

1 IMPORTANT NOTICE

This is the Privacy Notice of the British Franchise Association (company limited by guarantee, registered number 01341267) whose registered office is at 85f Park Drive, Milton Park, Milton, Abingdon, Oxfordshire, OX14 4RY (“**BFA**”, “**we**”, “**us**” or “**our**”) and sets out how we collect and process your personal data. This Privacy Notice also provides certain information that is legally required and lists your rights in relation to your personal data.

This Privacy Notice relates to personal information that identifies “**you**” meaning:

- individuals who are engaged by or otherwise involved with our franchisor members, franchisee members or affiliate members;
- individuals who are engaged by or otherwise involved with exhibitors at our exhibitions or franchisees of franchisor members;
- individuals involved with our Qualified Franchise Professional (“**QFP**”) scheme;
- individuals involved with our online courses including our Prospect Franchisee Certificate or Prospect Franchisor Certificate;
- individuals who browse our website;
- individuals involved with our suppliers or professional advisers;
- any other individuals outside our organisation with whom we interact.

If you are an employee, contractor or otherwise engaged in work for us, a separate privacy notice applies to you instead.

We refer to personal information identifying you as “**personal data**” throughout this Privacy Notice and paragraph 3 sets out further detail of what this includes.

Please read this Privacy Notice to understand how we may use your personal data.

This Privacy Notice is not intended for children and we do not knowingly collect personal data relating to children.

This Privacy Notice may vary from time to time so please check it regularly. This version of this Privacy Notice was first published on 25th May 2018 and has not been updated since.

2 HOW TO CONTACT US

For the purposes of relevant data protection legislation, we are a ‘controller’ of your personal data in some situations. This means we determine the means and purposes of processing your personal data. As a controller we use the personal data we hold about you in accordance with this Privacy Notice.

If you wish to correct your personal data held by us or to opt out at any time from receiving marketing correspondence from us or to alter your marketing preferences please contact: communications@thebfa.org

If you have any questions about this privacy notice or how we process your personal data, or if you would like to exercise your rights in relation to your personal data, please contact us by:

- sending an email to privacy@bfa.org
- writing to us by post to: Compliance Department, British Franchise Association, 85f Park Drive, Milton Park, Milton, Abingdon, Oxfordshire, OX14 4RY
- calling us on: 01235 820470

3 CATEGORIES OF PERSONAL DATA WE COLLECT

The categories of personal data about you that we may collect, use, store, share and transfer are:

- **Individual Data.** This includes personal data which relates to your identity, such as your first name, middle name, last name, prefix, username or similar identifier, job title, signature, date of birth and gender and your contact details such as your billing address, delivery address, email address and telephone numbers;
- **Account and Profile Data.** This includes personal data which relates to your account or profile on our website, such as your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses;
- **Advertising Data.** This includes personal data which relates to your advertising preferences, such as information about your preferences in receiving marketing materials from us and your communication preferences;
- **Information Technology Data.** This includes personal data which relates to your use of our website, such as your internet protocol (IP) address, login data, traffic data, weblogs and other communication 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 you use to access our website;
- **Economic and Financial Data.** This includes personal data which relates to your finances, such as your accounts where you are a sole trader or your bank account and payment card details where you are an individual purchasing a course or membership from us and information which we collect from you for the purposes of the prevention of fraud;
- **Sales Data.** This includes personal data which relates to the transactions you have conducted with us, such as details about payments to and from you, details of membership subscriptions or purchases from our shop;
- **Audio and Visual Data.** This includes personal data which is gathered using our CCTV or other recording systems in the form of images, video footage and sound recordings that is taken at any of our locations or otherwise by us for promotional purposes;

- **Health Data.** This includes personal data which is gathered for health and safety purposes including any accident report or claim log or any information you provide about allergies or other medical conditions;
- **Market Research Data.** This includes personal data which is gathered for the purposes of market research, such as the BFA/NatWest survey and our members' survey.

- **Other Categories**

We may also create Personal Data about you, for example, if you contact us by telephone to make a complaint, for example about our services, then we may make a written record of key details of the conversation so that we can take steps to address the complaint.

