

Privacy Policy - Lemon Pepper Holdings Limited

Introduction

Welcome to the Lemon Pepper Holdings Limited (“we”, “us”, or “our”) 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, tell you about your privacy rights and how the law protects you.

1. Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how we collect and process your personal data through your use of our services as well as through third parties that we work with.

Given the nature of our services, we do not expect to collect the personal data of anyone under 13 years old. If you are aware that any personal data of anyone under 13 years old has been shared with us or with Wingstop Restaurants Inc., please let us know.

This version of our privacy policy is primarily written for adults, including parents and guardians of child users. If you are a child (under 18 years old) you are welcome to read this policy if you find it useful, but we recommend you consult your parents or an adult you trust about our use of your data.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy 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 other notices and privacy policies and is not intended to override them.

This Privacy Policy provides details of the way in which we process personal data in line with our obligations under the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018, and any other laws which apply to us in relation to the processing of personal data (collectively referred to as “Data Protection Laws”).

In this Privacy Policy, “joint controller” “personal data”, and “process” (and its derivatives) have the meanings given to those terms in Data Protection Laws. Personal data generally means information that can be used to individually identify a person, and processing generally covers actions that can be performed in connection with data such as the collection, use, storage, or disclosure.

Lemon Pepper Holdings Limited (LPH), alongside Wingstop Restaurants Inc (WRI), who facilitate services on behalf of Lemon Pepper Holdings Limited, are joint controllers in respect of any personal data that is processed for the facilitation of services to you. LPH and WRI carry out activities as joint controllers, taking jointly the decisions regarding the purposes and means of processing your personal data. It also means that if you would like to exercise any of your rights described below, both companies will act jointly for the facilitation of your request. LPH and WRI are jointly responsible to you under law for our processing. WRI’s privacy policy is available to view here: <https://www.wingstop.co.uk/privacy>.

Our details are below:

Wingstop Restaurants Inc.

15505 Wright Brothers Drive

Addison, Texas 75001

U.S.A.

Attn: CISO

Email: Privacy-UK@Wingstop.co.uk

Lemon Pepper Holdings Limited

5th Floor Kings Court,

2-16 Goodge Street,

London, United Kingdom,

W1T 2QA

Company number: 10589672

ICO registration number: ZB438032

Email: feedback@lemon-pepper.co.uk

Contact

If you have any questions about this privacy policy, including any requests to exercise *your legal rights*, or any questions about this privacy policy or our privacy practices please contact us using the details set out above.

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK regulator for data protection issues (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.

Changes to the privacy policy and your duty to inform us of changes

This Privacy Policy is current as of the effective date set forth above. We may change this Privacy Policy from time to time, so please be sure to review the Privacy Policy at <https://www.wingstop.co.uk/privacy> periodically.

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

2. Your data and how it is collected

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, use, store and transfer different kinds of personal data about you in different circumstances and for different reasons.

The types of data we process are as follows:

- (a) **Identity Data** includes first name, last name, date of birth, your social media handle.
- (b) **Contact Data** includes email address and telephone numbers.
- (c) **Marketing and Communications Data** includes your preferences in receiving marketing

from us when you sign-up to receive emails from us.

We process your personal data (Identity Data, Contact Data and Marketing and Communications Data) when you send us information, such as when you sign-up to receive marketing emails from us, contact us, complete customer surveys and participate in competitions, prize draws and promotions.

We also process personal data from third parties, as set out below:

- (a) **Deliveroo:** we may process your Identity Data, Contact Data and Marketing and Communications Data if you use Deliveroo's delivery service and you opt-in to receive marketing from us. When you use the "Click and Collect" service via Deliveroo, then we will process your Identity and Contact Data for the purposes of fulfilling your order.
- (b) **Order Swift:** When you use the "Click and Collect" service via Order Swift, we will process your Identity and Contact Data for the purposes of fulfilling your order.
- (c) **Wireless Social:** When you connect to Wi-Fi in one of our restaurants, you will provide our third-party service provider (Wireless Social) with your details. This data will be processed by Wireless Social in accordance with their privacy policy (you should review their privacy policy before using the Wi-Fi service). If you opt-in to receive email marketing from us when you sign in to use the Wi-Fi, then we will process your Identity Data, Contact Data and Marketing and Communications Data.

Data that is collected automatically when you visit and use the Wingstop.co.uk website is collected and processed by Wingstop Restaurants Inc. To find out more about how they process this data, you can read their Privacy Policy here: <https://www.wingstop.co.uk/privacy>.

3. How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason to do so (a "legal basis"), e.g.:

- (a) where you have given consent;
- (b) to comply with our legal and regulatory obligations;
- (c) for the performance of a contract with you or to take steps at your request before entering into a contract; or
- (d) for our legitimate interests or those of a third party.

We have set out all the ways we plan to use your personal data, and which of the legal bases we rely on to do so in each section where we describe how and when we process your data. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one legal basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis we are relying on to process your personal data where more than one basis has been set out in the table below.

