

The Cookaway Limited's Privacy Notice

The Cookaway Limited (Company Number: 11570053) ("**Company**", "**we**", "**us**", "**our**"), the controller, is responsible for and committed to protecting the privacy and security of your personal data. This Privacy Notice describes how we collect, use and look after your personal data when you visit our website (regardless of where you visit or use it from), including when you create and account on our website. It also tells you about your privacy rights and how the law protects you. By using our website, you consent to and agree to the terms of this Privacy Notice.

1 Important information

This Privacy Notice supplements the other notices and terms published on our website (**Terms**) and is not intended to override them.

To assist you further in understanding this Privacy Notice, we have set out in the Schedule a glossary of terms used in this Privacy Notice, examples of types of personal data we collect, how we use it, the lawful basis for processing such data and further details of your rights.

If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact us in writing, either by:

Email: privacy@thecookaway.com

or

Post: The Cookaway Limited - Privacy, 93 Grand Drive, London, SW20 9DW

You have the right to make a complaint at any time to the ICO (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Our website is not intended for children and we do not knowingly collect data relating to children, however, we may incidentally collect data about children's dietary requirements if this is something you provide to us during the ordering process.

Your duty to inform us of changes

It is important that the data we hold about you is accurate and current. We ask that you review and update changes to your personal data as required when you use our Site so that we can best meet your needs and requirements.

Third-party links

Our website may include links to third-party websites, plug-ins and applications. By clicking on these links or enabling connections you may be allowing third parties to collect or share your personal data. We have no control over these third-party websites, plug-ins or applications and are not responsible for their privacy notices, therefore you should also read their privacy notices to understand what personal data they collect about you and how they use it.

2 The data we collect about you

We may collect, use, store and transfer the types of personal data about you listed in Part 1 of the Appendix to this Privacy Notice.

We also collect, use and share aggregated data. However, if we combine aggregated data with your personal data so that it can directly or indirectly identify you, we treat this as your personal data.

We do not intentionally collect any special categories of personal data or any information about criminal convictions and offences.

Failure to provide personal data

If we are required by law, or under the terms of a contract we have with you, to collect your personal data and you fail to provide it, we may not be able to enter into or perform the contract with you and, we may have to cancel our service. We will notify you of this at the relevant time.

3 How personal data is collected

We collect personal data in the following ways:

Direct interactions	You may provide personal data when you complete online forms, create a user account on our website, place an order for our products, make payments through our website, respond to us in respect of a survey or otherwise or correspond with us (by post, phone or email).
Automated technology	We automatically collect personal data (technical and usage) when you browse or interact with our website, by using cookies, server logs and other similar technologies. Please see our cookie policy for further details.
Third parties	We may receive personal data from: (a) analytics providers; (b) advertising networks and (c) our suppliers such as payment providers, website support and maintenance providers (and these third parties may be based outside or inside the EEA).

4 How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data:

- to perform the contract we have entered into with you;
- to comply with a legal obligation; and
- where it is necessary to carry out our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Part 2 of the Appendix to this Privacy Notice sets out the lawful basis we will rely on to process your personal data.

Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your information.

Marketing

Generally, you will only receive marketing communications from us: (a) if you have requested information from us; (b) you have provided your consent to receiving marketing at the time we collect your personal data and you have not subsequently opted out or withdrawn your consent; (c) purchased products from us and have not opted out of receiving marketing or unsubscribed; or (d) if we have another basis to send you the marketing communications.

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes. We will not share your personal data with third parties for their marketing purposes.

How to opt out

You can opt out of email marketing by clicking the unsubscribe button within the particular marketing email. You can also withdraw your consent to marketing at any time by contacting us.

Even if you opt out of receiving marketing, we may still use your personal data for other purposes provided we have a lawful basis to do so.

Change of purpose

We will only use your personal data for the purpose that we originally collected it for, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to use your personal data in this manner.

We may process your personal data (without your knowledge or consent) where this is required or permitted by law.

