

# Privacy Policy

**Loyalty Pro Limited (“LPL”)** is committed to protecting and respecting the privacy of all members of loyalty schemes which are administered by LPL.

This policy (together with the terms and conditions applicable to the loyalty rewards membership agreement (**“Membership Agreement”**) and any other documents referred to in it) [LINK] sets out the basis on which any Personal Data LPL collects from you, or that you provide to LPL, will be processed by LPL. Please read the following carefully to understand LPL’s views and practices regarding your Personal Data and how we will treat it. By entering into the Membership Agreement you are accepting and consenting to LPL’s practices described in this policy.

## **LPL – your data controller**

For the purpose of the Data Protection Act 1998 (the **Act**) and the EU General Data Protection Regulation (**GDPR**), Loyalty Pro Limited of Network House, St. Ives Way, Sandycroft, Deeside, Clwyd, CH5 2QS (registered in England and Wales with company number 05907642) is the data controller in respect of any Personal Data processed by LPL.

As data controller, LPL determines the purposes for which and the manner in which your Personal Data is, or is to be, processed. In this policy LPL describes the types of processing it may undertake with respect to your data.

## **Trader as data controller**

The Trader will also be data controller in common with LPL. In subscribing for the Customer Loyalty Rewards Programme you have freely given your specific, informed and unambiguous consent to receive marketing communications from the Trader regarding the Trader’s products, services, offers, loyalty rewards and other information which the Trader believes may be of interest to you.

In addition, you may have supplied the Trader directly with Personal Data and consented to the Trader’s use of that data for purposes which are not connected with the performance of the Membership Agreement or the administration of the Customer Loyalty Rewards Programme. This data is to be distinguished from the data LPL has collected from you. For example, you may have agreed to the Trader’s collection, use, transfer and storage of your data for the Trader’s own business purposes including credit checks, administration of contractual arrangements, sales and marketing. You should request and check the terms of the Trader’s own privacy policy in these circumstances. LPL is not liable in respect of any data which is controlled by the Trader or any data which is processed by the Trader outside the scope of the permissions granted by you under the terms of this policy or the Membership Agreement.

## **DEFINITIONS:**

In this policy, the following definitions are used:

**Application:** means a software application by which the Member registers for the Customer Loyalty Rewards Programme.

**Customer Loyalty Rewards Programme:** means the customer loyalty rewards programme(s) to which you have subscribed (a) in respect of a specific Trader; and/or

(b) with LPL more generally.

**Mastercard:** means Mastercard Europe S.A.

**Member/You:** means you, a customer who has (a) subscribed for the Customer Loyalty Rewards Programme on the LPL website directly; or (b) via a Trader's browser access.

**Payment Provider:** means a payment provider authorized pursuant to Condition 15.3.2 to provide Transaction Data to a TPP and includes, as at the date of these Conditions, Mastercard.

**Personal Data:** means any information relating to an identified or identifiable natural person.

**Trader:** means the third party trader on whose behalf LPL administer the Customer Loyalty Rewards Programme.

**Transaction:** means a point of sale purchase made by a Member with an enrolled payment card with either LPL directly and/or a Trader.

**Transaction Data:** means data supplied via a Payment Provider relating to a Transaction including the following: Merchant ID; card token; date; time; and amount.

### **INFORMATION LPL COLLECTS FROM YOU**

LPL will collect and process the following data about you:

**Information you give LPL.** This is information about you that you give LPL by: Subscribing for the Customer Loyalty Rewards Programme by entering your details on a tablet or other electronic device in a secure web environment from your own device and location (generic sign up) and/or Trader's store or premises, via a browser to the LPL website. This information may be completed by you or by a representative of the Trader on your behalf.

Subscribing for the Customer Loyalty Rewards Programme by entering your details on the Trader's website. In doing so, you are providing LPL with the information required to complete your subscription to the Loyalty Rewards Programme.

Upon sign up on the LPL secure web pages you will supply your credit and/or debit card details, including expiry dates is collected. This is a 'one time' submission and upon acceptance – all such data is 'tokenised' and is no longer held or visible to LPL and/or the Trader, save for your disclosure in/on the premises of the Trader or on-line on the Trader's payment page(s).

Authorising the transfer/migration of data and information relating to you already held by the Trader (or any other organisation which may be administering a loyalty scheme on the Trader's behalf) to LPL so that LPL may administer the Customer Loyalty Rewards Programme.

Subscribing for the Customer Loyalty Rewards Programme by entering your details on an Application whether on or off the Trader's premises.

The information you give LPL may include your name, address, e-mail address and phone number, financial and credit card information, personal description and photograph, and other information which is necessary for the administration of the Customer Loyalty Rewards Programme.

