



# DATA PROTECTION POLICY

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## 1. **Introduction**

This Privacy Notice explains the types of personal data we may collect about you when you interact with us. It also explains how we will store and handle the data, and keep it safe.

This document contains a lot of information, but we want to fully inform you about your rights, and how Fat Tone Amps uses your data; for example.

We hope this document will answer any questions you have if not, please contact us.

We will need to update our Privacy Notice from time to time. We will notify you of any significant changes, you are welcome to check it whenever you wish.

When you are using our website, Fat Tone Amps is the data controller.

## **2. Who are Fat Tone Amps?**

Fat Tone Amps - which we will refer to as Fat Tone Amps in this document - is made up of:

- Fat Tone Amps
- Fat Box

Throughout this notice, 'we' and 'us' means the above brands.

## **3. Explaining the legal bases we rely on**

The law on data protection sets out a number of different reasons for which a company may collect and process your personal data, including:

### Consent

In specific situations, we can collect and process your data with your consent.

For example, when you tick a box to receive email newsletters.

When collecting your personal data, we will make clear to you what data is necessary in connection with a particular service.

### Contractual obligations

In certain circumstances, we need your personal data to comply with our contractual obligations.

For example, if you order an item from us for delivery, we will collect your address details to deliver your purchase, and pass them to our courier.

### Legal compliance

If the law requires us to, we may need to collect and process your data.

For example, we can pass on details of people involved in fraud or other criminal activity affecting Fat Tone Amps to law enforcement.

### Legitimate interest

In specific situations, we require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our business and which does not materially impact your rights, freedom or interests.

For example, we may use your purchase history to send you offers.

We also combine the shopping history of many customers to identify trends and ensure we can keep up with demand, or develop new products.

## **4. When do we collect your personal data?**

We will collect data from you including but not limited to the list below:

- When you visit our website, and use your account to buy products or complete warranty registration forms.
- When you make an online purchase and check out as a guest (in which case we just collect transaction-based data).
- When you create an account with us.
- When you purchase a product by phone but do not have an account.
- When you engage with us on social media.
- When you contact us by any means with queries, complaints etc.
- When you ask us to email you information about a product or service.
- When you enter prize draws or competitions.
- When you choose to complete any surveys we send you.
- When you comment on or review a product, blog or article
- When you have given a third party explicit permission to share with us the information they hold about you.

## **5. What sort of personal data do we collect?**

- If you order from us or have an online account with us: your name, billing/delivery address, orders and receipts, email and telephone number.
- Details of your interactions with us online.

- For example, we may collect notes from our conversations with you, details of any complaints or comments you make, details of purchases you made, items viewed or added to your basket, voucher redemptions, brands you show interest in, web pages you visit and how and when you contact us.
- Copies of documents you provide to prove your age or identity where the law requires this. (including your passport and driver's licence). This will include details of your full name, address, date of birth and facial image. If you provide a passport, the data will also include your place of birth, gender and nationality.
- Details of your shopping preferences.
- Details of your visits to our websites, and which site you came from to ours.
- Information gathered by the use of cookies in your web browser. Learn more about how we use cookies and similar technologies.

We will only ask for and use your personal data collected for recommending items of interest. It is your choice to share such details with us.

- Payment card information.
- Your comments and product reviews.
- To deliver the best possible web experience, we collect technical information about your internet connection and browser as well as the country where your computer is located, the web pages viewed during your visit, and any search terms you entered.
- Your social media username, if you interact with us through those channels, to help us respond to your comments, questions or feedback.

## **6. How and why do we use your personal data?**

We want to give you the best possible customer experience. One way to achieve that is to get the best picture we can of who you are by combining the data we have.

We may use this data to offer products of interest you.

The data privacy law allows this as part of our legitimate interest in understanding our customers and providing the highest levels of service.

If you wish to change how we use your data, you can find details in the 'What are my rights?' section.

Remember, if you choose not to share your personal data with us, or refuse certain contact permissions, we might not be able to provide some services you have requested.

