

# Sustainability Website Privacy & Cookie Policy

Ocado Retail Limited (“Ocado Retail”, “we”, “us” or “our”) is committed to protecting your privacy and the Personal Data entrusted to us in line with data protection laws and regulation applicable to the United Kingdom, including the UK General Data Protection Regulation (GDPR), Data Protection Act 2018 (DPA) and EU GDPR.

To reassure you that we take our obligations to protect your Personal Data seriously, this Privacy Notice and Cookie Policy sets out the ways in which we process, share, retain and protect your information, alongside your rights as the data subject, and how you can raise a complaint if you feel we have not treated your Personal Data responsibly.

This Privacy Notice and Cookie Policy applies if you visit or interact with the Ocado Retail Sustainability website, including but not limited to: communicating with us by phone or in writing including telephone, email, SMS, post, or via third party digital platforms (including websites or social media platforms).

It is important that you read this Privacy & Cookie Policy together with any other Privacy & Cookie Policy or fair processing policy we may provide on specific occasions when we are collecting or processing Personal Data about you (for example, our recruitment privacy policy if you are applying for a position with Ocado Retail, or our website privacy policy for [www.ocado.com](http://www.ocado.com) if you visit or shop on that website) so that you are fully aware of how and why we are using your Personal Data. This Privacy & Cookie Policy supplements other notices and privacy policies and is not intended to override them.

Ocado Retail Limited is the data controller in respect of this website.

Terms and definitions within this Notice:

“**Controller**” is defined as the organisation making the decision as to how the information is processed and for what purpose.

“**Ocado.com**” is the website and application operated by Ocado Retail to supply Ocado own label, branded and Marks & Spencer products to customers.

“**Personal Data**” is any information that alone, or in combination with other information, can directly/indirectly identify a living individual. This also consists of “special categories of information” which, due to its personal nature, requires further protection when processed.

**“Processing”, “Processed” and/or “Process”** means any action undertaken on the personal data, by manual or automated means, including but not limited to collecting, recording, organising, storing, changing, accessing, using and disclosing.

“Processor” is the organisation undertaking the processing on behalf of the Controller.

“Profiling” is the activity of Processing Personal Data via automated means to analyse and make predictions about the individual.

## Personal Data

Personal Data is any information relating to a living individual who can be identified directly or indirectly, often by name, customer number, location, an online identifier or other factors specific to their identity.

Personal Data may include “special category data” such as Personal Data relating to racial or ethnic origin, political opinions, religious beliefs, membership of a trade union, physical or mental health, and criminal records and allegations, however we do not collect special category data about you.

Information disclosed to us, by you, in the course of communications with us will be retained automatically as part of your correspondence and may as a result include special categories of Personal Data however we do not seek to collect special category data about you. Further protection and safeguards are placed upon the special category data we process.

Types of data we may process on you includes, but is not limited to:

- **Personal Details**  
Includes first name and last name.
- **Contact Details**  
Includes postal address, email address and telephone number.
- **Online Activity Details**  
Includes internet protocol (IP) address, 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 this website.
- **Usage Details**  
Includes information about how you use our website.

## Purpose of Processing

We gather information from you through, for example, the use of our websites and services. This includes tailoring the information we share with you to ensure that it is relevant, useful, timely and non-intrusive.

The information we process may be done so for a number of purposes and these are detailed, non exhaustively, under the Lawful Basis of Processing section below.

## Lawful Basis of Processing

The lawful basis we rely upon to process your Personal Data may differ for each Processing activity. Dependent upon the purpose for Processing as detailed below, and the business area processing your data, one of the following lawful basis of Processing may apply:

- **Article 6 (1) (a) GDPR Consent:**
  - For use of cookies where consent is required;
  - Sharing or publishing of Personal Data where required
  
- **Article 6 (1) (c) GDPR Legal Obligation:**
  - To allow us to comply with any requirements imposed on us by law or court order, including disclosure to law or tax enforcement agencies or authorities, or pursuant to legal proceedings;
  - To maintain records to meet legal, audit, regulatory and tax requirements;
  - To help us defend legal claims, or to exercise legal rights;
  - Prevention and detection of fraud, crime and anti-money laundering;
  - Suppression lists and managing communication opt-out requests;
  - To meet any other legal or regulatory obligation.
  
