

# Martin Yarborough

and Associates

## Privacy Notice Guidance

### 1. Revision History

<i>Version</i>	<i>Revision Date</i>	<i>Revised by</i>	<i>Section Revised</i>
1.0	11/17/2019	Martin Yarborough	Initial
2.0	12/1/2020	Martin Yarborough	Changes added as per request from legal

### 2. Document Control

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## 4. Who We Are

Martin Yarborough and Associates LLC gathers and process your personal information in accordance with this privacy notice and in compliance with the relevant data protection regulation and laws. This notice provides you with the necessary information regarding your rights and our obligations, and explains how, why and when we process your personal data.

Martin Yarborough and Associates LLC's registered office is at 8451 Deerwood Forest Drive, Fort Worth, TX 76126 and we are a company registered in the US under FIEN number 47-4570789. Our designated Data Protection Officer/Appointed Person is Martin Yarborough, who can be contacted at 8451 Deerwood Forest Dr, Fort Worth, TX 76126, (817)952-9993, info@martinyarborough.com.

## 5. Information That We Collect

Martin Yarborough and Associates LLC processes your personal information to meet our legal, statutory and contractual obligations and to provide you with our products and services. We will never collect any unnecessary personal data from you and do not process your information in any way, other than as specified in this notice.

### ***The personal data that we collect from is: -***

- Name
- Date of Birth
- Home Address
- Personal Email
- Business Email
- Home Telephone Number
- Mobile Telephone Number
- National Insurance Number
- Passport Number
- Driver's License Number
- Special Category Data (*i.e., health/medical information, details about religion, sexuality etc.*)

### ***We collect information in the below ways: -***

- Email
- Voicemail
- Web forms

## 6. How We Use Your Personal Data (*Legal Basis for Processing*)

Martin Yarborough and Associates LLC takes your privacy very seriously and will never disclose, share or sell your data without your consent, unless required to do so by law. We only retain your data for as long as is necessary and for the purpose(s) specified in this notice. Where you have consented to us providing you with promotional offers and marketing, you are free to withdraw this consent at any time. *The purposes and reasons for processing your personal data are detailed below: -*

### Marketing, Business, Communication

- **Example:** *We collect your personal data in the performance of a contract or to provide a service and to ensure that orders are completed and can be sent out to your preferred address*
- **Example:** *We collect and store your personal data as part of our legal obligation for business accounting and tax purposes*
- **Example:** *We have a legal obligation to share your personal data with [insert company name] who are a credit reference agency and provide us with financial background checks prior to you commencing employment with us*
- **Example:** *We will occasionally send you marketing information where we have assessed that it is beneficial to you as a customer and in our interests. Such information will be non-intrusive and is processed on the grounds of legitimate interests*

## 7. Your Rights

You have the right to access any personal information that Martin Yarborough and Associates LLC processes about you and to request information about: -

- What personal data we hold about you
- The purposes of the processing
- The categories of personal data concerned
- The recipients to whom the personal data has/will be disclosed
- How long we intend to store your personal data for
- If we did not collect the data directly from you, information about the source

If you believe that we hold any incomplete or inaccurate data about you, you have the right to ask us to correct and/or complete the information and we will strive to do so as quickly as possible; unless there is a valid reason for not doing so, at which point you will be notified.

You also have the right to request erasure of your personal data or to restrict processing (*where applicable*) in accordance with the data protection laws; as well as to object to any direct marketing from us. Where applicable, you have the right to data portability of your information and the right to be informed about any automated decision-making we may use.

If we receive a request from you to exercise any of the above rights, we may ask you to verify your identity before acting on the request; this is to ensure that your data is protected and kept secure.

## 8. Sharing and Disclosing Your Personal Information

We do not share or disclose any of your personal information without your consent, other than for the purposes specified in this notice or where there is a legal requirement. Martin Yarborough and Associates LLC occasionally uses third parties to provide the below services and business functions; however, all processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, the data protection laws and any other appropriate confidentiality and security measures.

