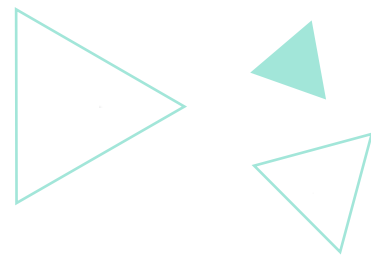


## GRADWELL COMMUNICATIONS LIMITED — PRIVACY POLICY

Version 2.0 — Last updated January 2020

### I. INTRODUCTION

- I.1. Gradwell Communications Limited ('Gradwell', 'we', 'us' or 'our') respect your privacy and we are committed to protecting your personal data. This privacy policy informs you about how we look after your personal data when you visit our website (regardless of where you visit it from), or you use our services, or you otherwise give us data in any of the following situations:
- to fulfil an order for a service (or to quote or otherwise prepare for the possible provision of such a service);
  - in connection with the ongoing provision of a service to you; or
  - in connection with the ongoing trading relationship between both parties, including sales and marketing activities.
- I.2. The situations listed in paragraph I.1 above extend to those where you deal with Gradwell as a direct customer as well as where you act as a Gradwell partner/reseller. Any reference in this privacy policy to 'your personal data' includes (as appropriate) personal data relating to a) yourself or your users or customers, and b) those parties' respective users or customers where you lawfully send us such data.
- I.3. In this privacy policy, the following terms have the following meanings:
- '**Law**' (whether the word appears capitalised or not) means all applicable law, including (without limitation) the EU General Data Protection Regulation ((EU) 2016/679) ('GDPR'), read in conjunction with, and subject to, any applicable UK national legislation that provides for specifications or restrictions of the GDPR's provisions, or from the date of its implementation, any applicable legislation that supersedes or replaces the GDPR in the UK or which applies the operation of the GDPR as if the GDPR were part of UK national law, which may include (without limitation) the Data Protection Act 2018, the European Union (Withdrawal) Act 2018 and the Data Protection, Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2019.
  - 'Our **website**' means our web presence at [www.gradwell.com](http://www.gradwell.com) (including any associated website, webpage, or sub-page).
- I.4. Any reference to '**data controller**', '**data processor**', '**data subject**', '**personal data**' or '**processing**' shall have the relevant meaning set out in the GDPR.
- I.5. Our services comprise our VoIP telephony, internet connectivity, call recording and Microsoft Office services — each as described on our website (collectively 'our services').
- I.6. Where you engage with Gradwell in any of the situations set out in paragraph I.1 above, any



processing of your personal data that we perform in connection with our website and our goods and services will occur only in accordance with this privacy policy.

## 2. IMPORTANT INFORMATION AND WHO WE ARE

### Purpose

- 2.1. Our website and our services are not intended for children and we do not knowingly collect data relating to children.
- 2.2. It is important that you read this privacy policy so that you are fully aware of how and why we are using your data.

### Controller

- 2.3. Gradwell is the data controller and is responsible for your personal data collected in the various situations listed in paragraph 1.1 In some instances, we are also the data processor — although, in other instances, we use third-party processors. Details of these are included in this privacy policy.

### Contact details

- 2.4. Our full details are:

Gradwell Communications Limited

**Address:** Westpoint, James St West, Bath, BA1 2DA

**Our website:** [www.gradwell.com](http://www.gradwell.com)

**Email address:** [info@gradwell.com](mailto:info@gradwell.com)

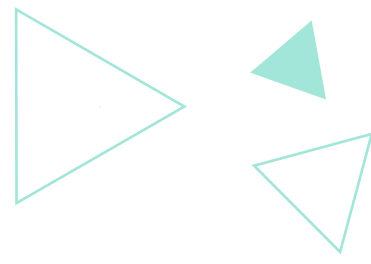
**Contact number:** 01225 800 888

**ICO registration number:** Z7041930

- 2.5. 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](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please [contact us](mailto:governance@gradwell.com) in the first instance by email to [governance@gradwell.com](mailto:governance@gradwell.com).

### Changes to the privacy policy and your duty to inform us of changes

- 2.6. We may change this privacy policy from time to time. Any changes we may make to our privacy policy will be posted on this page. Please check back frequently to see any updates or changes to our privacy policy.
- 2.7. 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.

