

# TERMS & CONDITIONS & PRIVACY POLICIES Privacy Factsheet



**TERMS AND CONDITIONS (T&C's)** are the contract we agree to when using a website, app or increasingly an internet connected device.. They explain in part, how the company will use your data now and in the future. Terms and conditions are not a legal requirement but many companies want you to agree before you can use their service or product. Very few of us read the terms and conditions. Most of us automatically tick "agree" but by not reading the small print we don't know what we are agreeing to or what responsibilities we have to the company.

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## What are terms and conditions?

**Terms and conditions** also referred to as Terms of Service or User End Licensing Agreements are a contract between you and the company whose service you wish to use, they outline:

- **The terms:** what the company will do with your information.
- **The conditions:** what you must do to follow the company's rules.

**Terms and conditions** are not a legal requirement but most companies insist you sign their contract before using their service or product. This protects them if a problem occurs.

**Some websites and apps** simply assume that by using their service you agree to their terms and conditions and therefore don't publish a specific document.

**You cannot pick and choose** which parts of the terms and conditions you agree with, when you accept the document you are agreeing to every part of the contract, even things you might not like.

**It is important to note** that a company can change or amend their terms and conditions at any time.

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## What do terms and conditions include?

**Each company** will use slightly different words but usually you are agreeing to:

- How material can be used and who owns it.
- How your data and information will be used.
- How you can leave or how your use can be suspended.
- The correct way to use the website, such as behaviour, conduct and online actions.
- What you must do to keep your data safe including the creation of passwords.
- What your rights and responsibilities are.
- What you may be subjected to if you damage the site.
- How the company will notify you if the contract changes.
- The country whose law you are agreeing to. It may not be UK law if the company is based abroad.



## Is a privacy policy different to terms and conditions?

Yes, a company is legally required under the Data Protection Act (1998) in the UK and under the rules of the Federal Trade Commission in the USA to have a privacy policy. A privacy policy outlines how your personal data will be used by a company.

You will not be asked to check and agree with a privacy policy before using a service. However, by agreeing to the terms and conditions you will be agreeing to how your data will be processed.

You should always check a privacy policy before giving your data to a website, online company or app. If you don't you will not know how your personal data will be used.

Privacy policies can be lengthy and complicated but some companies are constantly improving them to make them clearer and more user friendly.

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## Why is any of it important?

- The terms and conditions outline what you can and can't do on the website or with the app.
- You may have given out personally identifiable information. For your safety you should know how that data will be used, how it will be stored and who can access it.
- You would never sign a contract without knowing what you are agreeing to.
- The terms and conditions or privacy policy is the only place to learn who the company may share your information with.

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## But T&C's are boring and time consuming to read....

Companies are getting better at writing easy to understand T&C's and privacy policies but if you really can't be bothered, or don't understand what you are reading, visit one of these useful websites to help you:

This site gives an overview of the most popular company's T&C's: <https://tosdr.org/>

This site gives an overview of licence agreements: <https://tldrlegal.com/>

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## Don't forget

- The terms and conditions tell you your responsibility to the company.
- You cannot agree to some of the terms and conditions, you have to agree to all of them.
- Who your data can be shared with, should be explained in terms and conditions or privacy policy.
- Companies can change or amend their terms and conditions anytime.