

PERIVAN LIMITED'S WEBSITE PRIVACY POLICY

This privacy notice was last updated on: 11/5/2018

INTRODUCTION

Welcome to Perivan Limited's privacy notice.

Perivan Limited respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (www.perivan.co.uk) (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

1. *IMPORTANT INFORMATION AND WHO WE ARE*
2. *THE DATA WE COLLECT ABOUT YOU*
3. *HOW IS YOUR PERSONAL DATA COLLECTED*
4. *HOW WE USE YOUR PERSONAL DATA*
5. *DISCLOSURES OF YOUR PERSONAL DATA*
6. *INTERNATIONAL TRANSFERS*
7. *DATA SECURITY*
8. *DATA RETENTION*
9. *YOUR LEGAL RIGHTS*
10. *GLOSSARY*

1. IMPORTANT INFORMATION AND WHO WE ARE

1.1 Purpose of this privacy notice

This privacy notice aims to give you information on how Perivan collects and processes your personal data through your use of this website, including any data you may provide through this website, purchase a product or service or take part in a competition.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice 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 privacy notice supplements the other notices and is not intended to override them.

1.2 **Controller**

Perivan Limited is the controller and responsible for your personal data (collectively referred to as “Perivan”, “we”, “us” or “our” in this privacy notice).

We have appointed a data protection officer (**DPO**) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise *your legal rights (please see paragraph 9)*, please contact the DPO using the details set out below.

1.3 **Contact details**

Our full details are:

Full name of legal entity: Perivan Limited

Name or title of DPO: Vera Drozdova

Email address: gdpr@perivan.co.uk

Postal address: 21 Worship Street, London EC2A 2DW

1.4 **Changes to the privacy notice and your duty to inform us of changes**

This version was last updated on 11/5/2018

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.

1.5 **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. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. **THE DATA WE COLLECT ABOUT YOU**

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). For the full definition of **personal data**, (please see paragraph 10.3).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, last name, username or similar identifier and title.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Technical Data** 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.
- **Profile Data** includes feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. 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 website page or feature. However, if we combine or connect 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 privacy notice.

2.1 **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you :
 - apply for our products or services;
 - subscribe to our publications;
 - request marketing to be sent to you;
 - enter a competition, promotion or survey;
 - participate in discussion boards or other social media function on our website; or
 - give us some feedback or report a problem with our website.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns and your Usage Data in respect of your use of our website. We collect this personal data by using cookies and other similar technologies. Please see our Cookie Policy for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - Technical Data from the following parties:
 - (a) analytics providers such as Google based outside the EU; and
 - (b) advertising networks such as linked-in based outside the EU

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you or the organisation you work for.

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

To find out more about the types of **lawful basis** that we will rely on to process your personal data (*please see paragraph 10.2*).

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by [contacting us](#).

4.1 **Purposes for which we will use your personal data**

We use your personal data in the following ways:

- **personal data that you provide to us** is used to:
 - provide you with the information, products and services that you request from us
 - provide you with marketing information in accordance with your marketing preferences
 - manage and administer our business and notify you about changes to our service
 - review and improve our products and service
 - to ensure that content from our website is presented in the most effective manner for you and your computer or mobile device
- **personal data that we receive from third parties** is combined with the personal data that you provide to us and used for the purposes described above.
- **personal data about your use of our website** is used to:
 - administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes
 - to improve our website to ensure that content is presented in the most effective manner for you and for your computer or mobile device

- to allow you to participate in interactive features of our service, when you choose to do so
- as part of our efforts to keep our site safe and secure
- to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you
- to make suggestions and recommendations to you and other users of our site about goods or services that may interest you or them

4.2 **How we use your personal data for marketing**

We will add your details to our marketing database if:

- you make an enquiry about our products or services
- you buy our products or services
- you have told a third party that you would like them to pass us your contact details so that we can send you updates about our products and services

We may send you marketing communications by email, telephone, post or via social media.

4.3 **Cookies**

Our website uses cookies to distinguish you from other users of the website. This helps us to provide you with a good experience when you browse the website and also allows us to improve the website. For detailed information on the cookies we use and the purposes for which we use them see our [Cookie Policy](#).

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the website may become inaccessible or not function properly.

4.4 **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 and we will explain the legal basis which allows us to do so. If this requires your consent, you are not required to give your consent just because we ask for it. If you do give your consent, you can change your mind and withdraw it at a later date by [contacting us](#).

Please note that 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.

5. **DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with the parties set out below for the purposes set out in paragraph 4 above.

- **External Third Parties** as set out in the *Glossary (10)*
- **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 notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

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 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 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, and the applicable legal requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

We may also be subject to contractual requirements that specify how long we can keep your personal data for (for example, 90 days from contract termination for any data held within any of our Software products/services).

In some circumstances you can ask us to delete your data: (see *paragraph 9.7.3*).

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

8. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- *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*

If you wish to exercise any of the rights set out above, please [contact us](#).

8.1 **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 may refuse to comply with your request in these circumstances.

8.2 **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.

8.3 **Time limit to respond**

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.

9. **GLOSSARY**

9.1 **Controller** means, unless otherwise provided by law, the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

9.2 **Lawful Basis**

Legitimate Interest means conducting and managing our business in our interests, or the interests of a third party. Our interests could include, for example, our internal administrative purposes, ensuring network and information security or for direct marketing. Whether a particular legitimate interest may exist can also depend on the relationship we have with you (for example, where you are a customer of ours).

We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests or the interests of a third party. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [contacting us](#).

Performance of Contract means processing your data where it is 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.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

9.3 **Personal data** means any information relating to an identified or identifiable natural person (**data subject**); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

9.4 **Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

9.5 **Processor** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

9.6 **Third Parties**

External Third Parties

- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Hubspot based in the USA, 25 First Street, 2nd Floor Cambridge, MA 02141, who we use as our marketing automation platform provider. Hubspot are a member of the USA privacy shield.

9.7 **Your Legal Rights**

You have the right to:

9.7.1 **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.

- 9.7.2 **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.
- 9.7.3 **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.
- 9.7.4 **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.
- 9.7.5 **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: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- 9.7.6 **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.

9.7.7 **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.