

Privacy Notice

OK Positive Ltd (“OK Positive”)

Introduction

OK Positive 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, tells you about your privacy rights and how the law protects you when:

- you visit our website at www.okpositive.org (“**Site**”); or
- when you use any of the online tools, activities and services which we make available through our Site or via our App (“**Services**”).

The following definitions are also used in this privacy notice:

- **App:** means the mobile app we make available to enable use of our Services;
- **Individual:** means a person who registers on our Site, or via the App, in order to use the Services for his/her own benefit;
- **System:** means the secure e-commerce platform which we operate to enable the Services to be provided, via the Site or through use of the App; and
- **User:** means any person accessing our Site.

All the Sites are operated by OK Positive Limited.

Topics covered in this privacy notice

1. Important information and who we are
2. The data we collect about you
3. How your personal data is 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

1. Important information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how we collect and process your personal data through your use of the Site and Services.

The Site is not intended for children and we do not knowingly collect data relating to children.

Controller

In relation to the provision of our Site and Services, OK Positive Limited is the controller and responsible for your personal data (collectively referred to as "OK Positive", "we", "us" or "our" in this privacy notice).

We have appointed a data privacy manager 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 set out below. You can contact the data privacy manager by using the contact details set out below.

Contact details

Our full details are:

OK Positive Ltd (UK Company Number: SC636353)

Name of data privacy manager: Bob Bazley

Email address: bob@okpositive.co.uk

Postal address: 1 Barony Place, Edinburgh, EH3 6PB.

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 (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

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

This version was last updated on 9th July 2020.

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. You can update your contact details within the Account Settings area of your account when logged in.

We reserve the right to change this privacy policy from time to time by changing it on the Site and by emailing you.

Third-party links

Our Site 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 Sites, we encourage you to read the privacy notice of every website you visit. We do not share data with third parties via links,

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 clarity, we ask for your Name and Date of Birth and email address so we can identify within our database the anonymous ID linked to their account which we can reset or delete the data held under that individual. This is the only data we hold that identifies the individual and we NEVER share that information with third parties. It is only

used for our own administration of the database. It is important that you don't provide false, inaccurate information or impersonate another individual.

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

- **Contact Data** is the information provided about you when forms on our Sites are completed, including information provided to create an account and log-in details for our Services usually including name, last name, and email address. This allows us to properly administer the Database and your individual account. It is internally held anonymously.
- **Disclosed Data:** is the information about yourself, including information about your physical and mental well-being or interests, which if you are an Individual using the Services you may disclose, and which is retained securely on our System in relation to your use of such Services. This data is stored anonymously to provide aggregated reports for the Employer or OK Positive. For clarity this is data that we group together anonymously to provide reports such as the general happiness of the workforce in an overall view. Steps are taken to eliminate the chance of data being identified to an individual.
- **Requested Health Data:** We may ask you to volunteer health data about yourself, for clarity this is anonymously held within the database and used for aggregated reporting.
- **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 the Sites.
- **Usage Data** includes information about how you use our Site and Services, for example what online modules or worksheets have been started or completed and when. For clarity this is used to track how far you have progressed through a course but we do not use this tracking information for anything other than allowing you to keep track of your progress.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences. For clarity we ask you to opt in if you wish to receive updates and marketing information from us. We would use your supplied email address if we need to perform an administrative action on your account such as delete or amend your contact details as requested by you.

Anonymised data for research and analysis

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

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 Site feature.

Special Categories of Personal Data

Data Protection legislation imposes additional obligations in relation to “Special Categories” of personal data. This is data regarding a person’s race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, health and genetic and biometric data). We do not ask for this type of data but if you provide it on the app, it would be anonymous and we would not be able to identify it as individual data.

We may at a future point ask for special categories of personal data and we would individually ask for the information on a purely voluntary basis that information would be held anonymously.

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 the Services). In this case, we may have to cancel delivery of the Service you have with us but we will notify you if this is the case at the time. For clarity we need to obtain name and email as a minimum to provide the service.

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 Profile Data by providing the data on the app / web portal, email or phone. This includes personal data you provide when you:
 - create an account to use our Services;
 - use our Site and Services;
 - request marketing such as a newsletter to be sent to you; or
 - ask us a question or give us some feedback.
- **Automated technologies or interactions.** As you interact with our Services, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies as set out in the Cookies section below.

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 your employer for the Services and which involves your accessing the Services.
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to special categories personal data as mentioned in section 2 above, and

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 or for example, by opting out of our newsletters.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you on our System to enable your use of the Services.	Contact	Performance of a contract with you
To provide newsletters you have subscribed to	Contact	(a) Performance of a contract with you (b) Consent
To provide the Services to you including: <ul style="list-style-type: none"> • Verify the identity of Individuals; • Manage payments, fees and charges 	(a) Contact (b) Disclosed	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us) (c) Necessary for the legitimate interests of others (preventing fraud) (d) Consent
To manage our relationship with you which will include: <ul style="list-style-type: none"> • Notify you about changes to our terms or privacy notice; • Contact you to provide reminders on important usage issues; 	(a) Contact (b) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated, study how Individuals use our Services and to improve our Services into the future)

<ul style="list-style-type: none"> • Ask you to leave a review or take a survey; and • Responding to you when you contact us via the Site or App 		
To administer and protect our business, Sites and Services (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Contact (b) Technical	(a) Necessary for our legitimate interests (for running our business, network security, to prevent fraud) (b) Necessary to comply with our legal obligations
To deliver relevant Sites content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Contact (b) Usage (c) Marketing and Communications (d) Technical	Necessary for our legitimate interests (to study how Individuals use our Services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our Sites, Services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Requested Health	(a) Necessary for our legitimate interests (to define types of Individuals for our Services, to keep our Sites updated and relevant, to develop our business and to inform our marketing strategy) (b) Consent
To make suggestions and recommendations to you about Services that may be of interest to you	(a) Contact (b) Technical (c) Usage (d) Marketing and Communications	(a) Necessary for our legitimate interests (to develop our Services and grow our business) (b) Consent

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

We may use your Contact, Technical and Usage Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which Services and offers may be relevant for you and send to you through our marketing messages.