Purpose/Activity	Type of Data	Legal Basis for processing
For fulfilling “click and collect” orders you make with our restaurants via third-party food ordering platforms (Deliveroo and Order Swift).	Identity Contact	Necessary for the performance of a contract
For the protection of our employees, customers and property via the use of CCTV in our restaurants	Visual images	Necessary to comply with a legal obligation (as required under our business licence) Necessary for our legitimate interests (ensuring our restaurants are safe for both our employees and customers)
Investigating and taking any actions in relation to health and safety incidents as required by law.	Identity Contact	Necessary to comply with a legal obligation
To manage our relationship with you, which will include: (a) notifying you about changes to our privacy policy; (b) in connection with the exercise of any of your rights in relation to our processing of your personal data; (c) handling and resolving any complaints; and (d) asking you to leave a review or take a survey.	Identity Contact	Necessary to comply with a legal obligation Necessary for our legitimate interests (to administer our business, keep our records updated and to study how customers use our products/services)
To contact you via email with marketing information about our products and services.	Identity Contact Marketing and Communications	Consent (you can withdraw consent at any time by clicking the “unsubscribe” link in emails sent to you or by contacting us)

4. Disclosures of your personal data

Sharing your personal data within the Lemon Pepper group

We may need to share your personal data with our officers, employees and companies that are within our group of companies in order carry out the activities set out in the table above.

Our “group companies” refer to companies incorporated in the UK that we exercise control over and use for the provision of our services and running of our business in the UK from time to time. We will only share personal information with these parties to the extent that it is necessary to do so. For more information on our group companies, please contact us using the contact details above.

Sharing with our suppliers and other third-parties

To help us deliver our services we may share your personal data with partner organisations who we work jointly or in connection with to provide you a service.

Suppliers and service providers. We also work with a number of third-party suppliers (including IT service providers and customer relationship management platform providers), in doing so these third parties may be required to process your personal data in order to provide their services to us or on our behalf.

These organisations only process personal data in accordance with our instructions and are all subject to written agreements either we or WRI have entered into with them. Also, they are not permitted to use your personal data for their own purposes and act in line with data protection laws and contractual terms that specify how they can process data on our behalf.

We only allow those organisations to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on them to ensure they can only use your personal data to provide services to us and to you.

Legal obligations. We will share your personal data if it is necessary to do so to comply with a legal requirement, governmental bodies, regulators, law enforcement agencies, courts/tribunals and insurers where we are required to do so, as well as for the prevention, detection, investigation of crime or prosecution of offenders, when we are required to do so.

Enforcing our rights. We will share your personal data if it is necessary to protect our business interests, such as to enforce the terms of a contract, pursue an overdue debt or defend other legal rights.

Selling our business. We may also share your personal data with 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.

Compliance and legitimate interests. We may share your personal data where there is a legitimate interest to do so, for example, for the detection or prevention of crime, fraud or money laundering; to allow a regulator or ombudsman to investigate a complaint you have submitted to them; or to protect the rights of other people or organisations.

5. Marketing

We use your personal data for electronic marketing purposes (with your consent) and may send you electronic mail to update you on the latest offers and other promotional activities. We aim to update you about products and services which are of interest and relevance to you. You have the right to opt out of receiving promotional communications at any time, by contacting us using the contact details mentioned above or following the opt out link process contained in emails we send to you.

6. International transfers

It is sometimes necessary for us to transfer your personal data to countries outside the UK. This includes sharing your data with WRI based in the USA. In such cases, we will comply with applicable UK laws designed to ensure the privacy of your personal data.

Where we transfer your personal data outside the UK, we do so on the basis of an adequacy decision or (where this is not available) legally-approved standard data protection clauses recognised or issued further to Article 46(2) of the UK GDPR.

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

6. 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 actual or suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

7. Data retention

How long will you use my personal data for?

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

We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data (so that it can no longer be identified with you) for research or statistical purposes, showing general trends. This is aggregated data and is not personal data.

Information we collect	We keep this for
For fulfilling “click and collect” orders you make with our restaurants via third-party food ordering platforms (Deliveroo and Order Swift).	4 years, after which it is deleted.

To investigate and taking any actions in relation to health and safety incidents as required by law.	12 months, after which it is deleted.
For the protection of our employees, customers and property via the use of CCTV in our restaurants.	120 days after which it is deleted.
To manage our relationship with you, which will include: (a) notifying you about changes to our privacy policy (b) in connection with the exercise of any of your rights in relation to our processing of your personal data, (c) handling and resolving any complaints, and (d) asking you to leave a review or take a survey.	Indefinitely, unless you withdraw your consent and/or request us to remove the content, subject to us being required to retain such data in order to comply with our legal obligations.
To contact you via email with marketing information about our products and services.	Indefinitely, unless you withdraw your consent and/or request us to remove the content.

8. Change of purpose

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 via email and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with this policy and where this is required or permitted by law.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out below, please contact us using the details here (set out in this privacy policy above). For additional information pertaining to your rights, see section *Your Legal Rights*.

No fee usually required

In most circumstances, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and 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 is not disclosed to any person who has no right to receive it. 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 could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (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.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. 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. 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.

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 which makes you want to object to processing on this ground as you feel 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 which override your rights and freedoms.

Request 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:

- 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.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

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. 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.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not 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 or services to you. We will advise you if this is the case at the time you withdraw your consent.