- **Article 6 (1) (f) GDPR Legitimate interests:**
  - To monitor the use of our websites and apps, and to ensure data security, data loss prevention and improve its facilities;
  - To transfer, migrate or move data for the purposes of developing and maintaining IT infrastructure and services.
  - To use analytics to improve our website and visitor experiences;
  - To manage our relationship with you which will include notifying you about changes to our terms or Privacy & Cookie Policy
  - To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data);
  - To help you understand our business, its performance and changes;

## Sharing your information

Ocado Retail may share Personal Data or engage with third parties, for example, to meet legal obligations, fulfil contractual terms, or promote our services. Whenever we use or disclose your information, we put in place measures to keep it secure, and make sure it is protected as far as is reasonably possible.

Third parties include those to whom we may choose to sell, transfer or merge all or part(s) of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with some or all of 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 & Cookie Policy or any other privacy policies to which it refers.

Any insights and statistics we publish or share with third parties, whether for financial gain or not, will always be presented in an aggregated and anonymised form. For example, the data that may be provided to our suppliers to assist them in their sales performance and forecasting will never include personal identifiable information.

## Security

Our websites use Secure Sockets Layer (SSL) encryption technology to protect the transfer of your information to and from our websites. Our web page URLs will start with https and a padlock will be displayed in front of the URL bar to show that we always encrypt the information that you send us.

We maintain and enforce physical, electronic, and procedural safeguards in connection with the collection, storage and disclosure of your Personal Data. However, whilst we take appropriate technical and organisational measures to ensure the protection of your Personal Data, we cannot guarantee the security of all Personal Data that you transfer over the internet to us in every circumstance, for example, if we suffer a sophisticated cyber-attack.

Our security procedures mean that we may occasionally request proof of identity before we disclose Personal Data to you, including in relation to a request by you for the information we hold on you (a subject access request).

### **Personal security and identity fraud**

Using public WiFi networks can be risky, and hackers may try to capture your online transactions and Personal Data. You should only connect to networks that you trust. If you

use a shared computer, make sure that you log out once you have finished using a website or application.

Criminals and fraudsters may attempt to steal your Personal Data using a technique known as 'phishing'. This is where criminals send bogus emails that appear to be from Ocado Retail but are actually fake. These emails often deceive people into giving away their Personal Data (such as usernames and passwords) under the guise of updating security details, and contain a link to false websites asking you to input your account details.

We will never ask you to provide your Personal Data via email. If you receive an email like this that claims to be from us and contains a link to an external website, or a request for you to enter any Personal Data, treat it as suspicious and do not enter any Personal Data, even if the page appears legitimate. If you suspect that your account details are subject to such fraudulent activities, please let us know by calling our Contact Centre.

## Data retention

We retain your Personal Data only for as long as is necessary to support the purposes laid out in the "Lawful Basis of Processing" section, for our business interests and/or to comply with our legal, regulatory and contractual obligations. We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes for which we collected it, 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.

If you wish to understand specific retention schedules please contact: [privacy@ocado.com](mailto:privacy@ocado.com).

## International transfers

Our operations are based in the UK and the Personal Data that we collect from you is processed, stored and used within the UK and other countries in the European Economic Area (EEA) and third party territories including the US.

For any transfer of Personal Data outside the UK or EEA, namely to third party territories and known as a "restricted transfer", we aim to apply a similar level of protection by following requirements set out in data protection legislation.

We may make a restricted transfer if the receiver is located in a third country or territory or is an international organisation, covered by UK "adequacy regulations".

UK “adequacy regulations” set out in law that the legal framework in that country, territory, sector or international organisation has been assessed as providing ‘adequate’ protection for individuals’ rights and freedoms for their Personal Data.

If there are no UK ‘adequacy regulations’ about the country, territory or sector for the restricted transfer, the transfer is subject to meeting ‘appropriate safeguards’.

