

## **Privacy, Data & Cookies Policy**

### **1. Introduction**

- 1.1 This website is owned and controlled by Andrew Waller ("**the author**"). The author originates articles and editorial content based on his own observations and research, and information received from others. From time to time, articles written by other people ("**contributors**") may be posted on the site, but posting is controlled by the author; contributors do not have direct access to the site and their articles can only be posted by the author on their behalf. Opinions expressed by contributors are not necessarily shared by the author. The website does not provide services, other than the information in its articles; nor does it serve advertisements. It may provide links to other websites, the content of which is not the responsibility of the author.
- 1.2 The website is constructed on a third-party platform and website hosting service, Wix.com ("**Wix**"). As such, the website is created from click-and-select features offered by Wix and all data is stored by Wix (although the author has the ability to export some data, such as contact information, and store copies elsewhere. The author has not written any of the computer code on which the website is based, and has only limited access to, and knowledge of, the computer processes by which Wix offers the website and its features to users. So far as possible, this privacy policy will indicate where certain features reside or are generated. This may include, for example, cookies that Wix generates in order to provide the website to visitors ("**users**"), or data that Wix may store (including contact data) in order to provide functionality to the author. Such functions include, for example, the assembly of a contact list which the author can use to communicate with users who have given their permission to be contacted by email (ie, "**subscribers**" who have "**signed up**"). In circumstances where the author and Wix.com may both be involved in collecting and processing data, this policy uses the terms "**we**" and "**our**".

### **2. How your personal data is used**

- 2.1 This section sets out:
- (a) the general categories of personal data that we may process;
  - (b) the purposes for which we may process personal data; and
  - (c) the legal bases of the processing.
- 2.2 We process two categories of data about your use of the website. The first of these is "**notification data**", which is data that you supply voluntarily. The second is "**usage data**", which is information about your use of the website; this may be gathered by cookies or analytical software.

- 2.3 Notification data includes the name and email address you provide when you sign up to the email list, and any information you may provide in any comment or feedback features (if present) on the website, or which you send to the author via the site email address. If you have supplied one or both of your street name and house number, the author may store that in a database to gauge the coverage of the website or identify who may have been affected by particular noise incidents. Similarly, if you have been in contact with the author by phone, he may store your number for future use, whether in a database on a desktop computer or on his mobile phone, or both.
- 2.4 Usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your use of the website. The source of the usage data is an analytics tracking system provided by Wix, and it is Wix that holds and processes this data. This usage data is processed for the purposes of analysing the use of the website, and is made available to the author in a form that does not identify individual users. For example, it shows how many visits the site has received in the last week, or how many times an article has been read. It can also show how many visitors have been referred to the site by a search engine or another service such as Facebook.
- 2.5 The legal basis for processing notification data is consent—it is information you have voluntarily supplied. The legal basis for processing usage data is our legitimate interests, namely monitoring and improving the website.
- 2.6 The author also has a mobile app provided by Wix that enables him to operate certain functions of the site (such as posting an article) without needing to use a desktop computer. The app also provides alerts when a user is on the site, or when someone subscribes (signs up). In the latter case it shows the name and email address the new subscriber has supplied. When an unknown user is visiting the website, the app will state, for example, that “a visitor from Bristol is on the website”, whereas if the user is recognized as a subscriber, the app will state that “[name] is on the website”. The app also provides the author with the ability (when the function is enabled) to initiate a web chat with the user (whether known or unknown).
- 2.7 The website does not offer items or services for sale, so does not collect transaction data. It also does not display paid advertisements, so no data is collected or processed by ad software. There is no restriction of access to the site, so there are no passwords, personal account information or personal profile data, except insofar as the contact-management system provided by Wix logs the date and time that a user signed up and enables the author to classify subscribers, for example, as “Resident” or by street name.
- 2.8 The author will not use any personal data provided to the site (notification data), such as name and email address, for any purposes other than communication between him and the user, or make such data available to a third party unless required by law to do so.

