

PRIVACY POLICY

INTRODUCTION

Welcome to the Tootoot's privacy notice.

Tootoot Ltd respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below for more detailed provisions.

1. IMPORTANT INFORMATION AND WHO WE ARE

Who we are and how you can contact us is set out in this section.

2. THE DATA WE COLLECT ABOUT YOU

We may collect various types of data about you depending on how you interact with us. This can include your name, email address, date of birth and (less commonly) your ethnicity and other special types of data.

3. HOW IS YOUR PERSONAL DATA COLLECTED

We will usually collect your data from your organisation, but we can collect it in other ways set out in this section.

4. HOW WE USE YOUR PERSONAL DATA

We will use your personal data in order to provide our products and services either to you or your organisation. The specific ways that we will do so are set out in this section.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may need to provide your personal data to third parties in order to provide our products and services or to comply with a legal obligation. This section explains who your data may be disclosed to and why.

6. INTERNATIONAL TRANSFERS

As some of our suppliers are based outside the European Economic Area we may need to transfer your personal data to them and this section sets out the ways in which we will ensure that your personal data is protected.

7. **DATA SECURITY**

We take the protection of your personal data very seriously and this section describes what steps we have taken to do this.

8. **DATA RETENTION**

We only keep your data for as long as is necessary and details of how we establish this are set out in this section.

9. **YOUR LEGAL RIGHTS**

You have a number of legal rights in respect of your data (such as the right to access and correct your personal data) and these are described in more detail in this section.

1 IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how Tootoot Ltd collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

CONTROLLER

Where we process personal data about you because your school, college, university, sports club, or employer (your "**Organisation**") has subscribed to our platform and app (together our "**App**") and you use our App the Controller is your Organisation and your Organisation is responsible for your personal data - we will process data on their behalf.

In all other cases, Tootoot Ltd is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

We have appointed a data protection officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise *your legal rights*, please contact the data privacy manager using the details set out below.

CONTACT DETAILS

Our full details are:

Full name of legal entity: Tootoot Ltd (Company number SC464254)

Name or title of data protection officer: Kieran Innes - CTO

Email address: admin@tootoot.co.uk

Postal address: Summit House, 4-5 Mitchell Street, Edinburgh
EH6 7BD

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 (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.

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

This version was last updated on **5th June 2018** and historic versions can be obtained by contacting us.

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.

THIRD-PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. 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 notice of every website you visit.

2 THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

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

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, title, date of birth and gender.

- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone settings, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may collect **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) and we collect information about criminal convictions and offences if either:

- you provide them to us; or
- your Organisation provides these to us as part of your and their use of our App.

We only process this type of personal data with your consent, which you are free to withdraw at any time by contacting us or your Organisation using the above contact methods.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or to perform or provide services to you we may not be able to perform or provide those services to you. In this case, we may have to cancel a service but we will notify you if this is the case at the time.

3 HOW IS YOUR PERSONAL DATA COLLECTED?

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

- **Direct interactions.** You may give us your Identity, Contact and Financial Data, and (occasionally) Special Category Personal Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services;
 - create an account with us;
 - subscribe to or use our service;
 - request marketing to be sent to you; or
 - give us some feedback.
- **Automated technologies or interactions.** As you interact with our website or Services, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties as set out below:
 - Technical Data from analytics providers such as Google based outside the EU;
 - Contact, Financial and Transaction Data from providers of technical, payment and delivery services.
 - Identity and Contact Data from your Organisation.
 - On occasion, Special Categories of Personal Data from your Organisation.

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 in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party, including your Organisation) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than:

- in relation to sending third party direct marketing communications to you via email or text message; and
- to process special categories of personal data.

You have the right to withdraw consent to marketing at any time by contacting us using the above contact methods, and to withdraw consent to our processing special categories of personal data at any time by contacting us using the above contact methods or contacting your Organisation.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

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

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 data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer or user	(a) Identity (b) Contact	Necessary for our legitimate interests (to comply with a contract with you or your Organisation).
To process and deliver your order including: (a) Manage payments, fees	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<p>and charges</p> <p>(b) Collect and recover money owed to us</p>	<p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Marketing and Communications</p>	
<p>To manage our relationship with you or your Organisation which will include notifying you about changes to our terms or privacy policy</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p> <p>(e) Special Categories of Personal Data</p>	<p>(a) Performance of a contract with you or your Organisation</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study use of our products/services)</p>
<p>To administer and protect our business website and service (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for 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)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To measure or understand the effectiveness of our website and service</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
	(f) Technical	
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website 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	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

THIRD-PARTY MARKETING

We do not intend to share your data with third parties for marketing purposes, but we will get your express opt-in consent before we share your personal data with any company outside our group of companies for marketing purposes.

We do share the name and email address of contacts at our customers with service providers in the US who administer our own marketing communications, but we do not share the details of users of our App.

OPTING OUT

COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. Tootoot uses third-party software which require the usage of cookies to work correctly. Google Analytics uses cookies to store information, such as what time the current visit occurred, whether the visitor has been to the site before, and what site referred the visitor to the web page.

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

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 do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5 DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties such as:
 - Service providers acting as processors based in the USA and the EU who provide IT and system administration services (including those who administer our marketing communications described above).
 - Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the USA and the EU who provide consultancy, banking, legal, insurance and accounting services.
 - HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- 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 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 and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6 INTERNATIONAL TRANSFERS

Whenever we transfer your personal data out of the EEA, we ensure 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.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield 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 out of the EEA.

7 DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. 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.

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.

8 DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

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.

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 requirements.

Details of retention periods for different aspects of your personal data are available by contacting us using the methods set out above.

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may 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.

9 YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are as follows:

- **Request access** to your personal data (commonly known as a "data 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. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that 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) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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 (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. 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. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us on admin@tootoot.co.uk.

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

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.