

# Cracked It Privacy Policy

## Introduction

Cracked It C.I.C. and Cracked It Repairs Limited respect 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 and tell you about your privacy rights and how the law protects you. It applies to information we collect in relation to:

- Users of our website;
- People who use our services;
- Employees or representatives of organisations who use our services or supply us with goods or services;
- People who contact us via any medium

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

## Important Information & Who We Are

### Controller and contact information

Cracked It C.I.C. and Cracked It Repairs Limited are the controllers and responsible for your personal data (collectively referred to as "Cracked It", "we", "us" or "our" in this privacy notice).

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the customer service using the details set out below:

Email address: [hello@crackedit.org](mailto:hello@crackedit.org)

Postal address: 167A East India Dock Road, London, E14 0EA

### Complaints

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

We reserve the right to update this privacy notice at any time.

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.

### Third-party links

Our 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.

## **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 follows:

- **Identity Data** includes [first name, last name, and title,].
- **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].
- **Profile Data** includes purchases or orders made by you, your interests, preferences, feedback and survey responses].
- **Usage Data** includes [information about how you use our website, products and services].
- **Marketing and Communications Data** includes [your preferences in receiving marketing from us and our third parties and your communication preferences].

We 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 bio-metric 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.

## **Device passcode**

We collect device passcode data from our customers so that we can fully test the functionality of the device before and after we conduct each repair. The passcode is not used for any other purpose and no personal data is accessed as part of the functionality test. If you would prefer not to provide your passcode this is also fine although we won't be able to test your device after it has been repaired until you come back to collect it, which may cause delays should any repair adjustments need made following the test. More details are in our Terms and Conditions.

## **Zoom service elements**

We use Zoom to communicate with you during your repair so you can be present for the diagnostic test. If we find there are faults with your device during these tests, we ask you to recognise these and confirm you are happy to continue with the repair. It is not mandatory for you to attend the Zoom call, but if you do not, we cannot take responsibility for any fault we identify, post-repair. The Zoom call will be recorded so that we can evidence the fault was discovered during the diagnostic test.

Attendees in the Zoom call will include yourselves and a Cracked It technician(s). Zoom calls will be password protected.

In this instance, Zoom acts as the Data Processor. Please click [here](#) to access Zoom's own privacy policy. Any data we process via Zoom is covered by the GDPR.

You can limit Zoom's own advertising and functionality cookie settings by adjusting your cookie settings. For first time Zoom users; you will see a pop-up for cookie settings when you first visit the Zoom link, you should click on "Cookie Settings" and adjust cookie settings to "Required Cookies" only); existing Zoom users can change their cookie settings by clicking on the "Cookie Preferences" link from the Zoom website. You can view the Zoom cookie policy [here](#).

The following personal identifiers may be visible during the Zoom meeting:

- Your Zoom profile name
- Your email address
- Your device screensaver
- Your device passcode
- Your voice (to discuss any part of the repair with our technicians)

We will never ask you to turn on your camera. However, please be mindful that should you choose to turn on your camera, screen share or discuss confidential (or special category) information, this too may be retained as part of the recording.

## **What will we do with this data?**

The Zoom meeting will be recorded and stored by Cracked It for the duration of your warranty period (90 days). We may need to use the recording as evidence should there be

any disputes with warranty claims. After 90 days, the recording will be permanently deleted. The recording will never be shared with any third parties.

## **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:
  - apply for our products or services;
  - subscribe to our services;
  - request marketing to be sent to you;
  - enter a competition, promotion or survey; or
  - give us some feedback.
- 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, [server logs] and other similar technologies. Please see the Cookies section below 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: analytics providers [such as Google based outside the EU], search information providers [such as Linked In based inside the EU].
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Shopify & Vend based outside the EU.
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

## **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 (or those of a third party), by which we mean in 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). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- Where we need to comply with a legal or regulatory obligation.
- Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by:
  - changing your marketing preferences by contacting us

- making use of the "unsubscribe" link in emails.

### **Purposes for which we will use your personal data**

We have set out below, in a table format, 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.

Contact us 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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Provision of device repair services	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To test the functionality of your device before and after the repair	(a) Device passcode	Performance of a contract with you
To manage our relationship with you or your organisation which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Usage (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(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) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Usage (d) Marketing and Communications (e) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage	Necessary for our legitimate interests (to develop our products/services and grow our business)

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. Please see [Opting out](#) below.

### Promotional offers from us

We may use your Identity, Contact, Technical and Usage 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 products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased services from us and, in each case, you have not opted out of receiving that marketing.

We will get your express opt-in consent before we share your personal data with any company outside of Cracked It C.I.C. or Cracked It Repairs Limited 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 or by contacting us.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service purchase, warranty registration, product/service experience or other transactions.

## **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 this website may become inaccessible or not function properly.

Cookies are alphanumeric identifiers that are transferred to your computer's hard drive through your Web browser when you visit one of our websites to enable our systems to recognise your browser and track when you return to our websites. All websites that you visit will use cookies.

The 'Help' menu on the menu bar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie and how to disable cookies altogether. However, cookies allow you to take full advantage of some of our websites' most innovative and useful features and we recommend that you leave them turned on.

Cracked It works to protect the security of all your information during transmission by using the most up-to-date SSL software, which encrypts information you input, and offers the most advanced security software. 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.

Cracked It maintains physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable customer information.

## **Conditions of use, notices and revisions**

If you choose to visit the Cracked It website, your visit to this website and any dispute or concerns that you may have over privacy is subject to this Privacy Notice, Cracked It's Terms and Conditions, including limitations on damages and application of the laws of England.

If you have any concern about our website, business or our privacy policies, contact us using the details above.

We may from time to time amend our privacy policy and/or our Terms and Conditions. Unless stated otherwise, our current privacy policy applies to all information that we have received from you.

## **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 contact us.

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.

## **Disclosure 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 Purposes for which we will use your personal data table above.

Service providers acting as processors based inside and outside of the EU who provide IT and system administration services, Logistics Services and downstream processing, including the following:

- Wix - Host the website
- Acuity – Appointment scheduling
- PayPal - Payment gateway
- Google Suite - Email
- Royal Mail - Postal records
- Mailchimp - Marketing emails
- Companies House - Company records & SIC searches
- RepairDesk – Repair CRM
- JotForm- Customer review service
- Xero - Accounting software
- 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.

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.

## **International Transfers**

We do not transfer your personal data outside the European Economic Area (EEA).

## **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.

## **Data Retention**

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any 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.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## **Your Legal Rights**

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

- 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.
- 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.
- 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.

- 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 particular 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.
- 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.
- 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.
- 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.

If you wish to exercise any of the rights set out above, please contact us.

### **No fee usually required**

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.