

GECKO HOSPITALITY – PRIVACY NOTICE

FOR FRANCHISEES

Last updated: February 2024

Summary of how we use your data

- Gecko Hospitality UK Limited (“**Gecko**”, “**Gecko Hospitality**”, “**we**”, “**us**” or “**our**”) uses your personal data as a data controller to review your application to be a Gecko franchisee (“**Franchisee**”) and, where necessary to conduct further screening on your application. If your application is successful, we also use your personal data to manage our franchise relationship with you.
- Personal data is shared with others including our Franchisees, other Gecko group companies and third party vendors, references and credit reference agencies. In some instances, personal data is transferred outside the UK/EEA, including to the US.
- Where we rely on your consent, such as in some countries and in some circumstances, for direct marketing, you can withdraw this consent at any time.
- You also have other data protection rights including the right to object to some of the processing which we carry out.

1. What does this notice cover?

This notice describes how Gecko Hospitality UK Limited processes your personal data in connection with your interactions with us and your more detailed application for consideration as a Franchisee and is supplemental to our [Website Privacy Notice](#) (which covers your initial expression of interest to us on the Site as a prospective Franchisee). It also describes your data protection rights, including a right to object to some of the processing which Gecko Hospitality carries out. More information about your rights, and how to exercise them, is set out in the "Your choices and rights" section of the [Website Privacy Notice](#).

We also may provide you with additional information when we collect personal data, where we feel it would be helpful to provide relevant and timely information.

2. What categories of personal data we collect

- **Personal Identification and Communication Information:** your name, phone number and email address.
- **Marketing Information:** Your marketing preferences including any consents you have given us.
- **Application-related information:** Your home address, date of birth, citizenship/nationality, education history, qualifications and skills, employment history, interests and aspirations, suitability (why you are interested in owning a Gecko Franchise, how long have you considered owning your own business and why), business plan, willingness to relocate, and bank account information if we are reimbursing expenses.
- **Screening-related Information:** If we intend to make an offer of a franchise to you based on your application, we may request certain additional screening-related information including: Address history, immigration status, reference contact information relating to education, employment, and character (professional references), credit history and your credit score, financial circumstances and financial referees, unspent criminal convictions, and information obtained from the

screening sources that we have identified using the above information to the extent that this is necessary and proportionate and in accordance with applicable laws.

If you are applying for a Franchise in partnership with another person or persons (including your spouse), we will ask you to disclose this, and separate application forms and screening processes will need to be completed for each business partner.

We sometimes collect this information from you directly. For example, data is collected through our Request for Consideration form following your expression of interest. We may also collect screening-related information about you from your education, employment, character and financial referees and other sources involved in background checks (e.g. publicly available registers or government agencies), or organisations e.g. from LinkedIn if you choose to connect us with your LinkedIn profile.

3. Why we collect, use and store this personal data

We have to have a legal basis to process your data. We explain each of these legal bases below. We also set out the purposes for which we process your data. For each purpose, we explain the lawful basis for that processing, the processing operations that we carry out and the categories of data that we process.

Explanation of the different legal bases which we may rely on to process your personal data

Consent – sometimes we ask for your consent to use your data.

Contractual necessity – sometimes we will need to process your data in order to perform a contract with you or to take steps at your request prior to entering into a contract with you.

Legitimate interests – we can process your data when this is necessary for us to achieve a business purpose, or where this is necessary for someone else to achieve their purpose. We explain below what interests we, or others, are trying to achieve when we process your data relying on this legal basis. Where we process personal data on the basis of a legitimate interest, then – as required by data protection law – we have carried out a balancing test to document our interests, to consider what the impact of the processing will be on you and other individuals and to determine whether individuals' interests outweigh our interests in the processing taking place. You can obtain more information about this balancing test by using the contact details at the end of this notice.

Legal obligation – we have obligations to comply with legal and regulatory requirements under law in various jurisdictions in which our business operates, including the UK and Ireland. In certain cases, we have to use or disclose your data to meet these obligations.

