



BENDER DATING LIMITED

PRIVACY POLICY

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1. Introduction

This is the privacy policy of Bender Dating Limited ("Bender Dating", "us" or "we"), which applies to all personal data we process.

Privacy policies are also sometimes referred to as a 'privacy notices' or 'fair processing notices'.

We are committed to protecting and respecting your privacy. This policy explains the types of personal data we collect, how we use that information, who we share it with, how we protect that information, and your legal rights in relation to your personal data.

2. About this policy

This policy governs the collection and use of personal data by Bender Dating. This includes any personal data you may provide as part of any contract you enter into with us (when using our app), any personal data you provide (or is available to us) through your use of our website or app and any personal data which we may obtain from other sources.

When we refer to personal data in this policy, this means any information about an individual from which that person can be identified. More details about this are set out in section 6.

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

We have appointed a Data Protection Officer who is responsible for overseeing questions in relation to this policy. If you have any questions about this policy, including any requests to exercise your legal rights, please contact the Data Protection Officer using the contact details set out in section 15.

This version of the privacy policy is effective as of **17 July 2021**.

3. Who we are

For the purpose of applicable data protection laws, the controller of your personal data is Bender Dating Limited, whose registered office is at Westgate House, Seedhill, Paisley, Renfrewshire, United Kingdom, PA1 1JE. For more information about Bender Dating please see: www.benderdating.com.

4. Keeping your information up to date

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes at any time, either by contacting our Data Protection Officer using the contact details set out at the bottom of this policy.

5. Changes to this policy

We reserve the right to amend this policy at our sole discretion, without prior notice to you. We will notify you of any such changes (including when they will take effect). Your continued use of our services or our app following the posting of changes to this policy means that you consent to those changes (but this does not affect your rights set out in section 14).

6. Information covered by this policy

This policy covers all personal data collected and used by Bender Dating.

In this policy "personal data" means information that (either in isolation or in combination with other information held by us) enables you to be identified as an individual or recognised directly or indirectly.

This may include information such as your name, title, date of birth, gender, postal address, email address(es), telephone number(s) and IP address.

The different types of data we may collect are referred to below. We use these terms elsewhere in this policy to cover the type of personal data referred to:

- **Identity Data** – which may include your first name, surname, last name, title, date of birth, gender and photographic images of yourself.
- **Contact Data** – which may include your telephone number(s), email address(es) and postal address.
- **Contractual Data** – which may include includes details of the existence of (and the terms and conditions applicable to) any contract we have with you and details about the services we have contracted to provide to you.
- **Location Data** – which may identify your location at any given time, indicating your proximity to a certain location or your distance from other users of our app, or potentially indicating your exact location.
- **Payment Data** – which may include information about the amounts you have paid to the relevant App Store or their designated payment provider for access to any Bender Premium features, including the subscription duration you have paid for and details of any applicable refunds you have received;
- **Technical Data** – which may include your internet protocol (IP) address, internet browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology used to access our app and/or our website.
- **Profile Data** – which may include details of your hobbies, interests and preferences, status as a smoker or non-smoker, characteristics, occupation or employment status, physical traits (such as height, weight and body shape), relationship status, star sign, health, ethnic origin, nationality, religion and/or sexual orientation.

Please note - some of this data is, of course, sensitive in nature and is classified in law as ‘Special Categories of Personal Data’. Please see below for further information about our processing of Profile Data.

- **Feedback Data** – which may include details of your feedback relating to the app or our website and your responses to any surveys we may issue.
- **Usage Data** – which may include information about how you use app and/or our website and services.
- **Marketing Data** - which may include your preferences in receiving marketing information from us and your communication preferences.

7. Collection of personal data

We may collect personal data about you from different sources detailed below.

Information you give us:

Unless expressly stated below, you are not bound by any contractual or statutory obligation to provide personal data to us. However, if you choose to enter into a contract with us in order to use our app then we will need certain information for the purposes of entering into and performing that contract (which may include personal data) and we may not be able to conclude a contract with you without

that information.

In connection with your use of our app, you may choose to provide us with certain sensitive personal data about yourself (which the law refers to as 'Special Categories of Personal Data'). In this policy, when we refer to 'Profile Data', this may include any such sensitive personal data. Your use of the app may also indicate (or give rise to assumptions relating to) your sexual orientation. When you register to use the app, you consent to us using all such Profile Data, but you will be entitled to withdraw your consent at any time (please see section 14 for more information).

You may give us information about yourself when you:

- register for our app;
- access and browse our website;
- use our app (including by completing your profile details, posting other material or sending contact messages to other users of our app);
- correspond with us by phone or email or other electronic means (including via any chat facility on our app or any contact form on our website);
- subscribe to our publications or request information to be sent to you;
- enter a competition, promotion or survey; or
- give us some feedback.

