

## **SimSage (UK) Limited Privacy Policy**

Welcome to SimSage (UK) Limited's privacy policy. SimSage UK Limited ("we"), ("us") or ("our") respects your privacy and is committed to protecting your personal data.

This privacy policy applies to:

- your use of our sites [www.simsage.co.uk](http://www.simsage.co.uk) and <https://simsage.ai> ("our sites");
- communications with us (whether in person or online via the contact us page or using the SimSage ask function);
- information you provide to us when you sign up to create an account on our sites; and
- information you provide when you request software licences or services from us.

and sets out the basis on which any personal data we collect from you, or that you provide to us (as an individual acting on behalf of an organisation), will be processed by us.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. This privacy policy also tells you about your privacy rights and how the law protects you.

Our sites are not intended for children and we do not knowingly collect data relating to children.

Your acceptance of this privacy policy is deemed to occur upon your first use of our sites. If you do not accept and agree with this privacy policy, you must stop using our sites immediately.

### **PERSONAL DATA**

You may be asked to provide personal data when you are in contact with us or you request a licence to use any of our software products. Personal data is information that can be used to identify or contact you. You do not have to provide the personal data that we request, however, if you choose not to, we may not be able to provide you with the services that you have requested.

If we combine personal data with non-personal data, the combined information will be treated as personal data for as long as it remains combined. Personal data does not include data where the identity has been removed (anonymous data).

### **CONTROLLER**

For the purpose of the General Data Protection Regulations ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation and the Data Protection Act 2018 ("**Data Protection Legislation**") the data controller is SimSage (UK) Limited, a company registered in England and Wales with company registration number 11936581, whose registered office is at C Space, 5-7 The Crescent, Newquay, Cornwall, England, TR7 1DT. Our Data Protection Registration Number is ZA773395.

### **INFORMATION WE MAY COLLECT FROM YOU AND HOW WE USE IT**

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

- **Identity Data** includes your business name, first name and last name. The identity data may be may be processed for the **purpose** of setting up your account, processing and fulfilling your order, granting a

software licence, providing you with a licence key, managing our relationship with you (including notifying you about changes to our privacy policy and asking you to leave a review or complete a survey), administering and protecting our business, software and sites (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data). The **legal basis** for this processing is the performance of a contract and/or taking steps, at your request, to enter into such a contract and our legitimate interests (namely to recover debts due, keep our records updated, to study how our sites are used, for the running of our business, provision of administration and IT services, network security).

- **Contact Data** includes your email address and telephone number. The contact data may be processed for the **purpose** of setting up your account, processing and fulfilling your order, granting a software licence, providing you with a licence key, managing our relationship with you (including notifying you about changes to our privacy policy and asking you to leave a review or complete a survey), enabling you to complete a survey, administering and protecting our business, software and sites (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data). The **legal basis** for this processing is the performance of a contract and/or taking steps, at your request, to enter into such a contract and our legitimate interests (namely, to recover debts due, keep our records updated, to study how our sites are used, for the running of our business, provision of administration and IT services and our network security).
- **Financial Data** includes payment card details (type, number, name on card, expiry date and CCV code). For the avoidance of doubt, financial data will be taken by our third party payment processors. The financial data may be processed for the **purposes** of processing and delivering your order for our services (namely managing payments and charges and collecting monies). The **legal basis** for this processing is the performance of a contract and our legitimate interests (namely to recover debts due).
- **Transaction Data** includes details about payments to and from you and other details of software and services you have purchased from us. The transaction data may be processed for the **purpose** of processing and delivering your order for our services. The **legal basis** for this processing is the performance of a contract and our legitimate interests (namely our interest in the proper administration of our sites and business).
- **Technical Data** includes internet protocol (IP) address, your login data, 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 our sites. The technical data may be processed for the **purpose** of administering and protecting our business and sites (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data) and to deliver relevant website content. The **legal basis** for this processing is our legitimate interests (namely to grow our business and to inform our marketing strategy).
- **Profile Data** includes your email and password, purchases or orders made by you, your interests, preferences, feedback and survey responses. The profile data may be processed for the **purpose** of managing our relationship with you (including notifying you about changes to our privacy policy and asking you to leave a review or complete a survey), enabling you to complete a survey and to make suggestions and recommendations to you about our services that may be of interest to you. The **legal basis** for this processing is the performance of a contract and our legitimate interests (namely to keep our records updated, to study how our sites is used and to grow our business and to inform our marketing strategy).
- **Usage Data** includes information about how you use our sites, software and services. This usage data may be processed for the **purposes** of enabling you to complete a survey, to deliver relevant website content to you, to use data analytics to improve our website, customer relationships and experiences and to make

suggestions and recommendations to you about software and services that may be of interest to you. The **legal basis** for this processing is the performance of a contract and our legitimate interests (namely to study how our sites is used and to grow our business and to keep our sites updated and relevant).

- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences. The marketing and communications data may be processed for the **purposes** of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent.

In addition to the specific purposes for which we may process your personal data set above, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

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 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.

