

Drinkly – Privacy Policy

We respect your privacy and are committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website, purchase products via our site or otherwise deal with us. It will also tell you about your privacy rights and how the law protects you.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

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Important information and who we are

We are Drink Tech Limited trading as Drinkly. We are a company incorporated and registered in Scotland. Our company number is SC561782. Our registered address is 98 Pilton Avenue, Edinburgh, Scotland EH5 2HN.

When we refer to our trading name or **“we”**, **“us”** or **“our”** in this policy, we are referring to Drink Tech Limited. We are the data ‘controller’ in relation to the personal data you provide to us, which means we determine the purposes and the way in which your personal data is, or will be, processed and are responsible for it.

How to contact us

Questions, comments and requests regarding this policy are welcomed and should be addressed to our Data Privacy Manager at:

- Email: hello@drinkly.com or

- Phone: 0131 356 0504
- Address: Seed Haus, 29 Maritime Street, Edinburgh, EH6 6SE

Purpose of this privacy policy

This privacy policy aims to give you information on how we collect and process your personal data so that you can be confident when you use our website or otherwise interact with us that you know what your personal data is being used for and that it is being kept safe.

It is important that you read this privacy policy 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 policy supplements the other notices and is not intended to override them.

Third-party links

You should be aware that our 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 one of our websites, we encourage you to read the privacy notice of every website you visit.

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 personal data by filling in forms or by corresponding with us in person, by email, by phone, by post or otherwise. This includes personal data you provide when purchasing via our website, creating an account with us, signing up to our mailing list, or providing feedback.
Automated technologies or interactions	As you browse and interact with our website, we may automatically collect information about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see below on Cookies for further information.
Third parties or publicly available sources	We may receive personal data about you from various third parties and public sources. This includes, for example, information received from our drivers, retail partners or analytics providers such as Google.

What happens if you don't provide us with personal data we have requested?

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to deliver products you have purchased to you). We will notify you at the time if this is the case.

What information do 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 and process the following different kinds of personal data about you.

Contact data:	includes first name, last name, email address
Account data:	includes shipping and billing address, telephone number
Sign-up data:	includes any password you have chosen when registering for an account on our website
ID verification:	your date of birth, passport, driving licence or other form of ID verification
Birthday:	your date of birth
Transaction data:	includes your order history and email exchanges or other correspondence related to your order
Financial data:	payment information such as credit or debit card details
Correspondence data:	includes any correspondence between us, messages you post on our website, feedback you provide
Marketing data:	includes your preferences in receiving marketing from us
Technical data:	includes internet protocol (IP) address and other technical information from your mobile device or computer

How do 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 have entered into with you or to take steps at your request prior to entering into a contract (e.g. when you purchase products via our website).
- Where we have your prior **consent** to use your personal data (e.g. where you have consented to receiving marketing).
- Where we need to comply with a **legal or regulatory obligation**.
- Where it is necessary for our **legitimate interests** (or those of a third party) and your interests and fundamental rights do not override those interests.

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.

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 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
To process your orders and provide our delivery services to you	Contact, account, sign-up, transaction and financial data and ID verification	Necessary in order to enter into a contract and perform a contract with you Necessary for our legitimate interests – in running our business To comply with our legal obligations
To register your account	Contact and sign-up data	Necessary in order to enter into a contract with you Necessary for our legitimate interests – in running our business
To manage our relationship with you which will include but not be limited to: <ul style="list-style-type: none"> • Notifying you of updates to any contractual terms, 	Contact, account, sign-up, transaction, financial and correspondence data	Necessary in order to perform our contract with you To comply with our legal obligations

privacy policies and other relevant information <ul style="list-style-type: none"> • Reviewing information which we hold about you to ensure accuracy 		Necessary for our legitimate interest – to run our business and keep our records accurate
To respond to any query you make via our website	Contact, transaction and correspondence data	Necessary for our legitimate interests – in running our business Necessary in order to perform our contract with you.
To send you marketing materials, including newsletters	Contact and marketing data	Necessary for our legitimate interest - in developing and growing our services Consent
To use data analytics to improve and personalise our website and develop our user experience	Technical data	Necessary for our legitimate interests - to improve customer interactions Consent
To send you a gift or points voucher on your birthday	Birthday, contact and account data	Necessary for our legitimate interests – in promoting our business and building our customer relationships

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 lawful 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.

