

General Privacy notice

We are Octo Members Group Ltd. We're a company registered in England and Wales with company number 11468615, whose registered address is at Waverley House, 7/12 Noel Street, London, W1F 8GQ. In this privacy notice, we will refer to ourselves as 'we', 'us' or 'our'. We are the Data Controller of the personal information we collect, hold and use about you, as explained in this notice.

You can get hold of us in any of the following ways:

1. by phoning us on 0203 858 8297;
2. by emailing us at info@octomembers.com; or
3. by writing to us at The Nest 2/4 Sampson Street, London, E1W 1NA.

We take the privacy, including the security, of personal information we hold about you seriously. This privacy notice is designed to inform you about how we collect personal information about you and how we use that personal information. You should read this privacy notice carefully so that you know and can understand why and how we use the personal information we collect and hold about you.

We have appointed Andrew Brown as our data protection officer. You can contact him using the details set out above.

We have a separate privacy notice in respect of our website, which you can access here www.octomembers.com.

We may update this privacy notice from time to time. This version was last updated on October 28, 2018.

Key definitions

The key terms that we use throughout this privacy notice are defined below, for ease:

Data Controller: under UK data protection law, this is the organisation or person responsible for deciding how personal information is collected and stored and how it is used.

Data Processor: a Data Controller may appoint another organisation or person to carry out certain tasks in relation to the personal information on behalf of, and on the written instructions of, the Data Controller. (This might be the hosting of a site containing personal data, for example, or providing an email marketing service that facilitates mass distribution of marketing material to a Data Controller's customer base.)

Personal Information: in this privacy notice, we refer to your personal data as 'personal information'. 'Personal information' means any information from which a living individual can be identified. It does not apply to information that has been anonymised.

Special Information – certain very sensitive personal information requires extra protection under data protection law. Sensitive data includes information relating to health, racial and ethnic origin, political opinions, religious and similar beliefs, trade union membership, sex life and sexual orientation and also includes genetic information and biometric information.

Details of personal information that we collect and hold about you

Set out below are the general categories and in each case the types of personal information that we collect, use and hold about you:

General Category	Types of Personal Data in that category	Retention Periods
Identity information	This is information relating to your identity such as your name (including any previous names and any titles that you use), gender, marital status and date of birth	until you delete, or request deletion of, your membership account
Contact information	This is information relating to your contact details such as email address, addresses, telephone numbers	until you delete, or request deletion of, your membership account
Survey information	This is information that we have collected from you or that you have provided to us in respect of surveys and feedback.	until you delete, or request deletion of, your membership account
Marketing Information	This is information relating to your marketing and communications preferences.	until you delete, or request deletion of, your membership account

The types of personal data we collect about you may differ from person to person, depending on who you are and the relationship between us.

Details of special information that we collect and hold about you

Special information is explained in section 1 above.

We do not collect or hold any special information about you.

We do not collect information from you relating to criminal convictions or offences.

Details of how and why we use personal information

We are only able to use your personal information for certain legal reasons set out in data protection law. **There are legal reasons under data protection law other than those listed below; but, in most cases, we will use your personal information for the following legal reasons:**

1. **Contract Reason:** this is in order to perform our obligations to you under a contract we have entered into with you;
2. **Legitimate Interests Reason:** this is where the use of your personal information is necessary for our (or a third party's) legitimate interests, so long as that legitimate interest does not override your fundamental rights, freedoms or interests;
3. **Legal Obligation Reason:** this is where we have to use your personal information in order to perform a legal obligation by which we are bound; and
4. **Consent Reason:** this is where you have given us your consent to use your personal information for a specific reason or specific reasons.

As explained in section 3 above, there are more sensitive types of personal data, which require higher levels of protection. **Where we process such sensitive types of personal data, we will usually do this in the following circumstances:**

1. We have your explicit consent;
2. Where it is necessary in relation to legal claims;
3. Where you have made the personal data public.

So that we are able to provide you with services , we will need your personal information. If you do not provide us with the required personal information, we may be prevented from supplying the services to you.

It is important that you keep your personal information up to date. If any of your personal information changes, please contact us as soon as possible to let us know. If you do not do this, then we may be prevented from supplying the services to you .