**Information LPL collect about you.** Whenever you access the Application or make use of the loyalty card issued in relation to the Customer Loyalty Rewards Programme, LPL will automatically collect the following information:

technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, and your login information; information about your visit, via our cookie policy,

**Information LPL may receive from other sources.** This is information LPL may receive about you if you use any other applications, services or websites LPL provide. In such cases LPL will inform you when LPL collects that data if LPL intends to share the data internally and combine it with data collected from you when you subscribed for the Customer Loyalty Rewards Programme. LPL will also tell you the purposes for which we may share and combine your data. LPL works closely with third parties (including, for example, banks, credit card companies, Traders, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers, credit reference agencies). LPL will notify you when it receives information about you from them and the purposes for which LPL intends to use that information.

## **COOKIES**

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. For detailed information on the cookies we use and the purposes for which we use them, email us at [info@loyaltypro.co.uk](mailto:info@loyaltypro.co.uk).

## **USES MADE OF THE INFORMATION**

LPL will use information held about you in the following ways:

**Information you give to LPL.** LPL will use this information:

In the performance and administration of the Customer Loyalty Rewards Programme for which you have subscribed and to provide you with the information, products and services that you request from LPL;

to provide you with information about other goods and services which are offered by the Trader on whose behalf LPL are administering the Customer Loyalty Rewards Programme;

to provide the Trader with all information required by it in connection with the Customer Loyalty Rewards Programme to which you have subscribed, including (but not limited to) for the purpose of administering your account and tracking loyalty points and rewards earned, issued, redeemed, cancelled and other information relevant to your account;

to notify you about changes to LPL's service, this privacy policy, or the terms of the Customer Loyalty Rewards Programme;

to ensure that any of LPL's content (whether on an Application or on any LPL or Trader website) is presented in the most effective manner;

**Information LPL collects about you.** We will use this information:

to administer the Application, LPL's website or the Trader's website for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;

to improve the Application, LPL's website or the Trader's website to ensure that content is presented in the most effective manner for you and for your computer;

to allow you to participate in interactive features of the Customer Loyalty Rewards Programme, when you choose to do so;

as part of our efforts to keep the Application, LPL's website or the Trader's website safe and secure;

to measure or understand the effectiveness of advertising which may be served via the Application, LPL's website or the Trader's website (where this is used to access your account);

to make suggestions and recommendations to you and other users of our site about goods or services that may interest you or them.

Information LPL receive from the Trader and other sources. LPL will combine this information with information you give to LPL and information LPL collects about you. LPL will use this information and the combined information for the purposes set out above (depending on the types of information we receive).

## **DISCLOSURE OF YOUR INFORMATION**

You agree that LPL has the right to share your personal information with:

Any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

the Trader who is participating in the Customer Loyalty Rewards Programme.

Selected third parties including:

business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you;

advertisers and advertising networks that require the data to select and serve relevant adverts to you and others. We do not disclose information about identifiable individuals to our advertisers, but we will provide them with aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience;

analytics and search engine providers that assist us in the improvement and optimisation of our site;



third party suppliers who are engaged by LPL to connect your payment cards with rewards services or card-linked offers in connection with Transaction(s).

We will disclose your personal information to the above third parties:

**Transaction Monitoring.** If you choose to register a payment card in connection with Transaction monitoring, you authorise LPL to share your payment card information with Mastercard so it knows you enrolled. You authorise Mastercard to monitor Transactions on your registered card(s) to identify qualifying purchases, and for Mastercard to share such Transaction details with LPL to enable your card-linked offer(s) to be implemented, and to target other offers that may be of interest to you. You may opt-out of Transaction monitoring on the payment card(s) you have registered by removing the linked card(s) via the app or the web portal.

In the event that we sell or buy any business or assets, in which case we will disclose your personal data (in anonymised form where you are an individual) to the prospective seller or buyer of such business or assets.

If LPL or substantially all of its assets are acquired by a third party, in which case personal data held by LPL about Members and the loyalty schemes administered by it will be one of the transferred assets.

If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply the terms of the Membership Agreement and other agreements; or to protect the rights, property, or safety of LPL, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

## **WHERE LPL WILL STORE YOUR PERSONAL DATA**

All information you provide to LPL is stored on LPL's secure servers. Where LPL has given you (or where you have chosen) a password which enables you to access your account, you are responsible for keeping this password confidential. LPL asks you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although LPL will do its best to protect your personal data, LPL cannot guarantee the security of your data transmitted via an Application, LPL's website or the Trader's website; any transmission is at your own risk. Once LPL has received your information, LPL will use strict procedures and security features to try to prevent unauthorised access.