- **Aggregated Data**

We also obtain and use certain aggregated data such as statistical or demographic data for any purpose ("**Aggregated Data**"). Aggregated Data may be derived from your personal data but does not directly or indirectly reveal your identity. For example, we may aggregate your Information Technology Data to calculate the percentage of users accessing a specific feature on our website. However, if we re-combine or re-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.

- **Special Categories of Data**

In addition, we may obtain certain special categories of your data ("**Special Categories of Data**"), and this Privacy Notice specifically sets out how we may process these types of personal data. The Special Categories of Data are: (i) personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; and (ii) the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

We also collect information about criminal convictions and offences as part of our accreditation process.

4 **WHERE WE GET YOUR PERSONAL DATA FROM**

We obtain your personal data from the following sources:

- **Directly from you**, including via our website, by email, by post, by telephone or in person at one of our events or otherwise. This could include personal data which you provide when you:
 - submit an application to become a member of the BFA;
 - send a dispute form or response to us or other information as part of our informal conciliation, mediation or arbitration processes;
 - send information in relation to your or someone else's QFP qualification;
 - submit an entry for a BFA award;

- submit a franchise case study for our website;
- send an exhibition application form and supporting information;
- create an account on our website;
- subscribe to our newsletter;
- place an order for a product in our online shop;
- request information on our products or services or for other marketing to be sent to you;
- enter into a competition or promotion;
- complete a survey from us or give us feedback; and
- email us, give us an engagement letter or otherwise provide us with your details in the course of business including as an employee of one of our suppliers or professional advisers.
- **From someone else** who provides us with information containing your personal information such as when they:
 - submit an application to become a member of the BFA;
 - send a dispute form or response to us or other information as part of our conciliation, mediation or arbitration processes;
 - send an application to become a QFP;
 - send information in relation to your or someone else's QFP qualification;
 - pass us your details where you are nominated as a referee of a prospective BFA affiliate or sponsor of a prospective BFA franchisor member or franchisee member;
 - complain to us about the actions of a BFA member;
 - submit an entry for a BFA award;
 - submit an entry for a BFA award; and
 - complete a survey from us or give us feedback.
- **Automated technologies**, such as CCTV or other recording systems, cookies, server logs and other similar technologies. We may automatically collect Information Technology Data about your equipment, browsing actions and patterns by using cookies, server logs and other similar technologies. We may also receive Information Technology Data about you if you visit other websites employing our cookies. Please see our cookie policy www.thebfa.org/cookies-policy for further details.
- **From businesses whose services we use** such as:
 - providers of social media platforms (such as Facebook, Twitter and Instagram) for example where you share our content through social media, for example by liking us on Facebook, following or tweeting about us on Twitter; and
 - analytics providers and providers of member and non-member feedback (such as Survey Monkey);
 - our PR agency);
 - Venture Marketing Group who provide exhibition services to us;
 - search information providers (such as Google); and
 - providers of technical, payment and delivery services (such as Bottom Line, and Stripe and courier services (for delivery); and
 - providers of credit checks such as Credit Safe;
- **Publicly available sources**, such as:

- Companies House;
- HM Land Registry;
- Industry magazines.

5 HOW WE USE YOUR PERSONAL DATA & OUR BASIS FOR USING IT

- **Where we are relying on a basis other than consent**

We may rely on one or more of the following legal bases when processing your personal data. We have set out below the purposes for which we may process your personal data:

Purposes for which we process your personal data	Categories of personal data	The basis on which we can do this (this is what the law allows)
<p>To assess applications for new franchisor members, exhibition applicants, franchisee members or affiliates of the BFA or individuals working towards obtaining the QFP or an online course certificate like our Prospect Franchisee Certificate or Prospect Franchisor Certificate and where applicable, to register that person for membership or to receive our services.</p>	<ul style="list-style-type: none"> ● Individual Data; ● Economic and Financial Data; ● Account and Profile Data. 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> ● to Perform a contract with you; and ● our legitimate interest in the provision of our services.
<p>In order to perform our contractual obligations to you (whether you are a BFA member, BFA affiliate, professional working towards QFP status, customer of our online shop or engaged by one of our suppliers). This would include:</p> <ul style="list-style-type: none"> ● processing and performing any bookings on our events placed by you; ● providing our services to you; ● assessing information with respect to the grant of awards or qualifications; ● processing in relation to orders placed by us where you are a supplier; ● handling complaints about BFA members or affiliates; 	<ul style="list-style-type: none"> ● Individual Data; ● Economic and Financial Data; and ● Sales Data. 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> ● to perform any contract entered into with you; and ● our legitimate interest in recovering debts owed to us and in the provision of our services and operation of our business.