Disclosure of your information

We may have to share your personal information for the purposes set out above (please see [How do we use your personal data?](#)) with the following third parties:

Third party	Detail
Our retail partners:	we are a delivery service that partners with local retailers. When you place an order via Drinkly, you are purchasing your products directly from the retailer. We need to pass them your order details and other personal data so that they can complete your purchase and comply with relevant laws and regulatory requirements and ensure compliance with their own professional standards.
Service providers:	including our drivers and those who provide: <ul style="list-style-type: none">● Webhosting, IT and system administration services● Metrics and analytics● Financial services● Marketing services.
Professional advisers:	including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
Authorities:	including HMRC, regulators and other authorities who require reporting of processing activities in certain circumstances. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction
Corporate partners:	includes third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. 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.

International transfers

Some of our external third parties may, from time to time, be based outside the European Union (EU) so their processing of your personal data will involve a transfer of data outside the EU.

If we transfer your personal data out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- The country has been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see *European Commission: Adequacy of the protection of personal data in non-EU countries*.

- If we use certain service providers based outwith the EU, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see *European Commission: Model contracts for the transfer of personal data to third countries*.
- If 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 Europe and the US. For further details, see *European Commission: EU-US Privacy Shield*.
- In any other case, we will obtain your explicit consent before any transfer takes place.

The table below sets out details of the service providers we use outside of the EU and the relevant safeguards in place.

Category of Service provider	Safeguards
Ecommerce platform	Privacy Shield
Logistics software	Privacy Shield
Analytics tools & software	Privacy Shield
Email marketing software	Privacy Shield

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

Data Security

We have put in place appropriate security measures in accordance with industry best practice 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.

All information you provide to us is stored on secure servers. Any payment transactions will be encrypted using SSL technology and using trusted third parties. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, no method of transmission of information via the internet is completely secure. However, we implement generally accepted industry standards so that we can do our best to protect your personal data.

How long we store your 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.

Where we anonymise your personal data (i.e. so that it can no longer be associated with you) for further research or statistical purposes, then we may use this information indefinitely without further notice to you.

Cookies

Our website uses cookies to help it function and to improve it. Cookies are small files saved to the user's computer or mobile device that track, save and store information about the user's interactions and usage of the website. For information about the cookies we use, please see our Cookie Policy.

Your rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please read the table below to find out more about these rights:

Your rights	What this means
Access to your information	You have the right to ask for a copy of the information which we hold on you (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.
Correcting personal data	You have the right to request that we correct personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold corrected, though we may need to verify the accuracy of the new data that you provide to us. It is important that the personal data we hold about you is accurate and current, so please keep us informed if your personal data changes during your relationship with us.
Deleting personal data	You may ask us to delete or remove personal data where there is no good reason for us continuing to process it. This is more commonly known as the 'right to be forgotten'. 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.

	<p>Please note, however, that we may not always be able to comply with your request to delete or remove personal data for specific legal reasons which will be notified to you, if applicable, at the time of your request.</p>
<p>Objecting to processing</p>	<p>You have the right to stop us processing your personal data for direct marketing purposes. We will always inform you if we intend to use your personal data for such purposes, or if we intend to disclose your information to any third party for such purposes. You can usually exercise your right to prevent such marketing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us.</p> <p>You may also object to us processing 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. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.</p>
<p>Restriction of processing</p>	<p>This enables you to ask us to suspend the processing of your personal data in the following scenarios:</p> <ul style="list-style-type: none"> • 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.
<p>Transferring your personal data</p>	<p>In certain circumstances, you may 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.</p> <p>Please 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.</p>
<p>Withdrawing consent</p>	<p>Where we are relying on consent to process your personal data you can withdraw your consent at any time. Please note that this will not affect the lawfulness of any processing carried out before you withdraw your consent.</p>
<p>Review by an independent authority</p>	<p>You will always have the right to lodge a complaint with a supervisory body. The relevant authority in the UK is the Information Commissioner's Office. If you do have a complaint, we would appreciate the chance to deal with your concerns before you approach the ICO, so please do contact us in the first instance if possible.</p>

Changes to our privacy policy

This version was last updated on [25 October 2018].

Historic versions of this policy are archived and can be obtained by contacting us.