Where we rely on consent for a specific purpose as the legal reason for processing your personal information, you have the right under data protection law to withdraw your consent at any time. If you do wish to withdraw your consent, please contact us using the details set out at the beginning of this notice. If we receive a request from you withdrawing your consent to a specific purpose, we will stop processing your personal information for that purpose, unless we have another legal reason for processing your personal information – in which case, we will confirm that reason to you.

We have explained below the different purposes for which we use your personal information and, in each case, the legal reason(s) allowing us to use your personal information.

Please also note the following:

1. if we use the Legitimate Interests Reason as the legal reason for which we can use your personal information, we have also explained what that legitimate interest is; and
2. for some of the purposes, we may have listed more than one legal reason on which we can use your personal information, because the legal reason may be different in different circumstances. If you need confirmation of the specific legal reason that we are relying on to use your personal data for that purpose, please contact us using the contact details set out at the start of this privacy notice.

Purpose	Legal Reason(s) for using the personal information
To enrol you as a customer	in order to offer you other goods, services and/or digital content which helps us to develop our business
To process your order, which includes taking payment from you, advising you of any updates in relation to your order or any enforcement action against you to recover payment	in order to recover money that you owe us
To manage our contract with you and to notify you of any changes	in order to ensure we are delivering the service we agreed to
To comply with audit and accounting matters	in order to help us manage our business efficiently and effectively
For record keeping, [including in relation to any guarantees or warranties provided as part of the sale of goods, services and/or digital content	to ensure you receive the service you have contracted us to provide
To improve the goods, services, and/or digital content that we supply	in order to improve the goods, services, and/or digital content for future customers and to grow our business
To recommend and send communications to you about goods, services, and/or digital content that you may be interested in. More details about marketing are set out in section 11 below	in order to grow our business
Other reasons relating to the provision of services or management of our business	in order for us to provide you with services and to allow us to manage and grow our business

Sometimes we may anonymise personal information so that you can no longer be identified from it and use this for our own purposes. In addition, sometimes we may use some of your personal information together with other people's personal information to give us statistical information for our own purposes. Because this is grouped together with other personal information and you are not identifiable from that combined data we are able to use this.

Under data protection laws, we can only use your personal information for the purposes we have told you about, unless we consider that the new purpose is compatible with the purpose(s) we told you about. If we want to use your personal information for a different purpose that we do not think is compatible with the purpose(s) we told you about, then we will contact you to explain this and what legal reason is in place to allow us to do this.

Details of how we collect personal information and special information

We usually collect Identity Information, Contact Information, Survey Information, Marketing Information directly from you when you fill out a form, survey or questionnaire, purchase goods, services and/or digital content from us, contact us by email, telephone, in writing or otherwise. This includes the personal information that you provide to us when you subscribe to our mailing list enter a competition or survey.

We may receive some of your personal information from third parties or publicly available sources. This includes:

1. Contact Information and Payment Information from our selected third-party suppliers.
2. Identity Information and Contact Information from selected data brokers.
3. Identity Information and Contact Information from publicly available sources such as Companies House

Details about who personal Information may be shared with

We may need to share your personal information with other organisations or people.

These organisations include:

1. Other companies in our group (who may might act as joint data controllers or as data processors on our behalf) and who provide goods and services which may be of interest to you
2. Third parties who are not part of our group. These may include:
 1. Suppliers: such as IT support services, payment providers, administration providers, marketing agencies, financial services product providers, fund management groups, financial services platforms;
 2. Government bodies and regulatory bodies: such as HMRC, fraud prevention agencies;
 3. Our advisors: such as lawyers, accountants, auditors, insurance companies;
 4. Tide (our bankers);
 5. Credit Reference Agencies;
 6. Email platforms;
3. any organisations that propose to purchase our business and assets, in which case we may disclose your personal information to the potential purchaser.

Depending on the circumstances, the organisations or people who we share your personal information with will be acting as either Data Processors or Data Controllers. Where we share your personal information with a Data Processor, we will ensure that we have in place contracts that set out the responsibilities and obligations of us and them, including in respect of security of personal information.

Details about transfers to countries outside of the EEA

If any transfer of personal information by us will mean that your personal information is transferred outside of the EEA, then we will ensure that safeguards are in place to ensure that a similar degree of protection is given to your personal information as is given to it within the EEA and that the transfer is made in compliance with data protection laws (including, where relevant, any exceptions to the general rules on transferring personal information outside of the EEA that are available to us – these are known as ‘derogations’ under the data protection legislation). We may need to transfer personal information outside of the EEA to other organisations within our group or to the third parties listed above in section 6 who may be located outside of the EEA.