<ul style="list-style-type: none"> • making or receiving payments, fees and charges and reclaiming VAT where applicable; • audit purposes; and • collecting and recovering money owed. 		
<p>In order to manage our relationship with you including:</p> <ul style="list-style-type: none"> • to send you important notices such as communications about changes to our terms and conditions and policies (including this Privacy Notice); • to provide you with important real-time information about our events, services or products (e.g. a change of time or location due to unforeseen circumstances); and • to send you information you have requested; • to deal with your enquiries; and • to ask you to leave a review or feedback on us. 	<ul style="list-style-type: none"> • Individual Data; • Account and Profile Data; • Sales Data; and • Advertising and Marketing Data. 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> • to perform any contract entered into with you; • to comply with the law; and • for our legitimate interests in the management and operation of our business, to keep our records updated and to study how guests use our products/services.
<p>In order to carry out surveys of our franchisor members' franchisees as part of the franchisor's membership application.</p>	<ul style="list-style-type: none"> • Individual Data 	<p>The processing is necessary for our legitimate interests in the management and operation of our business.</p>
<p>For our dispute resolution service:</p> <ul style="list-style-type: none"> • where a franchisee makes a complaint about a BFA member franchisor, we will process the information provided including any personal data and we will notify the franchisor of the complaint including details of the complainant; • where a BFA member makes a complaint about another BFA member we will process the information provided including any personal data and we will notify the BFA member of the complaint including details of the complainant. 	<ul style="list-style-type: none"> • Individual Data 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> • to perform any contract entered into with you; • for our legitimate interests in the management and operation of our business, and • the complainant has given their consent to the processing.

<p>In order to comply with our own legal obligations, e.g. health and safety legislation, or to assist in an investigation (e.g. from the police).</p>	<ul style="list-style-type: none"> • Individual Data; • Audio and Visual Data; and • Health Data 	<p>The processing is necessary for us to comply with the law.</p>
<p>In order to use your personal data in life or death situations and there is no time to gain your consent (e.g. in the event of an accident at one of our locations or events and we have to give your personal details to medical personnel).</p>	<ul style="list-style-type: none"> • Individual Data; and • Health Data 	<p>The processing is necessary in order to protect the vital interests of an individual.</p>
<p>In order to administer and protect our organisation, deal with any misuse of our website and to comply with our security policies at our locations.</p>	<ul style="list-style-type: none"> • Individual Data; • Account and Profile Data; • Audio and Visual Data; and • Information Technology Data. 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> • for our legitimate interest in provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise; and • necessary to comply with the law.
<p>In order to make suggestions and recommendations to you about goods or services that may be of interest to you, deliver relevant website content and advertisements to you and to measure or understand the effectiveness of our advertising.</p>	<ul style="list-style-type: none"> • Individual Data; • Sales Data; • Information Technology Data; and • Advertising and Marketing Data. 	<p>The processing is necessary for our legitimate interests to study how guests use our products/services, to develop our products and services and ensure our marketing is relevant to you, to grow our business and to inform our marketing strategy.</p> <p>(We will only rely on legitimate interests to market to you where we are sending marketing to your corporate email address or work number or you gave your details when you purchased membership, products or services from us. Otherwise, we will rely on consent.)</p>
<p>For internal purposes to use data analytics, to identify usage trends, determine and measure the effectiveness of promotional campaigns and advertising and to improve our website, products/services, marketing, customer relationships and experiences.</p>	<ul style="list-style-type: none"> • Information Technology Data; • Advertising and Marketing Data; and • Advertising and Market Research Data. 	<p>The processing is necessary for our legitimate interests in defining 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.</p>

