

# PRIVACY POLICY

We are committed to protecting and respecting your privacy. This Privacy Policy relates to the websites at [factory.uk.com](http://factory.uk.com), [texture.uk.com](http://texture.uk.com), [siren.uk.com](http://siren.uk.com), [honey.uk.com](http://honey.uk.com) or any related online or mobile service ("**Site**") operated from time to time by or for members of the Factory Group.

The **Factory Group** is made up of different legal entities, which are Factory Family Home Limited and its subsidiaries from time to time, including Factory Studios Limited, Texture @ Factory Limited, Siren at Factory Limited and Honey@Factory Limited. This Privacy Policy is issued on behalf of the Factory Group so when we mention "**we**", "**us**" or "**our**" in this Privacy Policy we are referring to the relevant company in the Factory Group responsible for processing your data (see section 1 below).

This Privacy Policy explains how we collect, process and look after any personal information that we collect about you when you use the Site or when you purchase services or products from us. Further details of how we use your information are set out in our [Cookies Policy](#), which forms part of this Privacy Policy.

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 is provided in a layered format, so you can click through to the specific areas set out below.

By continuing to use the Site, you acknowledge our collection, storage and use of your personal information as described below.

The Site is not intended for children, and we do not knowingly collect any data relating to children.

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- 1. Important information and who we are**

## Controller

The controller of your personal data is the relevant Factory Group company from which you purchase services or products, or whose individual website you are using, or that you otherwise provide your personal data to.

The Factory Group has appointed a data privacy team to oversee any queries about this Privacy Policy. If you have any such queries, including any requests to exercise your legal rights in relation to your personal data, please contact our data privacy team using the following details:

Email address: [support@factory.uk.com](mailto:support@factory.uk.com)

Postal address: Data Protection Team, Factory Group, 54/55 Margaret Street, London W1W 8SH,  
United Kingdom

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](http://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.

## Informing us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data change during your relationship with us.

## Third-party links

The Site may contain links to other online or mobile sites. We are not responsible and accept no liability for the privacy practices or content of such sites.

## 2. The data we collect about you

The term "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 (i.e. anonymous data).

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

- **Identity Data** include your first name, last name, title, company name (if applicable) and/or any other personal information about you that you voluntarily provide to us (for example, if you give us any educational or career information as part of a job application or CV).
- **Contact Data** include your billing and delivery address(es) (or those of your company, if applicable), email address and telephone number(s).

- **Transaction Data** include details about payments to and/or from you (or your company) and/or other details of services or products that you (or your company) have bought from us.
- **Technical Data** include your internet protocol (IP) address, your log-in data, browser type and version, time-zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices that you use to access the Site.
- **Usage Data** include information about how you use our services, products and the Site.
- **Marketing and Communications Data** include your preferences in receiving marketing from us and (if relevant) third parties and your communication preferences.

We may 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 are not considered personal data in law, as such data do not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific area of the Site. If, however, 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 Policy.

We do not seek to collect, and we ask that you do not provide us with, any **Special Categories of Personal Data** about you. This would include 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. Nor do we seek to collect any information about criminal convictions and offences. To the extent that you voluntarily provide us with any Special Categories of Personal Data about you (or any criminal conviction or offence information about you) – for example, because you have chosen to include such information in an email that you have sent us – then we process that data with your explicit permission, which you give to us by voluntarily providing that information to us. You may withdraw that permission at any time by [contacting us](#).

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

### 3. How we collect your personal data

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

- **Direct interactions:** You may give us your Identity, Contact, Transaction Data and Marketing and Communications Data by corresponding with us by post, email, phone, filling in forms on the Site or otherwise. This includes personal data that you provide when you:
  - order any of our services or products;

- send an email to us;
  - submit a contact form (e.g. sign up for a newsletter) via the Site;
  - send us any correspondence by post;
  - phone us;
  - send us messages over social networks (such as Facebook and Twitter);
  - request marketing to be sent to you; and/or
  - give us some feedback.
- **Automated technologies or interactions:** As you interact with the Site, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using server logs and other similar technologies. We do not currently set cookies on the Site. Please see our [Cookies Policy](#) for further details.
  - **Third-party sources:** We may receive personal data about you from various third-party sources as set out below:
    - Technical Data from analytics providers such as Google and Clicky based outside the EU
    - Contact and Transaction Data from third-party providers of technical, payment and delivery services.

