

1. INTRODUCTION

Toff's of Muswell Hill is a trading name of Fish 'n' Chick'n Limited ("we", "us", or "our"). We are the 'controller' of your Personal Data. Personal Data means any information about an individual from which that person can be identified.

Fish 'n' Chick'n Limited are a company registered in England and Wales with company registration number 01018600. Our registered office is at Chesterford House, 14 Stansted Distribution Centre, Start Hill, Bishop's Stortford CM22 7DG.

This Privacy Policy sets out how we collect and use your Personal Data through your use of our website, including any data you may provide to us, whether in one of our restaurants, over our website (including the mobile optimised version of the website accessible from your portable hand-held device), our gift card service or in any other way (such as over the telephone). We are committed to protecting the privacy of our users and customers and all your Personal Data is held and used in accordance with the Data Protection laws in place in the UK.

This policy is intended to assist you in making informed decisions when using our website and our products and services. Please take a minute to read and understand it.

2. WHAT INFORMATION DO WE COLLECT ON OUR WEBSITE?

We may collect, use, store and transfer different kinds of Personal Data about you, which we have grouped together as follows:

- **Identity Data** which includes first name, last name or title.
- **Contact Data** which includes email address, telephone numbers, billing address, and delivery address.
- **Financial Data** which includes bank account and payment card details. We do not retain payment card details used by our customers when placing orders.
- **Transaction Data** which includes details about payments from you and other details of products and services you have purchased from us.
- **Technical Data** which includes 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, device ID and other technology on the devices you use to access this website.
- **Profile Data** which includes details of purchases or orders made by you.
- **Usage Data** which includes information about how you interact with and use our website, products and services.
- **Marketing and Communications Data** which includes your preferences in receiving marketing from us and other third parties and your communication preferences.

We may also collect, use and share aggregated data such as statistical or demographic data which is not personal data as it does not directly (or indirectly) reveal your identity. For example, we may aggregate individuals' Usage Data to calculate the percentage of users accessing a specific website feature to analyse general trends in how users are interacting with our website to help improve our website and our service offering.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect Personal Data from and about you including through:

- **Your interactions with us.** This may include corresponding with us by telephone in writing, by email, in person or otherwise. We may retain the content of your correspondence together with your contact details and our responses. This includes Personal Data you provide when you:
 - purchase our products or services; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** We may collect information about your computer, including your Technical Data. We collect this Personal Data by using cookies, server logs and other similar technologies, which is explained further below at paragraph 5 of this Privacy Policy.
- **Third parties.** Information we receive from other sources. We work closely with third parties (including, for example, business partners, and sub-contractors in technical and payment services) and may receive information about you from them.

4. HOW DO WE USE THE INFORMATION THAT YOU PROVIDE TO US?

The law requires us to have a legal basis for collecting and using your personal data. We rely on one or more of the following legal bases:

- To perform of a contract we are about to enter into or have entered into with you.
- Where it is necessary to conduct our business and pursue our legitimate interests, for example to prevent fraud and enable us to give you the best and most secure customer experience. In doing so, we will consider and balance any potential impact on you and your rights before processing your Personal Data. We do not use your Personal Data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
- Where it is necessary for compliance with a legal obligation that we are subject to. We will identify the relevant legal obligation when we rely on this legal basis.
- Where we have obtained your consent to use your Personal Data for a specified purpose.

We have set out below, in a table format, a description of all the ways we plan to use the various categories of your Personal Data, and the legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate.