The safeguards set out in data protection laws for transferring personal information outside of the EEA include:

1. where the transfer is to a country or territory that the EU Commission has approved as ensuring an adequate level of protection;
2. where personal information is transferred to another organisation within our group, under an agreement covering this situation which is known as 'binding corporate rules';
3. having in place a standard set of clauses that have been approved by the EU Commission;
4. compliance with an approved code of conduct by a relevant data protection supervisory authority (in the UK, this is the Information Commissioner's Office (ICO));
5. certification with an approved certification mechanism;
6. where the EU Commission has approved specific arrangements in respect of certain countries, such as the US Privacy Shield, in relation to organisations that have signed up to it in the USA.]

Details about how long we will hold your personal information

We will only hold your personal data for as long as is necessary. How long is necessary will depend upon the purposes for which we collected the personal information (see section 4 above) and whether we are under any legal obligation to keep the personal information (such as in relation to accounting or auditing records or for tax reasons). We may also need to keep personal information in case of any legal claims, including in relation to any guarantees or warranties that we have provided with the services and digital content.

We have set out above the details of our retention periods for different types of data. You can find them in section 2 and also in section 3.

Automated decision making

'Automated decision making' is where a decision is automatically made without any human involvement. Under data protection legislation, this includes profiling. 'Profiling' is the automated processing of personal data to evaluate or analyse certain personal aspects of a person (such as their behaviour, characteristics, interests and preferences).

Data protection laws place restrictions upon us if we carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you.

We do not carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you. If we do decide to do this then we will notify you and we will inform you of the legal reason we are able to do this.

Your rights under data protection law

Under data protection laws, you have certain rights in relation to your personal information, as follows:

1. Right to request access: (this is often called 'subject access'). This is the right to obtain from us a copy of the personal information that we hold about you. We must also provide you with certain other information in response to these requests to help you understand how your personal information is being used.
2. Right to correction: this is the right to request that any incorrect personal data is corrected and that any incomplete personal data is completed.
3. Right to erasure: (this is often called the 'right to be forgotten'). This right only applies in certain circumstances. Where it does apply, you have the right to request us to erase all of your personal information.
4. Right to restrict processing: this right only applies in certain circumstances. Where it does apply, you have the right to request us to restrict the processing of your personal information.
5. Right to data portability: this right allows you to request us to transfer your personal information to someone else.

6. Right to object: you have the right to object to us processing your personal information for direct marketing purposes. You also have the right to object to us processing personal information where our legal reason for doing so is the Legitimate Interests Reason (see section 4 above) and there is something about your particular situation that means that you want to object to us processing your personal information. In certain circumstances, you have the right to object to processing where such processing consists of profiling (including profiling for direct marketing).

In addition to the rights set out in section 10.1, where we rely on consent as the legal reason for using your personal information, you have the right to withdraw your consent. Further details about this are set out in section 4.5.

If you want to exercise any of the above rights in relation to your personal information, please contact us using the details set out at the beginning of this notice.

If you do make a request, then please note:

1. we may need certain information from you so that we can verify your identity;
2. we do not charge a fee for exercising your rights unless your request is unfounded or excessive; and
3. if your request is unfounded or excessive, then we may refuse to deal with your request.

Marketing

You may receive marketing from us about similar goods and services, where either you have consented to this, or we have another legal reason by which we can contact you for marketing purposes.

However, we will give you the opportunity to manage how or if we market to you. In any email that we send to you, we provide a link to either unsubscribe or opt out, or to change your marketing preferences. If you have an account with us, you can login to your account and manage your preferences there too. To change your marketing preferences, and/or to request that we stop processing your personal information for marketing purposes, you can always contact us on the details set out at the beginning of this notice.

If you do request that we stop marketing to you, this will not prevent us from sending communications to you that are not to do with marketing (for example in relation to services and digital content that you have purchased from us).

We may pass your personal information on to any third parties for marketing purposes

Complaints

If you are unhappy about the way that we have handled or used your personal information, you have the right to complain to the UK supervisory authority for data protection, which is the Information Commissioner's Office (ICO). Please do contact us in the first instance if you wish to raise any queries or make a complaint in respect of our handling or use of your personal information, so that we have the opportunity to discuss this with you and to take steps to resolve the position. You can contact us using the details set out at the beginning of this privacy notice.