Privacy Policy

This Privacy Policy applies to the personal data we obtain through the Hayward Tyler Inc, (“Hayward Tyler”, “we”, “our”) websites, mobile applications, and social media pages, and offline collection in connection with sales, marketing, partner and supplier engagement, and third-party sources including ad networks, agents, representatives and brokers.

This Privacy Policy sets out what personal data Hayward Tyler collects about you and how we use and protect it. Hayward Tyler is committed to conducting business in compliance with applicable laws and ensuring that your privacy is protected, and that personal data is held securely.

We are required by data protection law to give you the information in this Privacy Policy. It is important that you read the Privacy Policy carefully, together with any other similar or additional information that we might give you from time to time about how we collect and use your personal data.

This Privacy Policy applies from 25 May 2018, when the General Data Protection Regulation comes into force. It does not give you any contractual rights. We may update this Privacy Notice at any time.

Who is the data controller?
Hayward Tyler at 480 Roosevelt Highway, Colchester VT 05446 is the “controller” for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal data about you.

What type of personal data do we collect about you?
We may collect the following personal data:
- Name and job title
- Contact information including email address
- Information used to create your online account
- Purchase and customer service history
- Location data
- Information relevant to customer surveys and/or offers
- Other information provided to us by you

We hold and use this personal data so that we can:
- Conduct marketing and sales activities
- Respond to your inquiry or request
- Prepare, negotiate and perform a contract with you
- Process your order or provide you with specific information
- Provide and administer our products and services
- Provide customer and technical support
• Support our customer/supplier relationship with you
• Better understand your business needs
• Maintain our internal record keeping to effectively manage your account
• Use the information to improve our products and services
• Periodically send you promotional emails about new products and services
• Contact you for market research and data analytic purposes
• Make informed business decisions
• Conduct investigations and comply with and enforce legal obligations
• Establish or preserve a legal claim or defense if required
• Verify your identity to prevent fraud or other illegal activities

What are our legal grounds for using your personal data?
Data protection law specifies the legal grounds on which we can hold and use personal data. We rely on one or more of the following legal grounds when we process your personal data:
• Your consent
• We need it to take steps to enter into a contract with you
• We need it to comply with a legal obligation
• It is necessary for our legitimate business interests

Security
We are committed to ensuring that your personal data is secure. In order to prevent unlawful loss or alteration, and against unauthorized access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard the personal data we collect.

Children
Hayward Tyler will not knowingly collect personal data from children without insisting that they seek parental consent if required by applicable law. We will only use or disclose personal data about a child to the extent permitted by law, to seek parental consent pursuant to local law and regulations, or to protect a child.

Who do we share your personal data with?
We do not disclose, sell or otherwise market your personal data to third parties except as described here or at the time of collection:
• We may share any of your personal data with our Group Company, Avingtrans Plc in accordance with our legitimate business interests
• We may share any of your personal data with our legal and other professional advisers, including our banks and other financial institutions
• We may share any of your personal data with suppliers and service providers we have retained to perform services on our behalf
We may share any of your personal data with our marketing partners, customers and other business partners for the purposes described in this policy.

We may share any of your personal data as required by law, to governmental or judicial or law enforcement authorities, including the HMRC.

Transferring personal data outside the European Economic Area (“EEA”)

Applicable to Hayward Tyler, Ltd Location Only

An overseas transfer of personal data takes place when the data is transmitted or sent to, viewed, accessed or otherwise used in, a different country. Data protection law restricts transfers of personal data to countries outside of the EEA because the law in those countries might not provide the same level of protection to personal data as the law in the EEA. To ensure that the level of protection afforded to personal data is not compromised, therefore, we are only able to transfer your personal data outside the EEA if certain conditions are met, as explained below.

To ensure that data protection is not compromised when personal data is transferred to another country, Hayward Tyler assesses the risks of any transfer of personal data outside of the UK (taking into account the principles in this Policy, as well as the restrictions on transfers outside the EEA) and puts in place additional appropriate safeguards where required. We may transfer some of your personal data to any country outside the EEA that Hayward Tyler operates in.