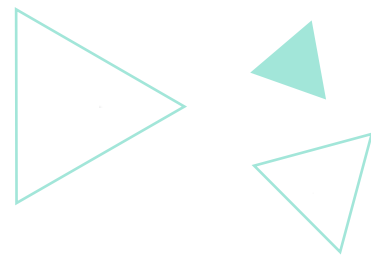


### Third-party links

- 2.8. Our websites 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 websites, we encourage you to read the privacy policy of every website you visit.

## 3. THE DATA WE COLLECT ABOUT YOU

- 3.1. 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).
- 3.2. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:
- a) **Identity Data** includes first name, last name, phone number, title, date of birth and gender.
  - b) **Contact Data** includes postal address, email address and telephone numbers.
  - c) **Financial Data** includes bank account and payment card details.
  - d) **Transaction Data** includes details about payments you make to us and other details of services you have purchased from us.
  - e) **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 this website or use our services.
  - f) **Profile Data** includes your username and password, orders you've placed, your preferences, feedback and survey responses.
  - g) **Marketing Data** includes your preferences in receiving marketing from us and our third parties and details on how you would prefer to be contacted.
  - h) **Communications Data** includes call data records, voicemail, call recordings, email logs, mailboxes, faxes and web logs.
  - i) **Usage Data** includes information about how you use our website and services, the third party listed organisations you were looking for and those you contacted.
- 3.3. 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 or service feature. However, if we combine or connect aggregated data with



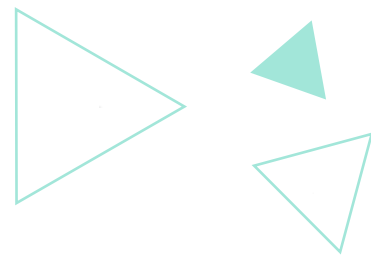
your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

- 3.4. We do not collect any special categories of personal data about you (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.

#### **4. HOW IS YOUR PERSONAL DATA COLLECTED?**

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

- a) **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - i) Request our products and services (including completing order forms for our services);
  - ii) create an account on our website;
  - iii) request marketing to be sent to you;
  - iv) enter a competition, promotion or survey;
  - v) Use our services;
  - vi) Contact us about queries concerning our services or any other matter;
  - vii) Give us feedback about our services;
  - viii) Use the social media functions of our website;
  - ix) Make a complaint.
- b) **Automated technologies or interactions.** As you interact with our websites and use our services, we may automatically collect Technical Data and Communications Data about your equipment, browsing actions and patterns, and device type. We collect this personal data by using cookies, server logs and other similar technologies.
- c) **Third parties or publicly available sources.** We may receive personal data about you from a regulator if you register with them a complaint about us, as well as the following Technical Data from the following parties:
  - i) analytics providers, such as Google based, outside the EU;
  - ii) search information providers, such as Google and Bing, based outside the EU;
  - iii) credit reference agencies based inside and outside the EU.



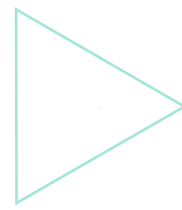
## 5. HOW WE USE YOUR PERSONAL DATA

- 5.1. 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.
  - Where we need it to deal with your query, feedback or complaint you send to us.
  - 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.
- 5.2. 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.

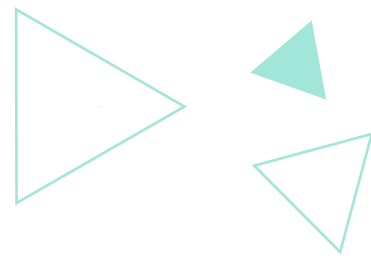
### Purposes for which we will use your personal data

- 5.3. We have set out in the table below, 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.
- 5.4. 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 provide our services and goods to you, register you as a new customer, monitor your usage and bill you for it (in each case, whether directly or via one of our select partners)	(a) Identity (b) Contact (c) Technical (d) Usage (e) Communications (f) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to operate our business effectively)