For example, if you have asked us to let you know when an item comes back into stock, we cannot do that if you have withdrawn your general consent to hear from us.

Here is how we will use your personal data and why:

- To process any orders that you make by using our websites. If we do not collect your personal data during checkout, we are unable to process your order and comply with our legal obligations.
- For example, your details may need to be passed to a third party to deliver the products that you ordered, and we may keep your details for a reasonable period afterwards in order to fulfil any contractual obligations such as refunds, guarantees and so on.
- To respond to your queries, refund requests and complaints. Handling the information you sent us enables us to reply to you. We may also keep a record of these to demonstrate how we communicated with you throughout. We do this on the basis of our contractual obligations to you, our legal obligations and our legitimate interests in providing you with the best service and understanding how we can improve our service based on your experience.
- To protect our business and your account from fraud and other illegal activities. This includes using your personal data to maintain, update and safeguard your account. We will do all of this as part of our legitimate interest.
- For example, by monitoring IP addresses to identify possible fraudulent log-ins from unexpected locations.
- To process payments and to prevent fraudulent transactions. We do this on the basis of our legitimate business interests. This also helps to protect our customers from fraud.
- With your consent, we will use your personal data, preferences and details of your transactions to keep you informed by email, web, text, telephone about relevant products and services including promotions, events, competitions and so on.
- To send you relevant, communications, offers, services and products. We will do this on the basis of our legitimate business interest. You are free to opt out of hearing from us by unsubscribing [using this link](#) or by post at the address detailed in section 12.
- To send you communications required by law or which are necessary to inform you about our changes. For example, significant updates to this Privacy Notice and legally required information relating to your orders. These service messages will not include any promotional content and do not require prior consent when sent by email or text message. If we do not use your personal data for these purposes, we would be unable to comply with our legal obligations.
- To display the most interesting content to you on our websites, we will use data we hold about your favourite products and so on. We do so on the basis of your consent to receive notifications and/or for our website to place cookies or similar technology on your device.
- For example, we might display a list of items you have recently looked at, or offer you recommendations based on your purchase history and any other data you have shared with us.
- To administer any of our prize draws or competitions which you enter, based on your consent given at the time of entering.
- To comply with our contractual or legal obligations to share data with law enforcement.
- For example, when a court order is submitted to share data with law enforcement agencies or a court of law
- To send you survey and feedback requests to help improve our services. These messages will not include any promotional content and do not require prior consent when sent by email or text message. We have a legitimate interest to do so as this helps make our products or services more relevant to you.
- Of course, you are free to opt out of receiving these requests from us at any time by unsubscribing.
- To build a picture of who you are and what you like, and to inform our business decisions, we

will combine data captured from across Fat Tone Amps, third parties and data from publicly-available lists as we have described in the section 'What Sort of Personal Data do we collect?' We'll do this on the basis of our legitimate business interest.

- For example, by combining this data, this will help us decide which content to share with you. We also use anonymised data from customer purchase histories to identify trends.
- Information on how we share personal data with third parties.

## **7. How we protect your personal data**

We know how much data security matters. With this in mind we will treat your data with the utmost care and take all appropriate steps to protect it.

We secure access to all areas of our websites.

Access to your personal data is password-protected, and sensitive data (such as payment card information) is secured to ensure it is protected. Fat Tone Amps do not store full payment details.

We regularly monitor our system for possible vulnerabilities to identify ways to further strengthen security.

## **8. How long will we keep your personal data?**

Whenever we collect or process your personal data, it is only kept for as long as is necessary for the purpose for which it was collected.

At the end of that retention period, your data will either be deleted completely or anonymised, for example by aggregation with other data so that it can be used in a non-identifiable way for statistical analysis and business planning.

Some examples of customer data retention periods:

Orders - when you place an order, we will keep the personal data you give us for seven years so we can comply with our legal and contractual obligations.

Warranties - if your order included a warranty, the associated personal data will be kept until the end of the warranty period.

## **9. Who do we share your personal data with?**

- We sometimes share your personal data with trusted third parties.