5 Disclosure of your personal data

We may share your personal data with third parties, further details of whom are set out in Part 4 of the Appendix to this Privacy Notice. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes. They can only process your personal data for specified purposes and in accordance with our instructions.

6 International transfers

Some of our external third parties may be based outside the European Economic Area (EEA), so their processing of your personal data will involve a transfer of data to countries outside of the EEA.

Whenever we transfer your personal data to a country outside of the EEA, we ensure that a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission or otherwise under applicable law;
- we use specific contracts approved by the European Commission (which give personal data the same protection it has in Europe with our services providers) or otherwise under applicable law;
- we may transfer data to US based service providers under the Privacy Shield (or another accredited regime) which requires them to provide similar protection to personal data shared between the Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data to a country outside of the EEA.

7 Data security

We have put in place appropriate security measures as applicable to the nature of our business and associated level of risk to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We also limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know and they can only process your personal data on our instructions and will be subject to a duty of confidentiality.

8 Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We may update our data retention practices from time to time and you can request details by contacting us. However, we are legally required to keep basic information about our customers (including contact, identity, financial and transaction data) for six years after the end of the tax year in which they cease being customers, for tax purposes.

We may also anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes. We can use anonymised information indefinitely without further notice to you.

9 Your legal rights

You have certain rights in certain circumstances under data protection law. These are set out in full in Part 3 of the Appendix to this Privacy Notice. If you wish to exercise any of your rights, please contact our DPM.

You will not have to pay a fee to exercise any of your rights. However, if your request is clearly unfounded, repetitive or excessive, we may charge a reasonable fee for this information or refuse to comply with your

request.

We may request specific information from you to help us confirm your identity when you contact us. This is a security measure to ensure that personal data is not disclosed to any person who does not have the right to receive it.

We try to respond to all legitimate requests within one month. Occasionally, it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10 Updates

We may change this Privacy Notice from time to time by updating this page. By continuing to use our website, you shall be deemed to have consented to and agreed to any such updates. Please check it regularly to ensure you are aware of any changes. This Privacy Notice was last updated on 3 September 2019.

Appendix

Part 1 Types of personal data

contact data	billing address, delivery address, email address and telephone number.
identity data	first name, last name, username or similar identifier, date of birth, job title and title.
marketing and communication data	your preferences in receiving marketing from us and our third parties and your communication preferences.
profile data	your username and password, bookings made by you on our website, apps and/or any other similar technology medium, and your feedback and survey responses.
technical data	internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
transaction data	details about payments to and from you and other details of products and/or services you have ordered through our website.

Part 2 Lawful basis for processing and processing activities

The lawful basis upon which we may rely on to process your personal data are:

consent	you have given your express consent for us to process your personal data for a specific purpose.
contract	the processing is necessary for us to perform our contractual obligations with you under our contract, or because you have asked us to take specific steps before entering into a contract with you.
legal obligation	the processing is necessary for us to comply with legal or regulatory obligation.
legitimate interests	the processing is necessary for our (or a third party's) legitimate interest e.g. in order for us to provide the best service to you via our website. Before we process your personal data on this basis we make sure we consider and balance any potential impact on you, and we will not use your personal data on this basis where such impact outweighs our interest.

Set out below are specific details of the processing activities we undertake with your personal data and the lawful basis for doing this:

Purpose/Activity	Type of data	Lawful basis for processing
to register you as a user on our website	identity & contact	to perform our contract with you
to process and deliver your orders, manage payments, fees and charges and debt recovery	identity, contact, financial, transaction and marketing & communications	(i) to perform our contract with you; (ii) as necessary for our legitimate interest in recovering debts due to us.
to manage our relationship with you,	identity, contact, profile and	(i) to perform our contract with you;