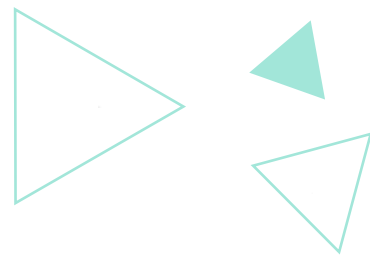
	(g) Transaction	
To deal with any of your queries, feedback or complaints	(a) Identity (b) Contact (c) Technical (d) Usage (e) Communications (f) Financial (g) Transaction	(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
To comply with our legal and regulatory obligations (including our associated liaison with a relevant regulator)	(a) Identity (b) Contact (c) Technical (d) Communications	(a) Necessary to comply with a legal obligation
To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policy  (b) Asking you to leave a review or take a survey  (c) Providing you with details about updates to our services	(a) Identity (b) Contact (c) Profile (d) Marketing (e) Usage	(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 and to study how customers use our products/services)
To enable you to participate in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To deliver relevant website	(a) Identity	a) Necessary for our legitimate



content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	<ul style="list-style-type: none"> <li>(b) Contact</li> <li>(c) Profile</li> <li>(d) Usage</li> <li>(e) Marketing</li> <li>(f) Technical</li> </ul>	<p>interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p> <p>b) To the extent that non-essential cookies are required, your consent.</p>
To administer and protect our business and our website (including traffic management and the operation of anti-fraud measures, troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Technical</li> <li>(d) Communications</li> <li>(e) Usage</li> </ul>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
To use data analytics to improve our websites and services	<ul style="list-style-type: none"> <li>(a) Technical</li> <li>(b) Usage</li> </ul>	<p>a) Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p> <p>b) To the extent that non-essential cookies are required, your consent.</p>
To make suggestions and recommendations to you about goods or services that may be of interest to you	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Technical</li> <li>(d) Usage</li> <li>(e) Profile</li> </ul>	<p>a) Necessary for our legitimate interests (to develop our products/services and grow our business)</p> <p>b) To the extent that non-essential cookies are required, your consent.</p>

## Marketing

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



- 5.6. We may use your Identity, Contact, Technical, Usage and Profile 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 products, services and offers may be relevant for you (we call this ‘marketing’).
- 5.7. You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.
- 5.8. We will get your express opt-in consent before we share your personal data with any company outside of Gradwell for marketing purposes.

### **Opting out**

- 5.9. You can ask us or third parties to stop sending you marketing messages at any time by logging into our website and checking or unchecking relevant boxes to adjust your marketing preferences or by contacting us at any time.
- 5.10. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product/service experience or other transactions.

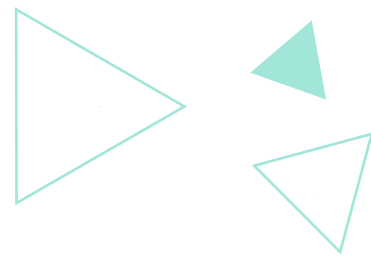
### **Change of purpose**

- 5.11. 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](#).
- 5.12. 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.
- 5.13. 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.

### **Lawful bases for data processing: more detail**

- 5.14. Some of the bases we use for processing your data are set out in more detail below. Further information can be found on the ICO website.
- a) **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. 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. 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.

- b) **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.
- c) **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.

## 6. DISCLOSURES OF YOUR PERSONAL DATA

6.1. We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 5 above:

### a) **Internal Third Parties**

These are other companies within the same group as Gradwell (that is, having common shareholders and directors) acting as processors and who are based in the UK and provide and use shared IT and system administration services and undertake leadership reporting.

### b) **External Third Parties**

These are:

- i) Service providers providing IT, sales-support, service-delivery, marketing analysis and system administration services which we require or wish to use in connection with providing our services to you.
- ii) The relevant select partner Gradwell has appointed (where you remain a customer of Gradwell as a result of the ongoing involvement of that select partner).
- iii) Secure data centre providers whose services we use as part of providing our services.
- iv) Credit reference agencies for the purpose of assessing your credit score.
- v) Professional advisers acting as joint processors and controllers including lawyers, bankers, accountants, auditors and insurers based the UK who provide consultancy, banking, legal, insurance and accounting services.
- vi) HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the UK who require reporting of processing activities in



certain circumstances.

vii) Relevant regulators in the UK including but not limited to Ofcom, the Phone-paid Services Authority and the Information Commissioner's Office.

c) **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 policy.

6.2. 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.