For example, delivery couriers, for fraud management, to handle complaints and so on.

- The policy we apply to these organisations to keep your data safe and protect your privacy is:
- Provided only with the information needed to perform their specific services.
- They may only use your data for the exact purposes we specify in our contract with them.
- We work closely with them to ensure that your privacy is respected and protected at all times.
- If we stop using their services, any of your data held by them will either be deleted or rendered anonymous.
- Examples of the kind of third parties we work with are:
- IT companies who support our website and other business systems.
- Operational companies such as couriers.
- Sharing your data with third parties for their own purposes

We will only do this in very specific circumstances

For example, if you enter a competition and tick a box agreeing that Fat Tone Amps can send you promotional information directly. Or if we run a joint campaign, and you agree to receive direct communications from them.

- For fraud management, we may share information about fraudulent or potentially fraudulent activity on our systems. This may include sharing data about individuals with law enforcement bodies.
- We may also be required to disclose your personal data to the police or other enforcement, regulatory or Government body, in your country of origin or elsewhere, upon a valid request to do so. These requests are assessed on a case-by-case basis and take the privacy of our customers into consideration.
- For further information please contact us.
- If our business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

## **10. Where your personal data may be processed**

Sometimes we will need to share your personal data with third parties and suppliers outside the European Economic Area (EEA), such as Australia or the USA.

- International orders

If you are based outside the UK and place an order with us, we will transfer the personal data that we collect from you to Fat Tone Amps.

- Protecting your data outside the EEA

The EEA includes all EU Member countries as well as Iceland, Liechtenstein and Norway. We may transfer personal data that we collect from you to third-party data processors in countries that are outside the EEA.

For example, this might be required in order to fulfill your order, process your payment details or provide support services.

If we do this, we have procedures in place to ensure your data receives the same protection as if it were being processed inside the EEA.

- Any transfer of your personal data will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

## **11. What are your rights over your personal data?**

You have the right to request:

- Access to the personal data we hold about you, free of charge in most cases.
- The correction of your personal data when incorrect, out of date or incomplete.
- For example, when you withdraw consent, or object and we have no legitimate overriding interest, or once the purpose for which we hold the data has come to an end (such as the end of a warranty).
- That we stop using your personal data for direct marketing (either through specific channels, or all channels).
- That we stop any consent-based processing of your personal data after you withdraw that consent.
- Review by Fat Tone Amps of any decision made based solely on automatic processing of your data (i.e. where no human has yet reviewed the outcome and criteria for the decision).
- You have the right to request a copy of any information about you that Fat Tone Amps holds at

any time, and also to have that information corrected if it is inaccurate. To ask for your information, please contact Fat Tone Amps, email [enquiries@fat-tone-amps.co.uk](mailto:enquiries@fat-tone-amps.co.uk) to ask for your information to be amended.

If we choose not to action your request we will explain to you the reasons for our refusal.

- Your right to withdraw consent

Whenever you have given us your consent to use your personal data, you have the right to change your mind at any time and withdraw that consent.

- Where we rely on our legitimate interest

In cases where we are processing your personal data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation. We must then do so unless we believe we have a legitimate overriding reason to continue processing your personal data.

- Direct marketing

You have the right to stop the use of your personal data for direct marketing activity through all channels, or selected channels. We must always comply with your request.

- Checking your identity

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Notice. If you have authorized a third party to submit a request on your behalf, we will ask them to prove they have your permission to act.

## **12. How can you stop the use of your personal data for direct marketing?**

- There are several ways you can stop direct marketing communications from us:

- Click the 'unsubscribe' link in any marketing communication that we send you. We will then stop any further emails.
- If you have an account, log in to change your preferences.
- Write to Fat Tone Amps, [enquiries@fat-tone-amps.co.uk](mailto:enquiries@fat-tone-amps.co.uk).
- Please note that you may continue to receive communications for a short period after changing your preferences while our systems are fully updated.