<u>Purpose/Use</u>	<u>Type of data</u>	<u>Legal basis</u>
<p>To process and deliver your order, such as carrying out our obligations arising from any contracts entered into between you and us including:</p> <p>(a) managing payments, fees and charges;</p> <p>(b) collecting, recovering or refunding money</p>	<p>Identity Data</p> <p>Contact Data</p> <p>Financial Data</p> <p>Transaction Data</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary for our legitimate interests</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).</p>	<p>Identity Data</p> <p>Contact Data</p> <p>Technical Data</p>	<p>(a) Necessary for our legitimate interests for running our business, provision of administration and IT services, network security and to prevent fraud</p> <p>(b) Necessary to comply with a legal obligation.</p>
<p>To manage our relationship with you which will include:</p> <p>(a) notifying you about changes to our service, terms or Privacy Policy</p> <p>(b) dealing with your requests, feedback, complaints, queries or job applications</p>	<p>Identity Data</p> <p>Contact Data</p> <p>Profile Data</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests to keep our records updated and manage our relationship with you.</p>
<p>To deliver relevant website content and to use data analytics to measure or understand the effectiveness of the services that we offer to you to improve our website, products/services and</p>	<p>Identity Data</p> <p>Contact Data</p> <p>Profile Data</p> <p>Technical Data</p> <p>Usage Data</p>	<p>(a) Necessary for our legitimate interests to:</p> <ul style="list-style-type: none"> - study how customers use our products/services, allowing us to develop them to grow our business and inform our marketing strategy; and

customer relationships and experiences		- keep our website updated and relevant.
To send you relevant marketing communications and show advertisements on our social media platforms.	Identity Data Contact Data Technical Data Usage Data Profile Data Marketing and Communications Data	(a) Necessary for our legitimate interests to carry out direct marketing, develop our products/services and grow our business. (b) We may rely on consent, having obtained your prior consent to receiving direct marketing communications.

5. COOKIES

Similar to other websites, our website uses a technology called "cookies" and web server logs to collect information about how our website/app is used. A cookie is a very small text document, which often includes an anonymous unique identifier. When you visit our website and if you agree to accept cookies, we will store a cookie on your browser or in a part of your hard drive specifically designated for cookies.

We use the following cookies:

- **Strictly necessary cookies** which are required for the operation of our website. These essential cookies are always enabled because our website won't work properly without them. You can refuse to accept cookies by activating the setting on your browser, which allows you to refuse the setting of cookies. However, if you select this setting, you may be unable to access certain parts of our website.
- **Analytical or performance cookies** which allow us to gather information about the date and time of visits to our website, the pages viewed and the time spent on our website. This allows us to calculate the aggregate number of people visiting our website and which parts of the website are most popular, which enables us to improve our website and better serve our customers.
- **Functionality cookies** which are used to recognise you when you return to our website and enables you to carry information across pages of our website and avoid having to re-enter information. This helps us to compile statistics that help us to understand how the Website is being used and to improve its structure.
- **Targeting cookies** which are used to record your visit to our website, the pages you have visited and the links you have followed (including links to our social media pages). This helps us to recognise you as a unique visitor to the Website, tailoring the content of certain areas of the website to offer you content that match your preferred interests.

Further details of the cookies which we use can be found in our Cookie Policy which is [here](#).

6. SOCIAL MEDIA

We suggest you review the privacy policies of the platforms on which we have a social media profile as these set out how the social media platform will handle your personal data.

When you visit our social media pages, we may collect certain technical information automatically from your device (e.g device type) as well as how your device has interacted with our Social Media pages which will inform our marketing activities. Such information may include what pages have been visited and the links that have been clicked. This information is used to improve the quality and relevance of our social media content to our audiences. We also display targeted advertising via our Facebook and Instagram platforms, based on user interests and demographics. More information on how Facebook collects and uses information can be found here: <https://www.facebook.com/policy.php> For information on your ad preferences click here: <https://www.facebook.com/help/109378269482053>.

7. SOCIAL MEDIA CUSTOMER SERVICE

If you reach out to us on social media, we will respond using the same channel that you contacted us on unless the enquiry is complex and requires us to use your personal data for further investigation and alternative or additional follow-up. In such instances, we will ask for your contact details to continue the discussion or use the contact details you provided when you placed your order.

If you tag our page in your Instagram post, we may ask for your permission to allow us to share your image on our Instagram page. If you decline the request, we will not post your image.