#### 4. How we use your personal data

We shall only use your personal data when the law allows us to do so. Most commonly, we shall use your personal data in the following circumstances:

- where we need to perform any contract that we are about to enter into or have entered into with you (such as a contract for the sale of services or products);
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights and freedoms do not override our (or such third party's) interests; and/or
- where we need to comply with a legal or regulatory obligation.

Please refer to the [Glossary](#) to find out more about the types of lawful basis that we shall rely on to process your personal data.

We do not generally rely on consent as a legal basis for processing your personal data other than, if you agree to receive such communications, in relation to the sending of third-party direct marketing communications to you via email or text message. You have the right to withdraw consent to such marketing at any time by [contacting us](#).

#### Purposes for using your personal data

We have set out below, in a table format, a description of all the ways that 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 that we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose</b>	<b>Lawful basis for processing (including basis of legitimate interest)</b>
To register you (or your company) as a new customer	Performance of a contract with you
To process and deliver your order including: (a) managing payments, fees and charges; (b) sharing your information with third parties whose assistance may be required to fulfil your order; and/or (c) collecting and recovering money owed to us	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you, including: (a) notifying you about changes to our Terms and Conditions, including this Privacy Policy; and (b) asking you to leave a review or to take part in a survey	(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services or products)
To administer and protect our business and the Site (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(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)  (b) Necessary to comply with a legal obligation
To deliver relevant Site content and/or and to measure or understand the effectiveness of any such Site content and/or newsletters we serve to you	Necessary for our legitimate interests (to study how customers use our services or products, to develop them, to expand our business and to inform our marketing strategy)
To use data analytics to improve the Site, services, products, marketing, customer relationships and experiences	Necessary for our legitimate interests (to define types of customers for our services or products, to keep the Site updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about Factory Group services or products that may be of interest to you	Necessary for our legitimate interests (to develop our services or products and to expand our business)

<p>To assess your suitability for a job position (e.g. if you send us your CV), and (where relevant) to contact you in relation to an opportunity, and/or to further inform any subsequent interviews, discussions or other aspect of our recruitment processes</p>	<p>(a) Performance of a contract with you (i.e. a necessary step to us potentially entering an employment or engagement contract with you)</p> <p>(b) Necessary for our legitimate interests (to carry out recruitment processes effectively)</p>
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## Marketing

We strive to provide you with choices regarding certain uses of personal data, particularly around marketing and advertising, where relevant.

### Promotional offers from us

We may use your Identity, Contact, Technical, and Usage Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services, products, and offers may be relevant for you (which we refer to as “marketing”).

You may receive marketing communications from us if you have consented to receive those or if you have bought services or products from us (where we believe that similar items may be of interest to you) and, in each case, you have not opted out of receiving that marketing.

### Third-party marketing

We will never share your personal data with any third party outside the Factory Group of companies for marketing purposes, unless you have given your express prior opt-in consent to do so.

### Opting out

If, at any time, you would like us to stop using your personal information or to correct any factual inaccuracies, you can [contact us](#) by email or post. Be sure to state "Opt-out" in the subject line, and to include your full name, company (if relevant) and email address in the message.

To opt out of email marketing communications, please use the unsubscribe link within the relevant email and follow the unsubscribe instructions.

### Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. We do not currently set cookies on the Site – for more information, please see our [Cookies Policy](#).

### Change of purpose

We shall only use your personal data for the purposes for which we collected the data, unless we reasonably consider that we need to use such data for another reason and that reason is compatible

with the original purpose. If you would like to get an explanation of 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 shall notify you and explain the legal basis on which we intend to rely.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, if and to the extent that 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 section 4 above.