<p>To communicate with you about, and administer your participation in, special events, programs, promotions, any prize draws or competitions.</p>	<ul style="list-style-type: none"> • Individual Data; • Account and Profile Data; • Sales Data; • Information Technology Data; and • Advertising and Marketing Data. 	<p>The processing is necessary:</p> <ul style="list-style-type: none"> • for performance of a contract with you; and • for our legitimate interests to promote our business
<p>In order to enforce or apply our terms of use, terms and conditions of supply and other agreements with third parties.</p>	<ul style="list-style-type: none"> • Individual Data; • Account and Profile Data; • Sales Data; and • Economic and Financial Data 	<p>The processing is necessary for our legitimate interests in protecting our business and property and recovering debts owed to us.</p>

In addition, we may lawfully process Special Categories of Data in certain ways. We set these out below along with the legal bases on which we process these Special Categories of Data:

Purposes for which we process your personal data	Categories of personal data	The basis on which we can do this (this is what the law allows)
<ul style="list-style-type: none"> • In order to use our knowledge of any health-related personal data you disclose to us in the event of illness or injury or some other related emergency; and • In order to use information about your health in providing our services to you, where you have published in a public forum that you are suffering from a particular health condition (e.g. a dietary condition when booking to attend a seminar or event with us). 	<p>Health Data.</p>	<p>The processing is necessary to comply with social protection law in the case of a health and safety incident recorded at any of our locations or in order to protect the vital interests of you or another individual where you or the individual is physically or legally incapable of giving consent.</p>

- **Where we may rely on consent**

We would like to use your personal data for a variety of different purposes. For certain of these purposes it is appropriate for us to obtain your prior consent. These are as follows:

- where we would like to use photos or images taken of you in promotional materials on our social media, website or other materials;
- where you provide personal information that you agree may be published in the public domain including in a magazine, press release or on our website (in a franchise case study or otherwise);
- where, in the provision of our services to you, we need to use the Special Categories of Data that you provide to us;
- to send an exhibition application form to you;
- in relation to the use of our dispute resolution process, where the complainant has given their consent (see table above);
- where you are not a member and specifically ask us to send you marketing on our membership, upcoming events, courses or other services we think you may like to hear about.

The legal basis of consent is only used by us in relation to processing that is entirely voluntary – it is not used for processing that is necessary or obligatory in any way.

You may at any time withdraw the specific consent you give to our processing your personal data. Please contact us using the contact details set out in paragraph 2 or click on the unsubscribe link on our marketing email or (If you are a member) you can also log onto your online account with us and manage your preferences there.

Please note even if you withdraw consent for us to use your personal data for a particular purpose we may continue to rely on other bases to process your personal data for other purposes.

6 WHO RECEIVES YOUR PERSONAL DATA

We may disclose your personal data to:

- our third party data processors who may process data on our behalf to enable us to carry out our usual business practices including business that provide our accountancy software, relationship management software, external archiving services, direct debit software, website, banking facilities etc. Any such disclosure will only be so that we can process your personal data for the purposes set out in this Privacy Notice;
- hotels or venues that provide accommodation to you when you book an event with us that includes accommodation;
- third parties operating plugins or content (such as Twitter, Facebook, Instagram) on our website which you choose to interact with;
- HMRC, legal and other regulators or authorities, including those who request your personal data or to report any potential or actual breach of applicable law or regulation;
- external professional advisers such as accountants, bankers, insurers, auditors and lawyers;
- law enforcement agencies, courts or other relevant party, to the extent necessary for the establishment, exercise or defence of legal rights;

- third parties where necessary for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties;
- third parties which are considering or have decided to acquire some or all of our assets or shares, merge with us or to whom we may transfer our business (including in the event of a reorganisation, dissolution or liquidation);
- our PR agency and customer feedback;
- our external judges who adjudicate our awards programmes and the QFP; and
- our Board and Committee members.

