

GDPR

General Data Protection Regulations

In accordance with the Act which came into force on 25th May 2018, you can now exercise the right to access any information we hold about you. This request is now free of charge. All the information that we hold about you has been provided by you. We don't store any details other than what you have provided yourself.

Consent

30.0 We now must obtain your individual consent to store and use the data you provide and explain how it is used and provide evidence that we have asked your permission. You now have the option to withdraw approval of how the details you provide to us are used and stored. We only store the data that you tell us to.

30.2 The information that you provide to us by filling out the account sign up form on our website are stored by our website hosts who store the details you provide over a secure network and to which you have full access & control of what is provided, stored, or deleted. You can change any of this data at any time by logging in to your account. You can discover who our website hosts are at the current time by sending a request to data@davidgray.tv and we will let you know.

Right to Access

30.3 You now have the right to request information from us about what personal data concerning you we are processing. Since the information we process is what you provided in the first place, this request is somewhat needless but still it is your right none the less and so we are duty bound to point this out.

Right to Erasure

30.4 Also called the right to be forgotten. You have the right to request your personal data to be permanently deleted and furthermore to instruct us to stop sharing it with third parties, which are also obligated to stop processing it. Bear in mind this request will also delete your access to all downloads, not just names and addresses. If this is a request, you wish to exercise we recommend downloading any data to your own devices prior to such a request being carried out. This action is permanent and means the data cannot be retrieved.

Privacy by Design

30.5 All our services, products, systems and processes are secure from the start, resulting in strong, consistent data protection implantation. We only use the most advanced and technically updated partners and security features.

Data Portability

30.6 As an individual you have the right to transmit the data you have previously supplied to us to someone else and this legislation gives you the right and the framework to do so. We will provide you with a pdf document of all the data on record for your convenience, so you have your information on the world's most used format.

Third Parties

31.0 We don't store or hold any data about you that you haven't provided yourself. All the information that you have provided is stored securely with our website hosts.

Launch Request

32.0 If you wish to exercise your right to any aspect of data, deletion, transfer, access or other please email such a request to our Data Controller and the request will be carried out by the end of the same working day. The email address of the data controller is data@davidgray.tv We welcome any questions, comments and requests regarding this privacy policy and any such comments may also be emailed to data@davidgray.tv

Rights of Data Subjects

33.0 DGTV shall, to the extent permitted by law, notify Customer upon receipt of a request by email to data@davidgray.tv of a Data Subject to exercise the Data Subject's right of: access, rectification, erasure, data portability, restriction or cessation of processing, withdrawal of consent to processing, and/or objection to being subject to processing that constitutes automated decision-making (such requests individually and collectively "Data Subject Request(s)"). Such requests **must** be made by emailing data@davidgray.tv If DGTV receives a Data Subject Request via data@davidgray.tv the Customer will be responsible for responding to such request, including, where necessary, by using the functionality of the Services. Customer is solely responsible for ensuring that Data Subject Requests for erasure, restriction or cessation of processing, or withdrawal of consent to processing of any Personal Data are communicated to DGTV, and, if applicable, for ensuring that a record of consent to processing is maintained with respect to each Data Subject. Requests must be made by emailing data@davidgray.tv

33.1 DGTV shall, at the request of the Customer, and taking into account the nature of the processing applicable to any Data Subject Request, apply appropriate technical and organisational measures to assist Customer in complying with Customer's obligation to respond to such Data Subject Request and/or in demonstrating such compliance, where possible, provided that

- (i) Customer is itself unable to respond without DGTV's assistance and
- (ii) DGTV can do so in accordance with all applicable laws, rules, and regulations.

Customer shall be responsible to the extent legally permitted for any costs and expenses arising from any such assistance by DGTV.

Actions and Access Requests.

32.0 DGTV shall, taking into account the nature of the processing and the information available to DGTV, provide Customer with reasonable cooperation and assistance where necessary for Customer to comply with its obligations under the Data Protection Laws to conduct a data protection impact assessment and/or to demonstrate such compliance, provided that Customer does not otherwise have access to the relevant information. Customer shall be responsible to the extent legally permitted for any costs and expenses arising from any such assistance by DGTV.