If there is an adequacy decision in place for the relevant non EEA country, the country will be deemed to provide an adequate level of protection for your personal data. Where there is no adequacy decision in place for the relevant non EEA country, we will put in place appropriate measures to ensure that any personal data transferred to the country is treated in a way that is consistent with and which respects the EEA and UK laws on data protection and receives an adequate level of protection with that country.

EU-US PRIVACY SHIELD

Hayward Tyler complies with the EU-U.S. Privacy Shield Framework [and the Swiss-U.S. Privacy Shield Framework(s)] (Privacy Shield) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and the United Kingdom and/or Switzerland, as applicable to the United States in reliance on Privacy Shield. Hayward Tyler has certified to the Department of Commerce that it adheres to the Privacy Shield Principles with respect to such information. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit https://www.privacyshield.gov/.

With respect to personal data received or transferred pursuant to the Privacy Shield Frameworks, Hayward Tyler is subject to the regulatory and enforcement powers of the U.S. Federal Trade Commission.

Pursuant to the Privacy Shield Frameworks, EU individuals have the right to obtain our confirmation of whether we maintain personal information relating to you in the United States. Upon request, we will...
provide you with access to the personal information that we hold about you. You may also correct, amend, or delete the personal information we hold about you. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data transferred to the United States under Privacy Shield, should direct their query to privacy@haywardtyler.com. If requested to remove data, we will respond within a reasonable timeframe.

We will provide an individual opt-out choice, or opt-in for sensitive data, before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to privacy@haywardtyler.com

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Hayward Tyler’s accountability for personal data that it receives in the United States under the Privacy Shield and subsequently transfers to a third party is described in the Privacy Shield Principles. In particular, Hayward Tyler remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process personal data on its behalf do so in a manner inconsistent with the Principles, unless Hayward Tyler proves that it is not responsible for the event giving rise to the damage.

In compliance with the Privacy Shield Principles, Hayward Tyler commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States pursuant to Privacy Shield. European Union individuals with Privacy Shield inquiries or complaints should first contact Hayward Tyler by email at privacy@haywardtyler.com

Hayward Tyler has further committed to refer unresolved privacy complaints under the Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit http://www.bbb.org/EU-privacy-shield/for-eu-consumers for more information and to file a complaint. This service is provided free of charge to you.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at https://www.privacyshield.gov/article?id=ANNEX-I-introduction.

How long will we keep your personal data?

To the extent permitted by applicable law, we will retain personal data we obtain about you as long as (a) it is needed for the purposes for which we obtained it, in accordance with the provision of this Privacy Policy, or (b) we have another lawful basis, as stated in this Privacy Policy or at the point of collection, for retaining that personal data beyond the period for which it is necessary to serve the original purpose for obtaining the personal data.
Your rights under GDPR

You have a number of legal rights relating to your personal data. You have the right to:

- access certain personal information we maintain about you;
- request that we update, correct, amend, delete, remove, restrict the processing of your personal information; or
- exercise your right to data portability.
- You may also have the right to make a GDPR complaint to the relevant Supervisory Authority. A list of Supervisory Authorities is available here: [https://edpb.europa.eu/about-edpb/board/members_en](https://edpb.europa.eu/about-edpb/board/members_en)

Where provided by law, you may withdraw consent you previously provided to us or object at any time to the processing of your personal information on legitimate grounds relating to your situation.

To request to exercise these rights please contact Dan Conley, IT Manager at Hayward Tyler in writing. Please note that these rights are not absolute, and, in some circumstances, we may be entitled to refuse some or all of your request. If you have any questions or concerns about how your personal data is being used by us, you can contact Dan Conley, IT Manager at Hayward Tyler, 480 Roosevelt Highway Colchester, VT 05446.

Note too that you have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.
Details of how to contact the ICO can be found on their website: [https://ico.org.uk](https://ico.org.uk)