7 PERSONAL DATA ABOUT OTHER PEOPLE WHICH YOU PROVIDE TO US

If you provide personal data to us about someone else (such as one of your directors or employees, or any of your franchisees (where you a franchisor), or someone with whom you have business dealings) you must ensure that you are entitled to disclose that personal data to us and that, without our taking any further steps, we may collect, use and disclose that personal data as described in this Privacy Notice.

You must ensure the individual concerned is aware of the various matters detailed in this Privacy Notice, as those matters relate to that individual, including our identity, how to contact us, the way in which we collect and use personal data and our personal data disclosure practices, that individual's right to obtain access to the personal data and make complaints about the handling of the personal data, and the consequences if the personal data is not provided.

8 ACCURACY OF YOUR PERSONAL INFORMATION

It is important that the personal data we hold about you is accurate and current and we take all reasonable precautions to ensure that this is the case but we do not undertake to check or verify the accuracy of personal data provided by you. Please keep us informed if your personal data changes during your relationship with us either by logging onto your account on the website or by contacting us. We will not be responsible for any losses arising from any inaccurate, inauthentic, deficient or incomplete personal data that you provide to us.

9 INTERNATIONAL TRANSFERS OF PERSONAL DATA

It is possible that personal data we collect from you may be transferred, stored and/or processed outside the European Economic Area.

In connection with such transfers:

- the relevant safeguard in place is the standard data protection contractual clauses between us and the recipient and a copy can be obtained by contacting us using the contact details set out in paragraph 2; or
- this is made on the basis of an adequacy decision, namely:
 - the Privacy Shield for transfers to the US; or

- the European Commission has decided that the relevant non-EU country ensures an adequate level of protection.

Our website server is hosted in United States of America and transfers are made on the basis of the Privacy Shield.

10 **HOW LONG WE WILL STORE YOUR PERSONAL DATA FOR**

We will store your personal data for the time period which is appropriate in accordance with our data retention policy, a copy can be obtained by contacting us using the contact details set out in paragraph 2.

11 **WITHOLDING NECESSARY PERSONAL DATA**

In certain circumstances the provision of personal data by you is a requirement to comply with the law or a contract, or necessary to enter into a contract.

It is your choice as to whether you provide us with your personal data necessary to enter into a contract or as part of a contractual requirement. If you do not provide your personal data then the consequences of failing to do so may mean that we are unable to provide services to you. For example if you do not provide your bank account details when applying for an event, membership or purchase that required payment then we will not be able to provide that service.

12 **YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA**

Subject to applicable law including relevant data protection laws, in addition to your ability to withdraw any consent you have given to our processing your personal data (see paragraph) , you may have a number of rights in connection with the processing of your personal data, including:

- the right to request access to your personal data that we process or control;
- the right to request rectification of any inaccuracies in your personal data or, taking into account the purposes of our processing, to request that incomplete data is completed;
- the right to request, on legitimate grounds as specified in law:
 - erasure of your personal data that we process or control; or
 - restriction of processing of your personal data that we process or control;
- the right to object, on legitimate grounds as specified in law, to the processing of your personal data;
- the right to receive your personal data in a structured, commonly used and machine-readable format and to have your personal data transferred to another controller, to the extent applicable in law; and

If you would like to exercise any of the rights set out above, please contact us using the contact details set out in paragraph 2.

You may also have the right to lodge complaints regarding the processing of your personal data with the Information Commissioner's Office or other relevant supervisory body. Please see <https://ico.org.uk/concerns/> for how to do this.

13 **TECHNICAL AND SECURITY MEASURES**

We take the security your personal data seriously and have technical and organisational measures to ensure a level of security appropriate to the risk.

We use a mixture of measures including utilising technology to combat cybersecurity, data management techniques, user access and management procedures, physical security and guidelines for personnel.

Our measures are aimed at having the ability to:

- ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services; and
- restore the availability and access to personal data in a timely manner in the event of a physical or technical incident.

14 **LINKS TO OTHER WEBSITES**

This Privacy Notice only applies to us. If you link to another website from our website, you should remember to read and understand that website's privacy notice as well. We do not control unconnected third-party websites and are not responsible for any use of your personal data that is made by unconnected third party websites.