

# Privacy policy

This privacy policy applies between Wakatipu Consulting Ltd and their clients (past/present/future). Wakatipu Consulting Ltd takes the privacy of provided information very seriously. This privacy policy applies to our use of any and all Data collected by us or provided by our Clients in relation to the services provided by Wakatipu Consulting Ltd.

**Please read this privacy policy carefully.**

## Definitions and interpretation

1. In this privacy policy, the following definitions are used:

<b>Data</b>	collectively all information that is submitted to Wakatipu Consulting Ltd. This definition incorporates, where applicable, the definitions provided in the Data Protection Laws;
<b>Data Protection Laws</b>	any applicable law relating to the processing of personal Data, including but not limited to the Directive 96/46/EC (Data Protection Directive) or the GDPR, and any national implementing laws, regulations and secondary legislation, for as long as the GDPR is effective in the UK;
<b>GDPR</b>	the General Data Protection Regulation (EU) 2016/679;
<b>Wakatipu Consulting Ltd, or us</b>	Wakatipu Consulting Ltd, a company incorporated in England and Wales with registered number 7933547 whose registered office is at 20 Newtown, Hullavington, Wiltshire, SN146EP;
<b>User or you/Client</b>	any third party that accesses the data and is not either (i) employed by Wakatipu Consulting Ltd and acting in the course of their employment or (ii) engaged as a consultant or otherwise providing services to Wakatipu Consulting Ltd and accessing the Website in connection with the provision of such services; and
<b>Website</b>	Wakatipu Consulting Ltd are currently using the domain <a href="http://www.wclrail.co.uk">www.wclrail.co.uk</a> and any sub-domains of this site unless expressly excluded by their own

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terms and conditions.

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2. In this privacy policy, unless the context requires a different interpretation:
- a. the singular includes the plural and vice versa;
  - b. references to sub-clauses, clauses, schedules or appendices are to sub-clauses, clauses, schedules or appendices of this privacy policy;
  - c. a reference to a person includes firms, companies, government entities, trusts and partnerships;
  - d. "including" is understood to mean "including without limitation";
  - e. reference to any statutory provision includes any modification or amendment of it;
  - f. the headings and sub-headings do not form part of this privacy policy.

### **Scope of this privacy policy**

3. This privacy policy applies only to the actions of Wakatipu Consulting Ltd and its Clients with respect to services provided. It does not extend to any websites or social media websites that Wakatipu consulting have no control over the content therein.
4. For purposes of the applicable Data Protection Laws, Wakatipu Consulting Ltd is the "data controller". This means that Wakatipu Consulting Ltd determines the purposes for which, and the manner in which, Client Data is processed.

### **Data collected**

5. We may collect the following Data, which includes the following personal Data:
  - a. name;
  - b. job title;
  - c. contact Information such as email addresses and telephone numbers;
  - d. in each case, in accordance with this privacy policy.

### **How we collect Data**

6. We collect Data in the following ways:
  - a. data is given to us by Clients; and
  - b. data is collected automatically.

### **Data that is given to us by our Clients**

7. Wakatipu Consulting Ltd will collect Data in a number of ways, for example:
  - a. when contact is made by telephone, post, e-mail or through any other means;
  - b. when a Client uses our services;

in each case, in accordance with this privacy policy.

### **Data that is collected automatically**

8. To the extent that Client information is kept on our email servers, we will collect Client Data automatically, for example:
  - a. we automatically collect some information about Client contact details, roles and websites as detailed in any email signature sent by the Client. This information helps us to maintain contact and keep future communications relevant to the services we provide.

### **Our use of Data**

9. Any or all of the above Data may be required by us from time to time in order to provide our Clients with the best possible service and experience when using our services. Specifically, Data may be used by us for the following reasons:
  - a. internal record keeping;

in each case, in accordance with this privacy policy.

10. We may use Data for the above purposes if we deem it necessary to do so for our legitimate interests. If any Client is not satisfied with this, they have the right to object in certain circumstances (see the section headed "Clients rights" below).