### **13. Contacting the Regulator**

- If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.
- You can contact them by calling 0303 123 1113.
- Or go online to [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) (opens in a new window; please note we cannot be responsible for the content of external websites)
- If you are based outside the UK, you have the right to lodge your complaint with the relevant data protection regulator in your country of residence. Details can be found in Section 14.

### **14. If you live outside the UK**

- For all non-UK customers

By using our services or providing your personal data to us, you expressly consent to the processing of your personal data by us or on our behalf. Of course, you still have the right to ask us not to process your data in certain ways, and if you do so, we will respect your wishes.

- Sometimes we need to transfer your personal data between countries to enable us to supply the goods or services you have requested. In the ordinary course of business, we may transfer your personal data from your country of residence to ourselves and to third parties located in the UK.
- By dealing with us, you are giving your consent to this overseas use, transfer and disclosure of your personal data outside your country of residence for our ordinary business purposes.
- This may occur because our information technology storage facilities and servers are located outside your country of residence, and could include storage of your personal data on servers in the UK.
- We will ensure that reasonable steps are taken to prevent third parties outside your country of residence using your personal data in any way that is not set out in this Privacy Notice. We will

also make sure we adequately protect the confidentiality and privacy of your personal data.

- Australia

For the purposes of this Privacy Notice, 'personal data' means any information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not the information or opinion is true, and whether or not the information or opinion is recorded in a material form.

If you are in Australia you may submit any questions, comments or complaints to us and we will come back to you within 30 days.

If you are contacting us to complain about an alleged breach of this Privacy Notice or our legal privacy obligations, please provide us with as much detail as possible in relation to your complaint.

We will take every privacy complaint seriously and assess it with the aim of resolving all issues quickly and efficiently. We would be grateful for your cooperation with us during this process by providing us with any relevant information that we made need.

If we have not come back to you within 30 days, or you are not happy with the response that you have received, you may submit a complaint to the Office of the Australian Information Commissioner. (please note we cannot be responsible for the content of external websites.)

We are committed to keeping your personal information secure and will take all reasonable precautions to protect it from loss, misuse or unauthorized access or alteration. However, except to the extent liability cannot be excluded due to the operation of statute, we exclude all liability (including in negligence) for the consequences of any unauthorized access to, disclosure of, misuse of or loss or corruption of your personal information.

Nothing in this Privacy Notice restricts, excludes or modifies or purports to restrict, exclude or modify any statutory consumer rights under any applicable law including the Competition and Consumer Act 2010 (Cth).

- USA

To learn more about our cookies and website 'track' and 'do not track' practices please [see our Cookies Notice](#).

- Canada

As your data may be transferred to third parties outside Canada, local police or other enforcement, regulatory or Government bodies may have access to that data, with or without our knowledge.

The personal data we process may be accessed by people within Fat Tone Amps, or by our third-party service providers, who require access for the purposes indicated in this Privacy Notice, or as may be permitted or required by applicable law. The personal data we collect is largely held in the UK.

If you have any questions, please contact us.

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal information, you have the right to lodge a complaint with the Office of the Privacy Commissioner of Canada, (please note we cannot be responsible for the content of external websites) or in some Canadian provinces, your local Privacy Commissioner.

- South Korea, Malaysia, Singapore, Qatar

Terms used in this Privacy Notice shall have the meanings assigned to them by the Personal Data Protection Act 2010 (also known as the PDPA).

By placing an order with us, opening an account, browsing our website and/or agreeing to receive digital direct marketing communications, you agree that we may process your personal data as described in this Privacy Notice and our Cookies Notice, including for analytics and research into website use.

- Hong Kong

When you agree to receive direct marketing emails from us, we may send you promotions and product details.

If you are in Hong Kong you may submit a complaint to us and we will come back to you within 30 days. If we have not come back to you or you are not happy with the response that you receive, you may submit a complaint to the Office of the Privacy Commissioner for Personal Data.

## 15. **Any questions?**

We hope this Privacy Notice has been helpful in setting out the way we handle your personal data and your rights to control it.

If you have any questions, please contact us and we will be pleased to help you:

- Email us at [this email address](#)