- Other companies in the Factory Group of companies (which are based in the EU).
- Service providers who help us to fulfil our contractual obligations and to operate our business, including those providing us with creative or technical services (such as freelance designers or sound engineers), certain marketing services (such as The Rocket Science Group LLC d/b/a MailChimp, based in the US), order fulfilment services, payment processors, and IT and communication services (such as server-hosting, email and telephony providers).
- Professional advisers, including lawyers, bankers, accountants and insurers, who are based in the UK and provide their respective professional services to us.
- HM Revenue & Customs, regulators and other authorities, which are based in the UK and may 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 Policy.

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**

Some of the third parties that we share data with (as set out at section 5 above) are based outside the EEA, so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we strive to ensure that a similar degree of protection is afforded to such data by ensuring that at least one of the following safeguards is implemented:

- transferring your personal data to a country, organisation or sector that has, at the time of transfer, been deemed to provide an adequate level of protection for personal data by the European Commission;
- using specific forms of contract approved by the European Commission that give personal data the same protection it has within Europe; and/or
- transferring data to a provider based in the US if such provider is part of the Privacy Shield, which requires it to provide similar protection to personal data shared between the Europe and the US.

For further details of such, please see the European Commission's website.

Please [contact us](#) if you would like 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 we shall notify you and any applicable regulator of a breach where we are legally required to do so.

## **8. Data retention**

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected such data, including for the purposes of satisfying any legal, accounting or reporting requirements.

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

Customers' invoices are stored for a minimum of six years after the end of the current tax year in which the invoice was raised.

In some circumstances you can ask us to delete your personal data: please see [Request erasure](#) 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 the following rights under data protection laws in relation to your personal data:

- right of access to your personal data;
- right to rectification of your personal data;
- right to erasure of your personal data;
- right to restriction of processing of your personal data;
- right to portability of your personal data;
- right to object to processing of your personal data;
- right not to be subject to automated decision-making (including profiling); and
- right to withdraw consent to processing of your personal data.

To find out more about these rights, please see [section 10](#) below and the ICO's website ([www.ico.org.uk](http://www.ico.org.uk)).

If you wish to exercise any of those rights, please [contact us](#).

### **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). We may, however, charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in those circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and to 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 are not disclosed to any person that has no right to receive such data. 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 shall notify you and keep you updated.

## **10. Glossary**

### *LAWFUL BASIS*

**Legitimate interest** means the interest of our business in conducting and managing our business to enable us to give you the best services/products and the best and most secure experience. We make sure that we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. 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 do so by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [contacting us](#).

**Performance of a contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation to which we are subject.

## *YOUR LEGAL RIGHTS*

In certain circumstances, you have the following legal rights in relation to your personal data:

**Right of access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data that we hold about you and to check that we are lawfully processing such data.

**Right of rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, although we may need to verify the accuracy of the new data that you provide to us.

**Right to erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for our continuing to process such data. 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. Please 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.

**Right to 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 would like us to establish the accuracy of such data; (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.

**Right to portability** of your personal data to you or to a third party. If you so request, we shall provide you, or a third party that you have chosen, with a copy of your personal data in a structured,

commonly used, machine-readable format. Please note that this right only applies to automated information that you initially provided consent for us to use or where we used the information to perform a contract with you.

**Right to 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 that makes you want to object to processing on this ground as you believe that 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 that override your rights and freedoms.

**Right not to be subject to automated decision-making** (including profiling) where that would have a significant effect on you. We do not in fact engage in such activities, so this right will not, in practice, be relevant in the context of your use of the Site.

**Right to withdraw consent at any time** where we are relying on consent to process your personal data. This will not, however, 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, content or services to you. We shall inform you if that is the case at the time when you withdraw your consent.

## **11. Changes to this Privacy Policy**

We may at any time update or otherwise modify this Privacy Policy. We will notify you of any changes to our Privacy Policy by posting the modified Privacy Policy on the Site.

This version was last modified on the date noted below, and historic versions can be obtained by contacting us.

**Last modified: 24 May 2018**