Appropriate safeguards as detailed in the UK GDPR, are to ensure both us and the receiver of the restricted transfer are legally required to protect your rights and freedoms in respect of your Personal Data.

We undertake transfer risk assessments on all restricted transfers which take into account the protections contained in that appropriate safeguard, and the legal framework of the destination country (including laws governing public authority access to the data).

Restricted transfers are only made if we have entered into a contract with the receiver incorporating standard data protection clauses, such as EU SCC accompanied by a UK Addendum or an IDTA as recognised or issued in accordance with the UK data protection regime.

We also have the ability to rely on the derogation under Article 49 of the GDPR (when the transfer relates to the performance of a contract and for your benefit), and where you provide permission for the transfer to go ahead.

For more information on how we safeguard transfers of your personal information, please contact us at [privacy@ocadoretail.com](mailto:privacy@ocadoretail.com).

### Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements or the data they may collect about you. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## Your Rights

You can exercise certain rights in regards to the data we hold on you:

- Request access to your Personal Data
- Request correction of your Personal Data
- Request erasure of your Personal Data
- Object to processing of your Personal Data

- Request restriction of processing your Personal Data
- Request transfer of your Personal Data
- Right to withdraw consent or object to processing reliant upon legitimate
- Right to request human intervention in regards to automated decision making

The applicability of these rights is dependent upon our purpose and the lawful basis of Processing relied upon. There may be reasons why the above rights may be limited in some circumstances. For example, we can refuse to provide information if fulfilling your request would reveal Personal Data about another person, or if you ask us to delete information which we are required to retain by law, have compelling legitimate interests to keep, or need to access in order to fulfil our legal obligations.

In such situations, we would only use your information for these purposes and not use or share your information in other ways. We will always protect your privacy and retain any Personal Data in accordance with the section entitled 'Data Retention'.

You can exercise your rights either verbally or in writing. However, if you submit a request verbally we recommend that you follow this up in writing to provide a clear correspondence trail.

### **How to exercise your rights and timescales**

To exercise a data subject right you can further email us at [privacy@ocadoretail.com](mailto:privacy@ocadoretail.com) this includes but is not limited to the following requests:

- To provide you with more information if required, on how we process your Personal Data
- To request access to Personal Data where you have the right to access a copy of the Personal Data we hold about you. We utilise an online portal to provide data to you, in a machine-readable format. Personal Data is information that relates to an identified or identifiable individual. Personal Data must relate to you. Therefore, not all data is Personal Data, we are however happy to provide you with information held and feasible to retrieve with regards to your engagement and any account with us, that is not exempt from disclosure.
- To inform us Personal Data we hold on you is incorrect or incomplete, so we can help you update it. In most instances you can update your Personal Data online within your account.
- To withdraw consent at any time where we have asked for it, but this will not affect any Processing that has already taken place.

- To object to certain processing activities which use your Personal Data, in particular where the Processing is based on legitimate interests as outlined in the section entitled 'Lawful Basis of Processing'.
- To ask us to delete, remove, or stop using your Personal Data if there is no need for us to keep it. You can also ask us to restrict the use of your Personal Data in certain circumstances. These rights are known as the 'right to object,' the 'right to erasure' and the 'right to restrict processing'. Should you request your Personal Data be deleted outside of our retention period, you will need to use a different email address, if you decide to re-register as a customer with us, as your old email address will no longer be valid. You may be unable to continue using our services if you require us to stop using your Personal Data, since this information is necessary for us to accurately fulfil and provide our services.

### **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). 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 will only process data subject rights requests where we are satisfied that ID verification has been successful, and you are the one asking for your Personal Data to be processed. We will not process Personal Data where we are in doubt of the identity of the requestor. You may be asked to prove your identity when making a subject rights request.