Information we collect about you:

With regard to each of your visits to our website, we may also use cookies and other technologies to automatically collect the following information:

- technical information, including the internet protocol (IP) address used to connect your computer or device to the internet, internet browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology used to access our website; and
- information about your visit, including the full Uniform Resource Locators (URL) clickstreams to, on and from our website, information you viewed or searched for, page response times, download errors, length of visits to certain pages or features of our website, page interaction information (such as scrolling, clicks and mouse-overs) and methods used to browse away from the page.

We collect the above information by using cookies, server logs and other similar technologies connected to our website. Our website also use cookies to distinguish you from other users. This helps us to provide you with a good experience when you browse our website and also allows us to improve website. Our app does not use cookies, but it does link to certain pages on our website which use cookies. For detailed information on the cookies we use and the purposes for which we use them, please see our [Cookie Policy](#).

Information we receive and collect from other sources:

We may obtain certain information about you from third party service providers.

The different kinds of personal data about you which we may collect and process from third parties are:

- Technical Data and Usage Data from analytics providers (such as Google).

- Identity Data, Contact Data, Location Data, Payment Data, Technical Data, Profile Data and Usage Data from service providers associated with the provision of our app (such as the App Stores and their designated payment providers, including RevenueCat, and providers of chat messaging services, including CometChat).

It is also possible that other users of our app may provide us with information about you (for example by referring to you in chat messages) and this may comprise Profile Data, including certain sensitive personal data as referred to above. As we do not monitor what users may post on the app, including any such messaging, you must inform us if you wish to exercise the right to have such personal data erased or wish to restrict the processing of such personal data (please see section 14 for more information).

Please note that when you have enabled location services on your device when using our app (which we refer to in this policy as 'Location Data'), your use of the app may indicate or reveal your exact or approximate location at that time.

Other information and uses:

We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Such aggregated data may be derived from your personal data but is not considered personal data in law (as this data does not directly or indirectly reveal your identity). For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific app or website feature. However, if we combine or connect any such 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 policy.

8. How we use your personal data

We will only use your personal data when the law allows us to. Each basis on which we are lawfully permitted to process your personal data is known as the 'legal basis' for processing.

The purposes for which we may use your personal data and the types of legal basis that we will rely on to process your personal data are set out in the table below. 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 (as shown in the table). Where more than one is shown, please contact us if you would like details about the specific legal basis we are relying on to process your personal data.

Purpose/Activity	Type of data	Legal basis for processing
To register you as a user of our app.	<ul style="list-style-type: none"> • Identity Data • Contact Data 	<ul style="list-style-type: none"> • 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.

<p>To provide our app and enable you to use all of the features on our app (and to administer and perform any associated services or activities). This includes providing other users our of app with information about you and the use of Location Data for the purposes of informing other users of your exact or approximate location.</p>	<ul style="list-style-type: none"> • Identity Data • Contact Data • Contractual Data • Location Data • Payment Data • Profile Data 	<ul style="list-style-type: none"> • Processing undertaken with your consent. • 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.
<p>To manage our relationship with you, which will include administration of your contract, notifying you about changes to our terms, policies or features of our app and dealing with your enquiries or complaints.</p>	<ul style="list-style-type: none"> • Identity Data • Contact Data • Contractual Data • Location Data • Payment Data • Technical Data • Profile Data • Feedback Data • Usage Data • Marketing Data 	<ul style="list-style-type: none"> • 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. • Necessary for our legitimate interests (to keep our records updated, to study how customers use our services, to manage your account and to deal with your enquiries or complaints). • Necessary to comply with a legal obligation.
<p>To administer and protect our business, our app and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).</p>	<ul style="list-style-type: none"> • Identity Data • Contact Data • Location Data • Payment Data • Technical Data • Feedback Data • Usage Data 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (for running our business, including our dealings with third party service providers we deal with, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or restructuring exercise). • Necessary to comply with a legal obligation.
<p>To improve our app, website, services, marketing, customer relationships and experiences.</p>	<ul style="list-style-type: none"> • Technical Data • Feedback Data • Usage Data 	<ul style="list-style-type: none"> • Necessary for our legitimate interests (to define types of customers for our services, to keep our app and website updated and relevant, to develop our business and to inform our marketing strategy).