8. DISCLOSURES OF YOUR PERSONAL DATA

We may disclose your Personal Data, where necessary, to third parties as follows:

- Third parties to 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 Policy;
- Where we are under a duty to disclose or share your Personal Data in order to comply with any legal obligation;
- In order to enforce our terms and conditions of supply of goods and other agreements;
- To protect the rights, property, or safety of Fish 'n' Chick'n Limited, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

- Our gift card service is powered by Toggle, which is a platform provided by Airship Services Limited. Toggle will store Identity Data and Contact Data. To find out information about Toggle's Privacy Policy go to: <https://www.usetoggle.com/privacy-policy>.
- In order to help us handle your queries or complaints. For example e.g. we may share your Contact Data with third parties we engage to send you any goodwill gesture we have agreed to make.

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 and only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

9. INTERNATIONAL TRANSFERS

We may transfer your Personal Data to a destination outside the United Kingdom to service providers that carry out certain functions on our behalf. This may involve transferring personal data outside the UK to countries which have laws that do not provide the same level of data protection as the UK law.

Whenever we transfer your personal data out of the UK to service providers, we ensure a similar degree of protection is afforded to it by ensuring that the following safeguards are in place:

- 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 UK Information Commissioner.
- Where we use certain service providers, we may use specific contracts approved by the European UK Information Commissioner which give personal data the same protection it has in UK.

We will take all steps reasonably necessary to ensure that your Personal Data is treated securely and in accordance with this Privacy Policy.

10. YOUR LEGAL RIGHTS

You have a number of rights under data protection laws in relation to your Personal Data.

You have the right to:

- **Request access** to your Personal Data (a "subject access request"). This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully processing it.

- **Request correction** of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your Personal Data in certain circumstances. This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your Personal Data where we are relying on a legitimate interest (or those of a third party) as the legal basis for that particular use of your data). You also have the absolute right to object any time to the processing of your personal data for direct marketing purposes, which you may do by contacting us at customerservice@tcg-ltd.co.uk.
- **Request the transfer** of your Personal Data to you or to a third party.
- **Request restriction** of processing of your Personal Data in the following circumstances:
 - if you want us to establish the data's accuracy;
 - where our use of the data is unlawful but you do not want us to erase it;
 - where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
 - you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Where we rely on consent as basis for processing your Personal Data, you may withdraw such consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you.

You will usually not have to pay a fee to access your Personal Data, or to exercise any of the other rights, but we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We try to respond to all legitimate requests within one month. Occasionally it could 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.

If you wish to exercise any of the rights set out above, please write to us at the following address:

Data Controller
 The Chesterford Group
 Chesterford House
 14 Start Hill

Stansted Distribution Centre
Bishop's Stortford
Herts
CM22 7DG.

11. CHANGES TO OUR PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

We keep our Privacy Policy under regular review. If we change our Privacy Policy or procedures, we will post those changes on our website or otherwise notify you to keep you aware of what information we collect, how we use it and under what circumstances we may disclose it.

It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your Personal Data changes during your relationship with us, for example a new address or email address.

12. DATA SECURITY

We maintain the highest standards of security. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

However, the transmission of information via the internet is not completely secure. Whilst we will do our best to protect your Information, we cannot ensure the security of your data transmitted to our website.

Any Personal Data you submit is sent at your own risk. Once we have received your information, we will use strict procedures and security features to prevent unauthorised access.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

13. DATA RETENTION

We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your Personal Data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for Personal Data, we consider the amount, nature and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law, we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances, you can ask us to delete your data. Please see paragraph 9 for further information.

In some circumstances we will anonymise your Personal Data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

14. THIRD PARTY SITES

Please remember that when you use a link to go from our website to another website, our Privacy Policy is no longer in effect. Your browsing and interaction with any other website, including websites which are linked to ours, is subject to that website's own rules and policies. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the Privacy Policy of every website you visit.

15. COMPLAINTS

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues (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.