### **Who we share Data with**

11. We may share Data with the following groups of people for the following reasons:
  - a. our employees, agents and/or professional advisors - To enable consultants to undertake contract requirements and keep contact with key clients.;

in each case, in accordance with this privacy policy.

### **Keeping Data secure**

12. We will use technical and organisational measures to safeguard a Clients Data, for example:
  - a. access to a Client account is controlled by a password and a user name that is unique to the Client.
  - b. we store all Data on secure servers.
13. Technical and organisational measures include measures to deal with any suspected data breach. If suspected any misuse or loss or unauthorised access to Data, please let us know immediately by contacting us via this e-mail address: [steve@wclrail.co.uk](mailto:steve@wclrail.co.uk).
14. If required detailed information can be obtained from Get Safe Online on how to protect information and computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## Data retention

15. Unless a longer retention period is required or permitted by law, we will only hold Data on our systems for the period necessary to fulfil the purposes outlined in this privacy policy or until a Client requests that the Data be deleted.
16. Even if we delete a Clients Data, it may persist on backup or archival media for legal, tax or regulatory purposes.

## Clients rights

17. Clients have the following rights in relation to their Data:
  - a. **Right to access** - the right to request (i) copies of the information we hold about them at any time, or (ii) that we modify, update or delete such information. If we provide Clients with access to the information we hold about them, we will not charge you for this, unless their request is "manifestly unfounded or excessive." Where we are legally permitted to do so, we may refuse this request. If we refuse this request, we will confirm the reasons why.
  - b. **Right to correct** - the right to have Client Data rectified if it is inaccurate or incomplete.
  - c. **Right to erase** - the right to request that we delete or remove Data from our systems.
  - d. **Right to restrict our use of your Data** - the right to "block" us from using Clients Data or limit the way in which we can use it.
  - e. **Right to data portability** - the right to request that we move, copy or transfer a Clients Data.
  - f. **Right to object** - the right to object to our use of Data including where we use it for our legitimate interests.
18. To make enquiries, exercise any of the rights set out above, or withdraw consent to the processing of Data (where consent is our legal basis for processing your Data), please contact us via this e-mail address: [steve@wclrail.co.uk](mailto:steve@wclrail.co.uk).
19. If Clients are not satisfied with the way a complaint made in relation to how Data is handled by us, a Client may be able to refer their complaint to the relevant data protection authority. For the UK, this is the Information Commissioner's Office (ICO). The ICO's contact details can be found on their website at <https://ico.org.uk/>.
20. It is important that the Data we hold about a Client is accurate and current. Please keep us informed if there are any Data changes required during the period for which we hold it.

## Links to other websites

21. We have no control over other third party or social media websites and are not responsible for the content of these websites. This privacy policy does not extend to the use of such websites. Clients are advised to read the privacy policy or statement of other websites prior to using them.

## Changes of business ownership and control

22. Wakatipu Consulting Ltd may, from time to time, expand or reduce our business and this may

involve the sale and/or the transfer of control of all or part of Wakatipu Consulting Ltd. Data provided by Clients will, where it is relevant to any part of our business so transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this privacy policy, be permitted to use the Data for the purposes for which it was originally supplied to us.

23. In the above instance, we will take steps with the aim of ensuring our Clients privacy is protected.

## **General**

24. Clients may not transfer any of its rights under this privacy policy to any other person. We may transfer our rights under this privacy policy where we reasonably believe our Clients rights will not be affected.

25. If any court or competent authority finds that any provision of this privacy policy (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this privacy policy will not be affected.

26. Unless otherwise agreed, no delay, act or omission by a party in exercising any right or remedy will be deemed a waiver of that, or any other, right or remedy.

27. This Agreement will be governed by and interpreted according to the law of England and Wales. All disputes arising under the Agreement will be subject to the exclusive jurisdiction of the English and Welsh courts.

## **Changes to this privacy policy**

28. Wakatipu Consulting Ltd reserves the right to change this privacy policy as we may deem necessary from time to time or as may be required by law. Any changes will be made immediately available to our Clients or upon request.

Clients may contact Wakatipu Consulting Ltd by email at [steve.stocks@wakatipu.co.uk](mailto:steve.stocks@wakatipu.co.uk).

**22 July 2022**