To make suggestions and recommendations to you about goods or services that may be of interest to you.	<ul style="list-style-type: none"> • Identity Data • Contact Data • Location Data • Technical Data • Profile Data • Feedback Data • Marketing Data 	<ul style="list-style-type: none"> • Processing undertaken with your consent. • Necessary for our legitimate interests (to develop our services and grow our business).
To protect against, or help detect, fraud or criminal activity (including to disclose information to law enforcement agencies) and to manage the safety and security of our app, website and business and to protect the safety and security of our staff, users of our app or website or other people.	<ul style="list-style-type: none"> • Identity Data • Contact Data • Contractual Data • Location Data • Payment Data • Technical Data • Profile Data • Feedback Data • Usage Data • Marketing Data 	<ul style="list-style-type: none"> • Necessary to comply with a legal obligation. • Necessary for our legitimate interests (to protect against, or help detect, fraud or criminal activity and to manage the safety and security of our business, staff and third parties). • Necessary in order to protect the vital interests of our app users or others.
To comply with legal requirements (including where you exercise any of your rights referred to in this policy), to exercise our legal rights and to bring or defend legal claims.	<ul style="list-style-type: none"> • Identity Data • Contact Data • Contractual Data • Location Data • Payment Data • Technical Data • Profile Data • Feedback Data • Usage Data • Marketing Data 	<ul style="list-style-type: none"> • Necessary to comply with a legal obligation. • Necessary for our legitimate interests to exercise our legal rights and to bring or defend legal claims.

We will only use your personal data for the purposes shown above. If we need to use your personal data for a different purpose, we will update this policy and notify you of the change before starting any such new processing.

Please note that in some circumstances 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.

9. Transfers of personal data

We may have to share your personal data with the parties set out below for the purposes shown:

- any member of our group of companies, in order to comply with any legal obligation, to enforce our contracts, or to protect the rights, property or safety of our group companies, us or others; and

- third parties such as:
 - service providers (acting as our data processors) who provide us with services relating to IT, communications, hosting and other infrastructure and IT system administration (including for the purposes of providing our app and its features and functionalities);
 - service providers (acting as our data processors) who provide us with services relating to market research, marketing (including competitions), advertising, training and data cleansing and processing services;
 - professional advisers (acting as our data processors) including lawyers, bankers, accountants, auditors and insurers based who provide legal, banking, accounting, auditing and insurance services to Bender Dating;
 - HM Revenue & Customs and other government authorities, for purposes required by law; and
 - the police and fraud prevention agencies, for the purposes of crime detection and prevention.

We may also disclose your personal data to third parties:

- in the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets;
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, to enforce our contracts, or to protect the rights, property or safety of us or others.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. Our third-party service providers (to the extent they are acting as our data processors) are contractually bound to use personal data only to perform the services that we have engaged them to provide and they are only permitted to process your personal data in accordance with our instructions.

Please note that some of the third parties we share your personal data which are based outside the United Kingdom (UK), so their processing of your personal data will involve a transfer of data outside the UK. Please see section 10 about data being processed outside of the UK.

We may disclose some aggregated information about our users to advertisers or potential advertisers on our app or website, but this information does not identify you or any other individual person (for example, we may inform them that 500 men aged under 30 have clicked on a particular advertisement during a particular period). We may also use such aggregated information to help advertisers on our site reach the kind of audience they want to target (for example, people in a particular geographical area) - we may make use of the personal information we have collected from you to enable their advertisement to be displayed to that target audience, but again this will involve aggregated information about our users and will not identify you or any other individual person.

10. Where we store your data

Your personal data will be processed in the United Kingdom (UK). However, some of our external third-party service providers are based outside the UK, so your personal data may also be transferred to a destination outside of the UK. This means it may also be stored and processed at a destination outside of the UK, including by staff operating outside the UK who work for one of our service providers.

Whenever we transfer your personal data to our service providers outside of the UK, we ensure a similar degree of protection is afforded to it as applies within the UK, by ensuring that certain minimum legal safeguards are met or implemented. We take all steps that are mandatory or reasonably

necessary to ensure that your personal data is treated securely and in accordance with applicable data protection laws.

Please contact us if you want further information about the circumstances in which we transfer your personal data out of the UK or the safeguards we use.

11. How long we store your 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, as well as the applicable legal requirements.

Details of the periods for which we retain different aspects of your personal data are set out in our [Data Retention Policy](#).

In some circumstances, you can ask us to delete your data. Please see section 14 regarding 'Your Rights' for further information.

12. Security of your personal data

We use administrative, technical, and physical measures to safeguard personal data against loss, theft and unauthorised uses, access or modifications. Our staff and our third-party service providers are under a duty to process your personal data only in accordance with our instructions and they are subject to a duty of confidentiality regarding your personal data.

We have put in place procedures to deal with any suspected personal data breach. We will notify you and any applicable regulator of any breach where we are legally required to do so.