### **Requests made by third parties**

In line with our privacy practices and to protect your rights and freedoms, we are unable to process a data subject rights request made by a third party (such as Rightly) where; there is doubt that the third party has the appropriate authority to act on your behalf; and where we are not satisfied adequate evidence has been provided in support of identity verification. We would always aim to ensure that a third party has the appropriate consent or authority to act on your behalf, and most significantly that you are fully aware that the third party has made contact specifically with us (Ocado Retail), regarding exercising your data subject rights.

Before we can process a data subject rights request made by a third party on your behalf, we require as a minimum from the third party:

1. a copy of an identity document for you; and



2. evidence of your address; and
3. a physically signed authority by you; or a verbal authority provided directly to us from you and noted on your account; and if provided electronically the authority is to come directly from your email address that matches our records.

We will not access or process your Personal Data without being confident we are acting on your specific instructions.

If required, identification will be requested within the one-month time frame and only limited to what is necessary for confirmation, such as a copy of your driving licence, passport or utility bill. Once the ID has been confirmed we will then process your request.

If your request cannot be processed, due to legal obligations or the non-applicability of rights, we will inform you of this, along with the reasons as to why your request cannot be carried out. Should we refuse to comply with a request we will inform you of this within the one-month time frame and provide an explanation outlining our justification, our internal complaints procedure and your right to complain to a supervisory authority and to enforce your rights through a judicial remedy.

### **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.

## **Lodging a complaint**

If you are not satisfied with our use of your Personal Data or our response to any request made by you in relation to your Personal Data, you have a right to make a complaint to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545745 (national rate)

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

The ICO currently recommends you contact them within 3 months of your last contact with us and advises you to contact them once the company's complaints process has been exhausted.

## Cookie Policy

When you visit an Ocado Retail website or use one of our related apps, we apply our own and third-party cookies and similar technologies (for example, pixels, SDKs and tracking URLs) to identify your device, personalise and improve your customer experience and, where appropriate, serve you relevant advertisements.

This Cookie and App Consent Policy provides information regarding our use of cookies and similar technologies on our websites, the SDKs on our apps and the choices you have in regards to either of these.

### **What are Cookies?**

Cookies (or similar such as SDKs) are small files that are placed on your computer, mobile phone, tablet or other device when visiting a website or application. Cookies and SDKs assist in the performance and end user experience by remembering preferences and choices, identifying traffic and remembering your selections, such as the items you place in your basket.

We have two main categories of cookies: essential and non-essential.

### **Essential cookies (Strictly necessary)**

**Summary:** These cookies let you log in, access your Account Settings and use all services. These also include essential functional and performance cookies/SDKs. These cannot be disabled as they are strictly necessary for the functioning and acceptable user performance of our websites/apps.

These cookies are essential in order to enable you to move around our website and app and use its features, including accessing secure areas. Without these cookies, any services on our website or app

you wish to access cannot be provided. These essential functional cookies are needed for services to be provided whereas essential performance cookies allow us to monitor the performance of necessary activity - for example, information security purposes.

Strictly necessary cookies are necessary for the website or app to function. You can set your browser to block or alert you about these cookies, however this is likely to affect your

user experience as certain parts of the site or app will not be able to function. These cookies do not store any personally identifiable information.

## **Non-essential Cookies**

### **Performance and Analytics cookies**

**Summary:** These collect, analyse and report information on the performance of our websites/apps. With them, we can fix any errors or make improvements on any not-so-easy-to-navigate pages. In addition to this we use third-party web analytics software on our websites/apps to help us understand how well our website and promotional content are performing. These cookies are only processed with your consent.

We set cookies that help us assess the performance of our online and TV advertising campaigns. For example, these cookies will record whether a customer visited the website/app or made a purchase after viewing one of our adverts. These can include third party cookies set by online advertising platforms including but not limited to Facebook, Bing and Pinterest.

Analytics cookies collect information about how you and other visitors use our websites or apps. This can be anything from which pages you go to most often or if you get error messages from web pages. We use data from these cookies to help test designs and to ensure a consistent look and feel is maintained on your visit to our websites or apps. In addition to this we use third-party web analytics software on our websites and apps (such as Google Analytics) to help us understand, for example, how well our website is performing.