We do not collect any **Special Categories** of your personal data (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

We may also provide you with information about offers and services that are similar to those that you have already received or we feel may interest you. If you:

- **have already concluded a contract with us**, we will only contact you by electronic means (e-mail or text) with information about offers and services similar to those which were the subject of a previous contract. If you do not want to be on our mailing list, you can opt out at any time by contacting us or unsubscribing by using the links provided in our electronic communications and at the point of providing your details; or
- **are a potential new customer** (e.g. enquiring about software or services), we will contact you by electronic means only if you have provided your explicit consent to this. If you are happy for us to use your personal data in this way, please tick the relevant box situated on the website page on which we collect your details. Again, if you do not want us to use your data in this way, you can opt out at any time by contacting us or unsubscribing by using the links provided in our electronic communications.

#### 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, Contact and Financial Data by filling in our online forms or when communicating with us through the contact us page, SimSage ask function or otherwise. This includes personal data you provide when you:
  - create an account or sign up on our sites;
  - order our software or services;
  - subscribe to our newsletter;

- request marketing to be sent to you;
  - leave a review or survey; or
  - give us some feedback.
- **Automated technologies or interactions.** As you interact with our sites, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
  - **Third parties or publicly available sources.** We may receive personal data about you from various third parties which include:
    - Technical Data from analytics providers such as Google based outside the EU; and
    - Contact, Financial and Transaction Data from providers of technical or payment services.

#### **COOKIES**

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 this site may become inaccessible or not function properly.

#### **CHANGE OF PURPOSE**

We will ask for your consent before using personal data for a purpose other than those set out in this privacy policy, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you would like further information on purpose compatibility, please contact us.

#### **DISCLOSURE OF YOUR INFORMATION**

You agree that we may disclose your information (including personal data) to the following categories of third parties:

- suppliers and sub-contractors for the performance of any contract we enter into with them or you;
- third party service providers to assist with the processing of payments, delivery of communications and electronic marketing, network requirements and legal and accounting services;
- analytics and search engine providers that assist us in the improvement and optimisation of our sites; and
- data storage providers, in connection with cloud storage and file hosting services.

Your personal data will not be shared with third parties for third party marketing purposes unless you have provided your express consent.

We may disclose your personal data to third parties:

- where we have your consent to do so;
- 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 SimSage (UK) Limited or substantially all of our assets are acquired by a third party, in which case personal data held by us about you will be one of the transferred assets; and
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or to protect the rights of SimSage (UK) Limited, our customers, owners, guests or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

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.

#### **TRANSFERS OUTSIDE OF THE EEA**

Some of the third parties which we work closely with are based outside of the European Economic Area (“**EEA**”) so their processing of your personal data will involve a transfer of data outside of the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission;
- where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe; and
- where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

#### **YOUR RIGHTS**

Under Data Protection Legislation, in certain circumstances, you have the following rights in relation to your personal data:

- **Right to access.** You have the right to request access to your personal data. We will provide you with a copy of your personal data held by us free of charge (providing your request is not excessive or for multiple copies, in which case we may charge a reasonable fee to cover our costs) and certain information about the processing of your personal data and the source of such data (if not directly collected from you by us). You also have the right to request that your personal data is transferred to a third party.
- **Right to object to data processing.** You may withdraw your consent to the processing of your personal data at any time by contacting us or ticking a box to opt out of receiving marketing materials. Upon receipt of your notification, we shall promptly stop any processing of your personal data and (if requested by you) erase such information if we are not required to retain it for legitimate business or legal purposes.
- **Right to restrict processing.** You may ask us to suspend the processing of your personal data in the following circumstances:
  - if you do not think your personal data is accurate;

- where we are found to be processing unlawfully but you do not want us to erase your personal data;
  - where you need us to continue holding your personal data 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.
- **Right of rectification and right of erasure.** You have the right to request that we correct or erase any inaccuracies in your personal data if such information would be incomplete, inaccurate or processed unlawfully.

Where we are relying on 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. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

You can also exercise these rights at any time by contacting us at [info@simsage.nz](mailto:info@simsage.nz). We may reject requests that are unreasonable or require disproportionate effort (for example, such a request would result in a fundamental change to our existing practice) or risk the privacy of others.

Our sites may, from time to time, contain links to and from third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

#### **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.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our sites; any transmission is at your own risk.

Where we have given you a licence key or password which enables you to access software or certain parts of our sites, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

#### **PERSONAL DATA RETENTION**

We may retain information about you, including personal data, for the period necessary to fulfil the purposes for which it was first collected, unless a longer retention period is required or permitted by law. In determining data retention periods, we take into consideration our contractual obligations, legal obligations and the expectation and requirements of our customers. When personal data is no longer needed, we will securely delete or destroy it.

In some circumstances, for research and/or statistical purposes, we may anonymise your personal data (so that it can no longer be used to identify you). This allows us to use this anonymised data indefinitely without further notice to you.

#### **CHANGES TO OUR PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES**

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

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.

#### **CONTACTING US**

If you have any questions, comments or requests regarding this privacy policy or data processing or you would like to make a complaint, please contact us via email at [info@simsage.nz](mailto:info@simsage.nz) or by post to at C Space, 5-7 The Crescent, Newquay, Cornwall, England, TR7 1DT.

If you have any cause for complaint about our use of your personal data, please contact us using the details provided above and we will do our best to solve the problem for you. If we are unable to help, you also have the right to lodge a complaint with the UK's supervisory authority, the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)).

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