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# GDPR Information for Data Controllers

## Introduction

This document is for Data Controllers who are checking that all their Data Processors support the GDPR and have got around to us. It is intended to include all necessary replies from Fresh Relevance Ltd, but if you need to know more then please contact us.

It is written by Peter Austin, Data Protection Officer, Chief Innovation Officer and Co-Founder.

The content of this document will change to reflect changing official advice about the GDPR. This version is dated 01/06/2018. You can always find the latest version here: <https://www.freshrelevance.com/contact/legal>

We provide other legal documents at the same address, including the following which are referenced in this document:

- [How to Prepare for the GDPR](#)
- [Fresh Relevance Support for GDPR](#)

## How to Contact Us

1. Are you a Data Controller for one of our clients or potential clients and need additional information?
2. Or are you an individual and want to enforce your GDPR rights? [See GDPR rights for individuals.](#)
  - a. If Fresh Relevance holds personal data about you because you have a relationship with one of our business clients, please contact them first.
  - b. If we hold personal data about you for any other reason, or if you have previously contacted our client but think they are not responding properly, then contact us.
  - c. NB: because of data protection, we can only take some kinds of action if we are able to confirm your identity **and** be sure you are the same person as the data subject for whom we hold data.

Then contact us by email at [gdpr@freshrelevance.com](mailto:gdpr@freshrelevance.com)

## Answers about the GDPR

This is what you need to know, if you are working through a checklist such as our [How to Prepare for the GDPR](#), to include Fresh Relevance in your support for GDPR. Each numbered item is a question that you are asking us, followed by our answer(s).

1. Does the Fresh Relevance system hold sensitive data such as passwords or credit card numbers?
  - No
2. What are the contact details for the Fresh Relevance GDPR data protection officer?
  - Peter Austin, Chief Innovation Officer and Co-Founder, Fresh Relevance Ltd. Contact Fresh Relevance by email at [gdpr@freshrelevance.com](mailto:gdpr@freshrelevance.com)
3. What other Data Processors does Fresh Relevance use?
  - Fresh Relevance data for EU and UK clients is stored and processed in the EU, using Amazon Web Services (AWS) as data processor.
  - Personal data is shared with the third-party data processors that you choose. These data processors might include your ESP, your FTP system, your ecommerce platform and your Review Provider.
4. Has Fresh Relevance carried out a Data Protection Impact Assessment (DPIA) and does Fresh Relevance only collect and keep the data it needs?
  - Yes. Our Data Collection meets GDPR Principles and is not a high risk to data subjects. We will not collect sensitive customer data, unless you tell us to.
  - When staff do not need to see personal data, use "Settings|Users", choose their accounts and unset "Permissions|Can view bulk data".
5. Does Fresh Relevance transfer Personal Data from the EU to a Third Country?
  - No. All data for EU+UK clients is stored in the EU and remains in the EU.
6. Has Fresh Relevance carried out a Consent and Legitimate Interests Assessment (LIA)?
  - Yes. We have created several example LIAs for different marketing activities. They will be on [our legal documents page](#).
  - You **do not** need to ask consent for almost all marketing activities, if you are careful. Including personalization of web and email, or triggered emails such as cart abandon, browse abandonment, and post-purchase confirmations, because you have a good legitimate interest for these.
  - You **do** need to ask consent to send bulk marketing emails, because they are more intrusive.

7. Do I need to modify my Website for the GDPR?
  - All forms where shoppers enter their email address must say what you will do, e.g:
    - ◇ We process your personal data with care, as described in our [linked] privacy notice.
  - Make sure your linked privacy or legal page includes something like:
    - ◇ This website stores information about your account, your orders, and products which interest you. It is used to manage your account and process your orders.
    - ◇ Personal data may be used to send triggered emails, such as cart abandonment and purchase confirmation emails.
    - ◇ Personal data may be used to personalize marketing, for example to suggest products that are related to your previous shopping.
  - If you agree to this, personal data may also be used to send you special offers and product news by email.
8. How do I include Fresh Relevance in handling the 8 GDPR Individual's rights?
  - Fresh Relevance has implemented all necessary support.
  - Full details are in [Fresh Relevance Support for GDPR](#). Search for "rights for individuals" and copy the relevant instructions into the scripts that you're writing for your support team to follow when they are contacted by someone requesting their GDPR rights.
9. Will I need to modify my contract with Fresh Relevance because of the GDPR?
  - Yes, if your contract started before 25 May 2018 and you have not already done so. We produced a standard GDPR Data Processing Addendum for you to sign and it's on [our legal documents page](#). This is a legal requirement.
10. What if I learn of a data breach on my site?
  - Include a note in your data breach plans to contact Fresh Relevance immediately. We would like to help, regardless of whether the issue involves our system.
  - NB: You only need to notify serious data breaches, "likely to result in a high risk to the rights and freedoms of natural persons". You must notify data subjects "without undue delay" and inform the supervisory authority "without undue delay and, where feasible, not later than 72 hours after [you as data controller were] aware of it". ([see page 8 here](#)).