### **Functional cookies**

**Summary:** These cookies allow this website/app to remember your preferences and settings to make your experience quicker and easier every time you return to shop (e.g. your username, text size, font style and much more). These cookies are only processed with your consent.

These cookies allow our website/app to remember choices you make (such as your username, language, or the region you are in) and provide enhanced personal features. These cookies can also be used to remember settings such as changes you have made to text size, fonts, and other parts of the web page that you can customise.

### **Targeting cookies**

**Summary:** These cookies are used to show you more relevant adverts and are usually placed by third parties, such as Rakuten Advertising and RedEye, with our permission. These cookies are only processed with your consent, and may involve the

processing of offline Personal Data, in order to be able to understand what targeted advertisements will be of interest to you. If these are disabled, you will still see our adverts, they just will not be as relevant to you.

These cookies are used to deliver adverts more relevant to you and your interests, including the ads we display on our websites and apps, and on third party advertising platforms such as Facebook.

They are also used to limit the number of times you see an advertisement, where you see the advert, and may help measure the effectiveness of a marketing campaign. They are usually placed by third parties (such as advertising networks or platforms) with the website operator's (our) permission.

Targeting cookies are only processed with a users consent.

They remember that you have visited a website and this information is shared with the advertiser or processor that helps us deliver the advertising. Some targeting cookies include having to process offline or account information to fulfil the purpose of the cookie, meaning in order to provide you with advertisements relevant to you, Personal Data we hold about you may need to be processed so we can best understand your interests and what adverts would be of the most value for you to see.

If you do not consent to targeting cookies, you will still see adverts, however, these will not be targeted and so may not be relevant to you.

We have enabled Google Analytics Data Collection for Advertising Features, including Remarketing and Advertising Reporting Features. These features enable us to make use of data from users who have chosen to allow Google to associate their web and app browsing history with their Google account in order to personalise the ads we may show in Google Search and Display Advertising. This helps us provide more relevant messaging to our users. This also provides us with demographic and interest information at an aggregate level that helps us to understand our users better.

We have enabled ID synchronisation cookies with The Trade Desk. Cookie synchronisation enables The Trade Desk to sync cookie IDs, which allows advertisers to be able to find visitors to this site on other web properties for targeted advertising purposes. You may see this cookie as adsvr.org.

In order to assess the performance of advertising campaigns we may use a targeting cookie to share information, for example with SKY when arriving on our landing page through use of a SKY QR code. This cookie may collect digital identifiers such as IP addresses and User IDs which help us record whether you visited the website or made a purchase after viewing

the relevant advert. By consenting to Targeting cookies you will agree to us placing and sharing such cookies.

### **Managing and disabling cookies**

You may refuse the use of cookies by selecting the appropriate settings in your browser. However, if you do, you may impair certain functionality on our website or may cause it not to work at all.

If, after being presented with our cookie banner, you elect to use our websites without disabling cookies, then you agree to our use of cookies and other similar technologies for the purposes described above.

If you do not want to allow cookies at all, or only want to allow the use of certain cookies, please refer to your browser settings.

### **Further information about cookies**

To find out more about cookies please visit: [www.allaboutcookies.org](http://www.allaboutcookies.org) or see [www.youronlinechoices.eu](http://www.youronlinechoices.eu) which contains further information about behavioural advertising and online privacy.

To opt-out of Google Analytics for Display Advertising and customise Google Display Network ads please go to <https://www.google.com/settings/ads> or Google Analytics' currently available opt-outs for the web.

## **Updates to the Privacy Notice and Cookie Policy**

We may review and amend the contents of this Privacy Notice and Cookie Policy from time to time, therefore, we recommend you check it regularly.

If you have questions regarding the contents of this Policy, or wish to exercise any of your rights described within, you can contact our Data Protection Officer by email or by post:  
Email: [privacy@ocadoretail.com](mailto:privacy@ocadoretail.com).

Post: Data Protection Officer  
Ocado Retail Limited  
Apollo Court  
2 Bishop Square  
Hatfield Business Park  
Hatfield  
AL10 9NE