notifying you about changes to our Terms or Privacy Notice and ask you to leave a review or take a survey	marketing & communications	(ii) as necessary to comply with a legal obligation; (iii) as necessary for our legitimate interests in keeping our records updated and analysing how customers use our products/services.
to enable you to complete surveys or provide us with feedback	identity, contact, profile, usage and marketing & communications	(i) perform our contract with you; (ii) as necessary for our legitimate interests in analysing how customers use our products/services, to develop them and grow our business.
to administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	identity, contact and technical	(i) as necessary for our legitimate interests in running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise; (ii) as necessary to comply with any legal obligations.
to deliver relevant website content/ advertisements to you and measure or understand the effectiveness of our advertising	identity, contact, profile, usage, marketing & communications and technical	as necessary for our legitimate interests in studying how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy.
to use data analytics to improve our website, products/services, marketing, customer relationships and experiences	technical and usage	as necessary for our legitimate interests to define types of customers for our products and services, to keep our website and app updated and relevant, to develop our business and to inform our marketing strategy.
to make suggestions and recommendations to you about goods or services that may be of interest to you, including promotional offers	identity, contact, technical, usage and profile	as necessary for our legitimate interests to develop our products/services and grow our business.

Part 3 Your legal rights

You have the following legal rights in relation to your personal data:

access your data	you can ask for access to and a copy of your personal data and can check we are lawfully processing it.
correction	you can ask us to correct any incomplete or inaccurate personal data we hold about you.
erasure	<p>you can ask us to delete or remove your personal data where:</p> <ul style="list-style-type: none"> (a) there is no good reason for us continuing to process it; (b) you have successfully exercised your right to object (see below); (c) we may have processed your information unlawfully; or (d) we are required to erase your personal data to comply with local law. <p>We may not always be able to comply with your request for specific legal reasons, which will be notified to you at the time of your request.</p>

object	<p>you can object to the processing of your personal data where:</p> <p>(a) we are relying on our legitimate interest (or those of a third party) as the basis for processing your personal data, if you feel it impacts on your fundamental rights and freedoms;</p> <p>(b) we are processing your personal data for direct marketing purposes.</p> <p>In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms and, in such circumstances, we can continue to process your personal data for such purposes.</p>
restrict processing	<p>you can ask us to suspend or restrict the processing of your personal data, if:</p> <p>(a) you want us to establish the accuracy of your personal data;</p> <p>(b) our use of your personal data is unlawful, but you do not want us to erase it;</p> <p>(c) you need us to hold your personal data (where we no longer require it) as you need it to establish, exercise or defend legal claims; or</p> <p>(d) you have objected to our use of your personal data, but we need to verify whether we have overriding legitimate grounds to use it.</p>
request a transfer	<p>you can request a transfer of your personal data which is held in an automated manner and which you provided your consent for us to process such personal data or which we need to process to perform our contract with you, to you or a third party. We will provide your personal data in a structured, commonly used, machine-readable format.</p>
withdraw your consent	<p>you can withdraw your consent at any time (where we are relying on consent to process your personal data). This does not affect the lawfulness of any processing carried out before you withdraw your consent.</p>

Part 4 Third Parties

service providers	<p>acting as processors who provide IT system, administration and analytics services.</p>
merchant acquirers or payment providers	<p>acting as processors or joint controllers of payment details.</p>
professional advisors	<p>acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.</p>
HM Revenue & Customs, regulators and other authorities	<p>acting as processors or joint controllers who require reporting or processing activities in certain circumstances.</p>
third parties	<p>third parties whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Privacy Notice.</p>

Part 5 Glossary

aggregated data	information such as statistical or demographic data which may be derived from personal data but which cannot by itself identify a data subject.
controller	a body that determines the purposes and means of processing personal data.
data subject	an individual living person identified by personal data (which will generally be you).
personal data	information identifying a data subject from that data alone or with other data we may hold but it does not include anonymised or aggregated data.
processor	a body that is responsible for processing personal data on behalf of a controller.
special categories of personal data	information about race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, health, genetic, biometric data, sex life or sexual orientation.
ICO	Information Commissioner's Office, the UK supervisory authority for data protection issues.

The Cookaway Limited Cookies Policy

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
- **Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.