13. Third party websites and apps

Our app or website may contain links to and from third party websites and we may provide you with details of apps provided by third parties. Please note that if you follow a link to any of these websites or download an app from those third parties, those websites and apps will have their own terms of use and privacy policies and that we do not accept any responsibility or liability for these policies. Please check these terms and policies before you submit any personal data to those websites or apps.

14. Your rights

You have the rights set out below with respect to the personal data that we hold about you. To exercise any of these rights, you should contact us by using the contact details set out at the bottom of this policy.

You will not normally have to pay a fee to exercise any of these rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity when you seek to exercise any of your 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 help clarify the scope of your request.

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 will notify you and keep you updated.

Withdrawing consent

Where we are relying on your consent to process your personal data, you may withdraw consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

Please note that, where we are relying on your consent to process your personal data and you withdraw that consent, then you may no longer be entitled to use our app or certain features on our app, but you will not be entitled to any refund of any charges you have paid for any Bender Premium features. Should you then wish to use our app or those features again in the future, you would need to provide your consent again.

Your right to access the personal data we hold about you

You have the right to ask us whether or not we process your personal data and to request information on the purposes of data processing as well as confirmation on whether we use your personal data for these purposes only.

In some circumstances, we may not be able to give you access to the personal data we hold about you (for example, we may not be able to give you access if it would unreasonably affect someone else's privacy or if giving you access poses a serious threat to someone's life, health or safety).

You also have the right to be informed of the third parties to which we transfer your personal data within the scope of this policy.

Your right to have your personal data corrected

You can contact us to have any incomplete or inaccurate personal data we hold about you corrected, although we may need to verify the accuracy of the new data you provide to us.

When you use our app, information about yourself on your user profile (including any photograph you upload as part of that) is provided by you and you are able to amend this directly yourself at any time.

Your right to erasure of your personal data

You can ask us to delete or remove your 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 personal data 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, after you make your request.

Please also note that if we delete your personal information, then you will no longer be entitled to use our app or certain features on our app, but you will not be entitled to any refund of any charges you have paid for any Bender Premium features. Should you then wish to use our app again in the future, you would need to register again (and pay any applicable charges for any Bender Premium features, if required).

Your right to request restriction of the processing of your personal data

You may ask us to suspend the processing of your personal data:

- if you want us to establish the accuracy of the personal data;
- where our use of the personal data is unlawful but you do not want us to erase it;
- where you need us to hold the personal 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 personal data but we need to verify whether we have overriding legitimate grounds to use it.

We will inform you when you decide to lift any such restriction on processing.

Your right to object to us processing your personal data

You have the right to ask us to stop processing your personal data:

- for direct marketing (including any profiling we undertake for the purposes of direct marketing);
- where the processing is based on legitimate interests (including any profiling we undertake to send you personalised offers, service recommendations and similar content) 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. We will comply with your right to object in these circumstances, unless:
 - we can demonstrate that we have compelling legitimate grounds to process your personal data which override your rights and freedoms; or
 - the processing is for the establishment, exercise or defence of legal claims.

Where you no longer wish to be contacted for direct marketing purposes, you can easily unsubscribe from our marketing communications at any time by following the instructions included in those marketing communications.

If you have consented to receive offers or marketing communications directly from any third parties, please note that those third parties (not us) are responsible for taking account of your rights, including your right to opt-out of receiving offers or marketing communications from them.

Your right to object to automated decision making

You have the right not to be subject to a decision which is based exclusively on automated processing and produces a legal effect or a similarly significant effect on you. In these circumstances, you are entitled to obtain human intervention, express your point of view and obtain an explanation of the decision and challenge it. However, this right does not apply if the automated decision is necessary for entering into or performance of a contract between you and us, is authorised by law or is based on your explicit consent.

Please note, however, that we do not undertake any such automated processing.

Your right to have your personal data transmitted to another organisation

Where we process personal data about you which:

- has been provided by you directly to us; and
- is processed by automated means; and
- is processed with your consent or for the performance of a contract with you,

you have the right to ask us to provide you with the personal data we hold about you in a structured, commonly used and machine-readable format or, where technically feasible, to transmit that data to another organisation.

Making a complaint

You have the right to lodge a complaint to the Information Commissioner's Office ("ICO"), the UK supervisory authority for data protection issues (www.ico.org.uk), if you believe that we have not complied with applicable data protection laws. You also have a right to claim damages if processing of your personal data violates applicable data protection law.

We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

15. Contacting us

If you have any questions about this policy, or if you wish to exercise your rights as referred to in this policy, please contact us by:

- writing to us at:
Data Protection Officer
Bender Dating Limited
Westgate House
Seedhill
Paisley
Renfrewshire
PA1 1JE
Scotland

or:

- emailing our Data Protection Officer by sending an email to: feedback@benderdating.com.