Explanation of the different purposes for which we may process your personal data

We have set out below why we process your data and what data we use for each purpose, and who it may be shared with. We also indicate in brackets for each purpose which legal basis we rely on for this processing:

Processing your Request for Consideration – (contractual necessity)

We collect and use your personal data so we can process your Request for Consideration as a Franchisee. We store, and where needed, update, your personal data to make informed decisions on entering into a franchise relationship and assess your suitability for be a

Franchisee, to communicate with you about your application, to respond to your inquiries, and to reimburse you for any agreed expenses incurred in the application process.

To do this we use your Personal Identification and Communication Information and Application-related Information (as each described in Section 2).

This information may be shared other companies in our group (including our parent company) and companies who host and support our Franchisee database. If we reimburse expenses, we share information with financial service providers.

Keeping in touch – (consent)

With your consent, we use your data to contact you about future franchise opportunities with Gecko Hospitality. This includes analysing and storing your data and keeping it up to date and using it to contact you.

We use your Marketing Information, Personal Identification and Communication Information and Application-related Information (as each described in Section 2) for this.

Where you provide your consent, this information may be shared with other companies in our group (including our parent company) so they can contact you about relevant opportunities and promotional material you may be interested in. In addition, this information will be shared with companies who host and support our Franchisee database.

Verifying information as part of our Franchisee screening process – (legitimate interests)

If we intend to make an offer of a franchise to you based on your application, we have an interest in confirming that the information provided by you as part of the Request for Consideration form is accurate, to ensure that we are appointing Franchisees who are appropriate for the role including that they are in good financial standing and do not pose a financial risk to our franchise, and to prevent and detect fraud. As such, we may carry out or ask a background screening provider to carry out additional screening checks for you at this point in time.

We use your Personal Identification and Communication Information, Application Information, and Screening-related Information (as each described in Section 2) to do this. During the screening process, you will complete a form which contains different categories of personal data. The personal data relates to your identification, background and history, and this is used to identify relevant sources for identification, verification and vetting purposes. The sources may include organisations, institutions, agencies or individuals from which information is collected for the purposes of fulfilling the screening only and may include employers, educational and financial establishments, referees, government agencies, credit reference agencies (which may include [TransUnion](#) and [Equifax](#)), courts, public registers, data or screening providers or repositories. This could include sources you have identified who are based outside the UK/EEA.

We will only carry out such checks as are permitted by applicable law and which are necessary and proportionate to the purpose of verifying your information as an applicant for the franchise role in question.

Where we check references, previous employment or education history, we disclose the fact that you have applied for a franchise role with us to educational institutions and to previous employers and we may also disclose to them specific information contained in your application (for example pertaining to your education, qualifications or experience) which we may wish to verify with them.

This information will also be shared with companies who host and support our Franchisee database.

Sometimes for confidentiality or other contractual purposes, certain checks can only be carried out with your authorisation (e.g. to obtain qualifications from educational institutions, financial information from banks or from referees). References to “authorisation” on any application/background check forms are typically for these purposes and are separate to and different from “consent” as a lawful basis under the UK/EU GDPR.

Please note that if any screening check result gives cause for concern, we will disclose and discuss this information with you and the possible impact on your contractual relationship with us. If you should have any query with respect to any results of such checks, you should contact us using the details below. If these searches result in the recording of any adverse information about you, you will be given the opportunity to make representations.

Managing our relationship during the franchise – (legitimate interests)

We have an interest in corresponding with you whilst you are operating our franchise in order to ensure effective management of the franchise. To do this we use your Personal Identification and Communication Information (as described in Section 2). This information may be shared with other companies in our group (including our parent company) and companies who host and support our Franchisee database.

Business interests – (legitimate interests)

We have an interest in protecting our business interests and legal rights, including, use in connection with legal claims, compliance, regulatory, auditing, investigative and disciplinary purposes and ethics and compliance reporting requirements.

To do this, we store, use and may transmit your Personal Identification and Communication Information, Application-related Information and Screening-related information (as each described in Section 2).

We share information with legal and other advisers if there are investigations or potential claims.

Compliance with law – (legal obligation)

We use your data to comply with legal, regulatory and other requirements under UK or Irish corporate, tax, financial and other laws by analysing and possibly transmitting your personal data. To do this we use your Personal Identification and Communication Information, Application-related Information, Screening-related Information, and Marketing Information (as each described in Section 2).

This information will be shared with Franchisees to the extent they are also involved in the relevant matter, and with government authorities and/or law enforcement authorities if mandated by law.