## 7. INTERNATIONAL TRANSFERS

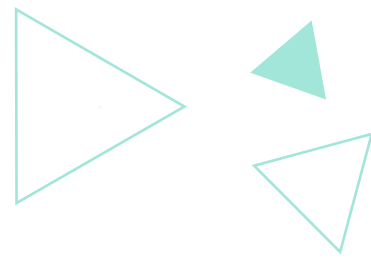
7.1. Some of our external third parties are based outside the European Economic Area ('EEA') so their processing of your personal data will involve a transfer of data outside the EEA. After the UK leaves the European Union, any data processing taking place within the UK will clearly occur outside of the EEA. In either situation, we will only process your data and perform any international transfer in accordance with law.

7.2. For so long as the UK remains in the EEA, whenever we transfer your personal data outside 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:

- a) 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.
- b) 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, or we may transfer your data to them in other circumstances where it is necessary for us to perform the contract between you and Gradwell in connection with use of our services.

7.3. Please [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7.4. This paragraph shall apply to personal data transfers from the EEA to the UK after the UK leaves the European Union. Where you are based in the European Economic Area (EEA) and you wish or are required to pass to Gradwell personal data belonging to your users, customers or employees as part of Gradwell providing services to you, the following will apply in the event that the UK leaves the European Union (EU) unless and until the EU



Commission makes in favour of the UK an ‘adequacy decision’ for the purposes of chapter V of the GDPR:

7.4.1. The parties will use their reasonable endeavours to promptly enter into an agreement comprised of the standard contractual clauses recognised by the EU as an ‘appropriate safeguard’ under article 46 of the GDPR.

## 8. DATA SECURITY

8.1. 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.

8.2. 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.

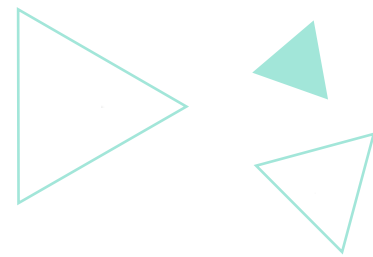
## 9. DATA RETENTION

9.1. 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.

9.2. 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.

9.3. All of the communications services we offer require the retention of some of data (although not all of this will be personal data). Some aspects of this retention will be obvious — such as the content you upload to our cloud storage services and the website code you store using our website hosting services. Information of this type will be stored in connection with the service we provide to you for the length of your contract with us — unless you delete the data earlier. We retain the following types of data for the periods set out below:

<b>Data</b>	<b>Duration of retention</b>
Identity data, Contact data, Financial data, Communications data, Usage data,	For so long as you are a Gradwell customer and any payment for goods or services remains outstanding, or where the data is reasonably required for our legitimate legal or regulatory purposes (which includes accounting, taxation and auditing purposes), except



Transaction data, Technical data, Profile data, Marketing data	that call records and other records of your use of our Services (such as fax records) will be kept for [7 years] from the date of creation.
<b>Voice services</b>	
Voicemail	30 days from creation
Call recordings	30 days from creation
<b>Email and fax services</b>	
Mail logs associated with Office 365 email Services)	30 days from creation
Received faxes	For so long as you maintain a Gradwell customer account plus 3 months

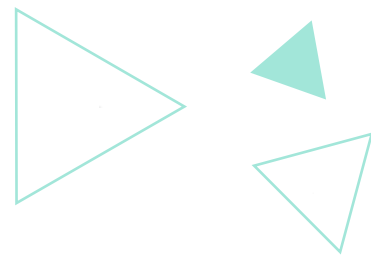
9.4. In some circumstances, you can ask us to delete your data. See paragraph 10.1 which sets out your data subject rights.

9.5. 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.

## 10. YOUR LEGAL RIGHTS

10.1. Under certain circumstances, you have rights under data protection laws in relation to your personal data. You can read more about these rights on the ICO website. The rights you may have (depending on the circumstances) are as follows:

- a) **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.
- b) **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.
- c) **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.

- d) **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. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- e) **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.
- f) **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.
- g) **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.

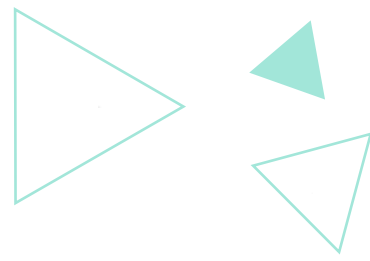
10.2. If you wish to exercise any of the rights set out above, please [contact us](#).

### **No fee usually required**

10.3. 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**

10.4. 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**

10.5. 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.

## **11. Cookies**

11.1. Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our cookie policy (<https://www.gradwell.com/cookie-policy/>).