32.1 DGTV shall, considering the nature of the processing and the information available to DGTV, provide Customer with reasonable cooperation and assistance with respect to Customer's cooperation and/or prior consultation with any Supervisory Authority or regulatory agency, where necessary and where required by the Data Protection Laws. Customer shall be responsible to the extent legally permitted for any costs and expenses arising from any such assistance by DGTV.

32.2 DGTV shall maintain records sufficient to demonstrate its compliance with its obligations under the GDPR and retain such records for a period of three (3) years after the termination of the Agreement. Customer shall, with reasonable notice to DGTV, have the right to review, audit and copy such records at DGTV's offices during regular business hours.

32.3 Upon Customer's written request at reasonable intervals, and subject to reasonable confidentiality controls, DGTV shall, either

(i) make available for Customer's review copies of certifications or reports demonstrating DGTV's compliance with prevailing data security standards applicable to the processing of Customer's Personal Data, or

(ii) if the provision of reports or certifications pursuant to

(i) is not reasonably sufficient under Data Protection Laws, allow Customer's independent third-party representative to conduct an audit or inspection of DGTV's data security infrastructure and procedures that is sufficient to demonstrate DGTV's compliance with its obligations under Data Protection Laws, provided that:

- (a) Customer provides reasonable prior written notice of any such request for an audit and such inspection shall not be unreasonably disruptive to DGTV's business.
- (b) such audit shall only be performed during business hours and occur no more than once per calendar year; and
- (c) such audit shall be restricted to data relevant to Customer. Customer shall be responsible for the costs of any such audits or inspections, including without limitation a reimbursement to DGTV for any time expended for on-site audits.

If Customer and DGTV have entered Standard Contractual Clauses as described in Section 6 (Transfers of Personal Data), the parties agree that the Audit shall be carried out in accordance with this Section.

32.4 DGTV shall immediately notify Customer if an instruction, in DGTV's opinion, infringes the Data Protection Laws or Supervisory Authority.

32.5 In the event of a Personal Data Breach, DGTV shall, without undue delay, inform Customer of the Personal Data Breach and take such steps as DGTV in its sole discretion deems necessary and reasonable to remediate such violation (to the extent that remediation is within DGTV's reasonable control).

32.6 In the event of a Personal Data Breach, DGTV shall, considering the nature of the processing and the information available to DGTV, provide Customer with reasonable cooperation and assistance necessary for Customer to comply with its obligations under the Data Protection Laws with respect to notifying

- (i) the relevant Supervisory Authority or regulatory agency and
- (ii) Data Subjects affected by such Personal Data Breach without undue delay.

32.7 The obligations described in Sections 32.5 and 32.6 shall not apply if a Personal Data Breach results from the actions or omissions of Customer. DGTV's obligation to report or respond to a Personal Data Breach under Sections 32.5 and 32.6 will not be construed as an acknowledgement by DGTV of any fault or liability with respect to the Personal Data Breach.

33.0 DGTV's Role as a Controller. The parties acknowledge and agree that with respect to DGTV Account Data and DGTV Usage Data, DGTV is an independent controller, not a joint controller with Customer. DGTV will process DGTV Account Data and DGTV Usage Data as a controller:

- (i) to manage the relationship with Customer.
- (ii) to carry out DGTV's core business operations, such as accounting, audits, tax preparation and filing and compliance purposes.
- (iii) to monitor, investigate, prevent and detect fraud, security incidents and other misuse of the Services, and to prevent harm to Customer.
- (iv) for identity verification purposes.
- (v) to comply with legal or regulatory obligations applicable to the processing and retention of Personal Data to which DGTV is subject; and
- (vi) as otherwise permitted under Data Protection Laws.

DGTV may also process DGTV Usage Data as a controller to provide, optimise, and maintain the Services, to the extent permitted by Data Protection Laws. Any processing by DGTV as a controller shall be in accordance with DGTV's privacy policy set forth at www.davidgray.tv/privacy.

Thank you for taking the time to read our GDPR policy. It is there to protect you. If you need any help or need a question answered about these General Data Protection Regulations, please drop us an email to data@davidgray.tv