You will receive marketing messages from us if you have requested information from us or purchased Services from us and you have not opted out of receiving that marketing.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us or unsubscribing from our marketing list. For clarity we take the position you are automatically opted out of our marketing from the beginning and we ask you to Opt in to our marketing messages.

Cookies

Cookies are small text files of information stored on your computer when you visit certain webpages. The cookie may contain a unique identifier but it does not contain personally identifiable information such as your name or email address. This information may be analysed by third parties on our behalf, but is not sold on to anyone else.

We use the following types of cookies:

- Session cookies: these last only for the duration of your visit and are deleted when you close your browser. These facilitate various tasks such as allowing a website to identify that a User of a particular device is navigating from page to page, supporting website security or basic functionality. Many of the cookies we use are session cookies. For example, they help us to ensure the security of session, and can also keep you logged in while you move between pages.
- Persistent cookies: these last after you have closed your browser, and allow a website to remember your actions and preferences. Sometimes persistent cookies are used by websites to provide targeted advertising based upon the browsing history of the device. We do not use Persistent Cookies except those within Google Analytics (although all data in Google Analytics is aggregated and anonymised).
- First and third party cookies. Whether a cookie is a first or third party cookie depends on which website the cookie comes from. First party cookies are those set by or on behalf of the website visited. All other cookies are third party cookies. We use both first party and third party cookies. Google Analytics are the only 3rd party cookies we use.
- Domain cookie. A domain cookie is used by a web application to store information related to your preferences to enhance your user journey. No information is held specific to any customer. The data relates to how the customer views the site. This is not a third party cookie.

What we use cookies for:

- We may use cookies to keep track of your preferences and profile information, to send you more relevant information related to your use of the Services. Cookies are also used to collect general usage and volume statistical information that does not include personal information. We use a third party provider to place cookies on your computer to collect non-personally identifiable information to compile aggregated statistics for us about visitors to our Sites. Users can control the use of cookies at the individual browser level.
- Understanding how you use the Sites and Service: we use a range of services to understand how you use our Sites and Service including Google Analytics. This helps us continually improve our Service and deliver more relevant and useful content to you.

You can disable cookies by adjusting your browser settings. Each browser is different, so check the “Help” menu of your particular browser (or your mobile phone's handset manual) to learn how to change your cookie preferences. The “Help” menu on the toolbar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, and how to disable cookies altogether. For tools and downloads to opt-out of Google Analytics tracking please visit [Google Analytics Opt-Out](#).

If you reject cookies, you may still use our Sites, but your ability to use some features or areas of our Sites may be limited.

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.

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 will not disclose your personal data to any third parties without your prior authorised consent or if we are required by law to provide it.

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. We use an approach called security by design. 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 store data within Microsofts Azure systems and the data is securely held within the EU at Microsofts various data centres. Microsoft's data centres adhere to the latest security and privacy laws within the domains they operate in. Their data centres have full redundancy in how they backup the data held.

An overview of their security features can be found at the link below:

<https://docs.microsoft.com/en-us/azure/security/fundamentals/overview>

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. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our agreements. If your account is deleted, all personal information will be removed from our systems except for any Technical Data and records required to comply with our legal obligations, resolve disputes and enforce our agreements.

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.

8. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- **Access to information:** You have the right to request a copy of the information we hold about you.
- **Ensuring accuracy of information:** We want to make sure that your personal information is accurate and up-to-date. You may ask us to correct or complete information that is inaccurate or incomplete.
- **Right to erasure:** You may have a right to erasure, which is more commonly known as the 'right to be forgotten'. This means that in certain circumstances you can require us to delete personal information held about you.
- **Ability to restrict processing:** You may also have the right to require us to restrict our use of your personal information in certain circumstances. This may apply, for example, where

you have notified us that the information we hold about you is incorrect and you would like us to stop using such information until we have verified that it is accurate.

- **Right to data portability:** You may have the right to receive personal data we hold about you in a format that enables you to transfer such information to another data controller (e.g. such as another service provider).
- **Review by an independent authority:** You will always have the right to lodge a complaint with a supervisory body, including ICO as listed above.
- **Preventing direct marketing:** We do not sell your personal data. From time to time, we may send emails containing information about new features and other news about us. This is considered direct marketing. We will always inform you if we intend to use your personal data or if we intend to disclose your information to any third party for such purposes.
- **Objecting to other uses of your information:** You may also have the right to object to our use of your information in other circumstances. In particular, where you have consented to our use of your personal data, you have the right to withdraw such consent at any time.

If you would like further information on how you can exercise these rights, please email us at info@okpositive.co.uk.

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.

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.

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.