### 3 **Wix platform**

- 3.1 The website is hosted on the Wix.com platform. Wix.com provides the author with the online platform that allows him to provide articles of interest to you and to manage a subscriber list. Your data may be stored by Wix.com's data storage, databases and the general Wix.com applications. They store your data on secure servers behind a firewall.
- 3.2 Further information may be obtained from Wix's own privacy policy, which can be viewed at <https://www.wix.com/about/privacy>. The following parts of this document provide specific information, as follows:

Section 5.1 states that Wix has offices, authorized affiliates and service providers in several locations around the world, including the U.S., Europe and Israel, where Wix.com Ltd is based.

Section 5.2 states that Wix is in compliance with the EU-U.S. Privacy Shield & Swiss-U.S. Privacy Shield frameworks governing transfers of data between the EU and other countries.

Section 6 explains that Wix may collect "users-of-users" information on behalf of the people who run websites on its platform. In this context, the author of [www.thenoisepages.com](http://www.thenoisepages.com) is one of the users of Wix, and the author's subscribers are users-of-users. As such Wix asserts that it is a "processor" of users-of-users information, as defined by the EU's General Data Protection Regulation but not a "controller"; in this case, the author is the controller of the data that users voluntarily supply to [www.thenoisepages.com](http://www.thenoisepages.com) (notification data, as referred to in 2.2 above).

Section 8 states that Wix may share information about visitors, users and users-of-users with third parties in specified circumstances.

Section 9 provides general information about Wix's use of cookies and tracking technologies. More-detailed information about cookies on websites hosted by Wix is provided at <https://support.wix.com/en/article/cookies-and-your-wix-site>, including a list of the cookies used.

Section 11 explains how to contact Wix with a request to copy, access, correct or delete personal data it may hold.

Section 12 explains Wix's data-retention policies.

Section 13 describes its data-security policies.

### 4. **Retaining and deleting personal data**

- 4.1 This section sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

- 4.2 Personal data that we process for any purpose shall not be kept for longer than is necessary for that purpose. The Wix users-of-users policy is also relevant in this context—see 3.2 above.
- 4.3 Subscribers' names, email addresses and any related identifying information will be retained for a minimum period of one year from 13 March 2018, and for a maximum period of three years from that date.
- 4.4 Notwithstanding the other provisions of this section, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

## **5. Amendments**

- 5.1 We may update this policy from time to time by publishing a new version on our website.
- 5.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 5.3 We will notify you of significant changes to this policy by email.

## **6. Your rights**

- 6.1 In this section, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included here. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 6.2 Your principal rights under data protection law are:
  - (a) the right to access;
  - (b) the right to rectification;
  - (c) the right to erasure;
  - (d) the right to restrict processing;
  - (e) the right to object to processing;
  - (f) the right to data portability;
  - (g) the right to complain to a supervisory authority; and
  - (h) the right to withdraw consent.
- 6.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of

the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. You can access your personal data by sending an email to the author at [thenoisepages@gmail.com](mailto:thenoisepages@gmail.com)

- 6.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 6.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 6.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 6.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 6.8 To the extent that the legal basis for our processing of your personal data is:
  - (a) consent; or
  - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,

and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

- 6.9 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 6.10 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 6.11 You may exercise any of your rights in relation to your personal data by sending an email to the author at [thenoisepages@gmail.com](mailto:thenoisepages@gmail.com).

## **7. About cookies**

- 7.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 7.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 7.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

## **8. Cookies**

- 8.1 Wix uses cookies to provide some functions of the website. Please see the Wix cookies document (also referred to in 3.2 above) for more information: <https://support.wix.com/en/article/cookies-and-your-wix-site>.
- 8.2 Cookies used by service providers may also be stored on your computer when you visit the website. Please refer to the article mentioned in 8.1 above for an explanation of an easy way to find out what cookies are currently in operation on your computer.
- 8.3 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to

version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

8.4 Blocking all cookies will have a negative impact upon the usability of many websites.

8.5 If you block cookies, you may not be able to use all of the features on our website.

## **9. Ownership details**

9.1 [www.thenoisepages.com](http://www.thenoisepages.com) is owned and operated by Andrew Waller.

9.2 The author lives in Redland, Bristol, UK, which is part of the geographical area referred to in articles on the website

9.3 You can contact the author:

- (a) by email to [thenoisepages@gmail.com](mailto:thenoisepages@gmail.com)
- (b) by telephone at 07804 102005

## **10. Credit**

10.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

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