access information held about you. Your right of access can be exercised in accordance with the Act. Any access request will be subject to a fee of £10 to meet our costs in providing you with details of the information we hold about you.

## **7. CHANGES TO OUR PRIVACY POLICY**

7.1. 'Jess n Tom' reserves the right to change this Privacy Policy at any time. Changes will become effective upon posting of the revised notice on <https://www.jessntom.com/privacy>, or upon emailing of the changes to you at the email address you provided to 'Jess n Tom', or as required by law.

## **8. CONTACT**

8.1. Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [hello@jessntom.com](mailto:hello@jessntom.com)

8.2. Our full details are 'Jess n Tom', a trading name of SMART Promotions Ltd UK, a company incorporated and registered in England and Wales with company number 05769619 whose registered office is at address here Vine Cottage, The Drift, Ingoldisthorpe, Norfolk PE31 6NW

*SMART Promotions Ltd.*  
*Updated, 1 April 2018*

**Jess n Tom** from SMART Promotions Ltd.  
Location: Vine Cottage, The Drift, Ingoldisthorpe, Norfolk PE31 6NW