## 9. Safeguarding Measures

Martin Yarborough and Associates LLC takes your privacy seriously and takes every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorized access, alteration, disclosure or destruction and have several layers of security measures in place, *including*: -

- SSL,
- TLS,
- encryptions,
- pseudonymization,
- restricted access,
- IT authentication,
- firewalls,
- anti-virus/malware

Martin Yarborough and Associates LLC utilize some products or services (*or parts of them*) that may be hosted/stored in other countries, which means that we may transfer any information which is submitted by you through the website for the below purposes: -

- Marketing,
- Communication,
- Conduct of business

Therefore, when you use our website, send us an email or sign up to our newsletter etc., the personal information you submit may be stored on servers which are hosted in the United States. Where this is the case, we will take steps to ensure that those providers use the necessary level of protection for your information and abide by strict agreements and measures set out by Martin Yarborough and Associates LLC to protect your data and comply with the relevant data protection laws.

## 10. Consequences of Not Providing Your Data

You are not obligated to provide your personal information to Martin Yarborough and Associates LLC, however, as this information is required for us to provide you with our services, deliver your products or other legitimate interests, we will not be able to offer some/all our services without it.

## 11. Legitimate Interests

As noted in the 'How We Use Your Personal Data' section of this notice, we occasionally process your personal information under the legitimate interests' legal basis. Where this is the case, we have carried out a thorough Legitimate Interests' Assessment (LIA) to ensure that we have weighed your interests and any risk posed to you against our own interests; ensuring that they are proportionate and appropriate.

## 12. How Long We Keep Your Data

Martin Yarborough and Associates LLC only ever retains personal information for as long as is necessary and we have strict review and retention policies in place to meet these obligations. We are required under US law to keep your basic personal data (*name, address, contact details*) for a minimum of 6 years after which time it will be destroyed.

Where you have consented to us using your details for direct marketing, we will keep such data until you notify us otherwise and/or withdraw your consent.

## 13. Special Categories Data

Owing to the products, services or treatments that we offer, Martin Yarborough and Associates LLC sometimes needs to process sensitive personal information (*known as special category data*) about you. Where we collect such information, we will only request and process the minimum necessary for the specified purpose and identify a compliant legal basis for doing so.

Where we rely on your consent for processing special category data, we will obtain your explicit consent through a signature. You can modify or withdraw consent at any time, which we will act on immediately, unless there is a legitimate or legal reason for not doing so.

If you consent to us collecting and using your information for the purposes stated above, please sign below and print your name: -

Signature \_\_\_\_\_

Print Name: \_\_\_\_\_

## 14. Marketing [if applicable]

### CONSENT EXAMPLE

Occasionally, Martin Yarborough and Associates LLC would like to contact you with the [specify products/services/promotions] that we provide. If you consent to us using your contact details for this purpose, you have the right to modify or withdraw your consent at any time by using the opt-out/unsubscribe options or by contacting Martin Yarborough and Associates LLC directly.

If you **consent** to us contacting you with the above-mentioned marketing and offers, please tick to say how you would like to be contacted: -

Post  Email  Telephone  Text Message (SMS)  Automated Call

### LEGITMIATE INTERESTS EXAMPLE

Martin Yarborough and Associates LLC will occasionally send you products, services, or promotions by email/SMS/pos] that have been identified as being beneficial to our customers and in our interests. Such information will be relevant to you as a customer and is non-intrusive and you will always have the option to opt-out/unsubscribe at any time.

If you would prefer **not** to receive above-mentioned marketing and offers, please tick below: -

I wish to opt-out of marketing

## 15. Lodging A Complaint

Martin Yarborough and Associates LLC only processes your personal information in compliance with this privacy notice and in accordance with the relevant data protection laws. If, however you wish to raise a complaint regarding the processing of your personal data or are unsatisfied with how we have handled your information, you have the right to lodge a complaint with the supervisory authority.

- **Martin Yarborough and Associates LLC**
- **Martin Yarborough, Principal Consultant**
- **(817)952-9993**
- **info@martinyarborough.com**