4. How we share your personal data

When we conduct screening on your application, where we check references or previous employment and education, we disclose the fact that you have applied to us to educational institutions and to previous employers and other referees. We may also disclose your

application and screening-related information to other publicly available sources or government agencies relevant to these checks.

Where we use the credit reference agencies referred to in the " Verifying information as part of our Franchisee screening process" section above, we will share your Personal Identification and Communication Information, Application- related Information and Screening related Information with those agencies to carry out credit and identity checks in connection with your application in order to assess your credit status and to make sure what you have told us is true, correct and up to date. The credit reference agencies may give the information we share with them to other organisations who also want to check your credit status. When we ask the credit reference agencies about you or your business, they will note it on your credit file. This is called a credit search and other lenders may see this and we may see credit searches from other lenders.

If you make your application with someone else, we will link your records with theirs. We'll do the same if you tell us you have a spouse, partner or civil partner – or that you are in business with other partners or directors. You should tell them this before you apply. It's important that they know your records will be linked together, and that credit searches may be made on them. Credit reference agencies also link your records together. These links will stay on your files unless one of you asks the agencies to break the link. You'll normally need to give proof that you no longer have a financial link with each other.

You can find out more about the credit reference agencies on their websites and how they process your personal data in the Credit Reference Agency Information Notice (CRAIN). Here are links to the information notice for the Credit Reference Agencies we use:

- [TransUnion](#)
- [Equifax](#)

We use these agencies mainly for UK customers. For non-UK customers, we may not use these agencies. We may instead use other regional credit reference agencies. Please see the Contact Us section if you'd like more details on this.

Your personal data will be shared with other Gecko group companies in order to operate, improve and develop our services, to operate our business, and/or to meet our compliance obligations under applicable law. With your consent (where applicable), we also share personal data with our group companies (including our parent company) for them to send their own marketing campaigns as described above.

Your personal data will be shared with companies providing services to us, such as technology services including hosting, maintenance, administration and analysis, as well as other agencies, under contract to Gecko Hospitality as part of the Franchisee application and franchise management process. When we share your data with these companies, we have explained this according to each purpose under section 3.

Your personal data also will be shared with government / regulatory authorities, courts / tribunals, and/or law enforcement authorities if mandated by law or if required for the protection of our legitimate interests in compliance with applicable laws.

In the event that a Gecko Hospitality business is sold or integrated with another business, your details may be disclosed to our advisers and any prospective purchaser's adviser and will be passed to the new owners of the business.

5. Where we transfer your personal data

Please see our [Website Privacy Notice](#) for further details. Where we cannot rely on one of the transfer mechanisms mentioned, we rely on your consent under EU/UK GDPR (eg where we may need to contact a source you have identified in the Request for Consideration form who is based outside the UK/EEA).

6. Your choices and rights.

Please see our [Website Privacy Notice](#) for further details.

7. How long we retain your personal data

If you are successful in being chosen as a Franchisee: we will retain your personal data only for as long as we need it for our legitimate interest in accordance with applicable law, for the purposes of the application process and, once this process is finished and you have been successfully chosen to be a Franchisee, for an appropriate period so as to be able to deal with any legal claims linked to the application process. Records of successful Franchisees' applications are generally kept for 7 years following placement and any personal data which is not necessary for this purpose will be removed at an earlier stage. After this period, we will take steps to delete your personal data or hold it in a form that no longer identifies you.

If you are not successful in being chosen as a Franchisee or if you withdraw from the application process: we will retain your personal data with your consent for 7 years so we can keep you in mind for future consideration; otherwise, it will be deleted after 6 months.

8. Will provision of your personal data be mandatory?

Where we collect personal data to administer a contract with you or to comply with our legal obligations, this is mandatory and we will not be able to manage the application relationship without this information.

In all other cases, provision of the requested personal data is optional, but this may affect your ability to participate in certain roles or systems, where the information is needed for those purposes. In particular, if you choose not to provide Screening-related Information or to authorise us obtaining information from references, this may limit your ability to apply for the role of Franchisee.

9. Updates to this Privacy Notice

Please see our [Website Privacy Notice](#) for further details.

10. Contact us

Please see our [Website Privacy Notice](#) for further details.