

De Facto Software

Privacy Information Notice for Customers

Privacy | 2024

Our Privacy Information Notice demonstrates our commitment to protecting the privacy and security of our customers' personal information.

1. The purpose of this document

- De Facto is committed to protecting the privacy and security of your personal information.
- This privacy notice describes how we collect and use personal information about you when you purchase products and services from us.
- De Facto is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.
- This notice applies to current and former customers as well as prospective customers. We only have corporate clients and we do not anticipate the data that we collect in relation to those corporate clients to be personal data. However, we anticipate that we may collect limited data about some individuals within those corporate clients. This notice therefore also applies to those individuals.
- This notice does not form part of any contract with you and we may update this notice at any time.
- It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.
- In this notice "De Facto", "we", "us" and "our" means De Facto Software Limited.

2. Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

3. The kind of information we may hold 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).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, business addresses, business telephone numbers and business email addresses.
- Individuals may, for their convenience, from time to time, provide us with personal telephone numbers and personal email addresses.
- Gender.
- CCTV footage when attending our premises only.
- Telephone recordings.
- We do not collect any Special Categories of data about you.

4. How your personal information is collected

We typically collect personal information about customers and prospective customers directly from them.

5. How we will use information about you

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

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- 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.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

6. Situations in which we will use your personal information

We will need to use the categories of information set out in the list above under the heading 'The kind of information we may hold about you' in certain circumstances. The situations in which we will process your personal information are listed below.

We have identified by the use of asterisks on the list below, the lawful basis on which we rely when we are processing or will process your personal information. We have also indicated which categories of data are involved.

Where we need the information primarily to allow us to perform our contract with you, this is indicated by *.

Where we need the information to enable us to comply with legal obligations, this is indicated by **.

In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. This is indicated by ***.

- Determining the terms of sale. *
- Taking payment from you. *
- Dealing with any disputes concerning your purchase. *
- Administering the contract we have entered into with you. *
- Liaising with you after the sale of our goods and/or services in relation to any issues or problems. *
- Liaising with you after the sale of our goods and/or services to inform you of other products and services you might be interested in. ***
- Recording your interest in our products or services. ***

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

7. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

8. Change of purpose

We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of

personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest.
- Where it is needed to protect your, or someone else's vital interests and you are not capable of giving your consent.

We do not use any Special Categories of data about you.

10. Data Sharing

We may have to share your data with third parties, including third party service providers [and other entities in the group of companies to which we belong].

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

11. Sharing personal information with third parties

We may share your personal information with third parties where required by law, where it is necessary to administer our contract with you or where we have another legitimate interest in doing so.

12. Which third party service providers process my personal information

"Third parties" includes third party service providers (including contractors) and, where relevant, other entities within our group of companies. We do not usually provide your personal data to third parties.

13. Security of information with third party service providers and other entities in our group

All our third party service providers and, where relevant, other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

14. Other third parties

We may share your personal information with other third parties, for example where we may store back-ups of data with third party service providers.

15. Transferring information outside the EU

In some cases, we may wish to transfer personal data across international borders because we use, or may use, external service providers (for example IT) in other jurisdictions and personal data therefore needs to be transferred for the performance of the services. We can only transfer this data in certain circumstances.

We do not currently transfer the personal information we collect about you outside the EU in order to perform our contract with you.

16. Data Security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

17. Data Retention

We will only retain your personal information 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. Once this no longer applies we will securely destroy your personal information in accordance with our data retention policy. 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

18. Right of access, correction, erasure, and restriction

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

19. Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact compliance.lead@defactosoftware.com.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

20. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact compliance.lead@defactosoftware.com. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Compliance Contact

We have appointed a Compliance Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Compliance Lead. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

If you have any questions about this privacy notice, please contact compliance.lead@defactosoftware.com.