## **THIRD PARTY PROCESSORS**

Your Personal Data may be processed (by third party processors engaged by Loyalty Pro) outside of the EEA

## **HOW LONG LPL WILL STORE PERSONAL DATA**

LPL will store your Personal Data for such time as this is required in connection with your subscription to the Customer Loyalty Rewards Programme.

On cancellation or termination of your subscription to the Customer Loyalty Rewards Programme LPL will retain your Personal Data for a period of six (6) years from the date of termination in order to enforce or apply the terms of the Membership Agreement and other agreements; or to protect the rights, property, or safety of LPL, the Trader, LPL's customers, or others.

## **YOUR RIGHTS**

If you are an individual in respect of whom LPL processes Personal Data, you have the following rights:

### **Right of access to your Personal Data**

you can request a copy of the Personal Data LPL processes relating to you. If your request is sent to LPL electronically LPL will supply this in a commonly used electronic form, unless you specifically request this in a different format.

LPL will supply the data within 1 month of the date of your request free of charge. If your request is complex or numerous LPL may extend this period by a further period of two months (though LPL will inform you within one month of the receipt of your request if this is the case and explain why the extension is necessary).

LPL reserves the right to charge a reasonable fee if you request additional copies of the information, to cover LPL's administration costs. If access requests are unfounded or excessive LPL may charge a reasonable fee to provide the data, take the action requested, or refuse to act on the request.

### **Right to request the rectification of your Personal Data**

LPL will make every effort to ensure that Personal Data is accurate, kept up-to-date and erased or corrected without delay in the event of inaccuracies. However, in the event that you become aware that LPL holds any inaccurate or incomplete Personal Data, you can send a rectification request for LPL to correct any inaccurate data or to complete any incomplete data it holds.

LPL will respond to a rectification request within 1 month of the date of your request. If your request is complex LPL may extend this period by a further period of two months.

If LPL intends to take no action in respect of a notification request LPL shall explain this to you along with further information about your rights.

### **Right to request the erasure of your Personal Data (the "right to be forgotten")**

LPL will not hold any Personal Data for longer than is necessary for the purposes for which it was collected. If LPL holds Personal Data :

which you believe is no longer necessary for the purpose it was collected; or  
you withdraw your consent to the processing; or  
you object to the processing; or

which you believe is being processed unlawfully  
you may request the erasure of any Personal Data held by LPL.  
LPL will upon request erase any inaccurate Personal Data without delay unless LPL needs to retain the Personal Data for any of the purposes specified in GDPR.

### **Right to request the restriction on processing of your Personal Data**

You may request LPL to restrict processing of your Personal Data:  
which you believe is being unlawfully processed but where you do not want erasure;  
which you believe LPL no longer needs but which you wish LPL to retain for the purposes of defending legal claims or other grounds specified in GDPR.  
If you request a data processing restriction LPL may continue to store the Personal Data, but may only process it:  
with your consent;  
to establish, exercise, or defend legal claims;  
to protect the rights of another individual or legal entity; or  
for important public interest reasons.

### **Right to object to LPL's processing of your Personal Data**

You may object to LPL's processing of your Personal Data where processing is based on public interests or legitimate interests for direct marketing.  
If you object LPL will stop processing the Personal Data unless LPL:  
has a compelling legitimate ground for processing the Personal Data that overrides your interests; or  
needs to process the Personal Data to establish, exercise, or defend legal claims.

### **Right to data portability in respect of your Personal Data.**

You have the right to request LPL to:  
supply your Personal Data in a commonly used and machine-readable format so that you may store it for further personal use on a private device;  
transmit the Personal Data to another data controller;  
transmit your Personal Data directly to another data controller to another where technically possible.  
However, this portability right only applies under limited circumstances and to a limited subset of Personal Data processed by LPL.

### **The right to data portability only applies to Personal Data:**

about you. It does not apply to anonymous data or information that does not concern you.  
which you have provided to LPL including:  
information that you have knowingly and actively provided, such as name and contact information;  
information generated by and collected from your activities while using the Customer Loyalty Rewards Programme or the Application, LPL's website or the Trader's website;  
which is automated and is either based on your consent or is necessary for LPL to perform its obligations under the members Agreement or other contract between LPL

and you.

It does not apply to Personal Data that LPL generates as part of its data processing undertaken in accordance with this policy or which is permitted under GDPR,

### **Right to notification of any breach**

In the unlikely event of a Personal Data breach which is likely to result in a high risk to your rights, LPL will notify you of the breach without undue delay.

However, if your Personal Data is encrypted or otherwise unintelligible LPL will not be required to notify you of a breach.

LPL's website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that LPL does not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

### **CHANGES TO OUR PRIVACY POLICY**

Any changes LPL makes to this privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

### **CONTACT**

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [info@loyaltypro.co.uk](mailto:info@loyaltypro.co.uk)