

Introduction

Welcome to Xtrac Limited's privacy policy

Xtrac Limited respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how, and our Group Companies (the Xtrac Group) look after your personal data and tell you about your privacy rights and how the law protects you.

Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how Xtrac Group collects and processes your personal data including any data you may provide through this website when you sign up to our newsletters, engage us to provide services or goods to you, or sell goods or services to us.

This website is not intended for children and we do not knowingly collect data relating to children in the course of our business.

It is important that you read this privacy policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.

Controller

Xtrac Limited is the controller and responsible for your personal data (collectively referred to as "Xtrac Limited", "we", "us" or "our" in this privacy policy).

Contact details

In the UK, we have appointed a data protection representative who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy or our privacy practices, including any requests to exercise, please contact our data protection representative in the following ways:

Full name of legal entity: Xtrac Limited

Email address: dataprotection@xtrac.com

Postal address: Gables Way, Kennet Park, Thatcham, Berks RG19 4ZA, England

Telephone number: +44 (0) 1635 293 800

If you are a citizen of an EEA country, you may prefer to contact our EEA data protection representative. You may contact them in the following ways:

Full name of EEA Data Representative: DataRep

Email address: www.datarep.com

Postal address: 12 Northbrook Road, Dublin, D06 E8W5, Ireland

Complaints

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), or your local supervisory authority. We would, however, appreciate the chance to deal with your concerns before you approach any supervisory authority so please contact us in the first instance.

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

We may change this privacy policy from time to time and any changes will be posted to this page. Please check back to see if there have been any changes or updates.

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.

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).

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

- **Identity Data** includes first name, last name, username or similar identifier, marital status and title.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **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.
- **Commercial Data** includes information about goods or services you sell to, or order from, us or the Xtrac Group.
- **Usage Data** includes information about how you use our website and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from the Xtrac Group and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website 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.

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.

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 to provide legal services 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 services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

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 forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - ask us to provide services;
 - subscribe to our email newsletters; or
 - give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, 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 and public sources as set out below:
 - Technical Data from analytics providers such as Google.

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, your employer or company.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights are not affected by those interests.
- Where we need to comply with a legal or regulatory obligation.

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 at dataprotection@xtrac.com 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 or your employer or company as a new customer or supplier	(a) Identity (b) Contact (c) Financial & Commercial	For our legitimate interests in supply or purchasing goods and or services
To process and deliver your order including: (a) Manage payments, fees and charges on behalf of your employer or company (b) Collect and recover money owed to us by your employer or company	(a) Identity (b) Contact (c) Financial & Commercial (d) Marketing and Communications	(a) For our legitimate interests in managing our ordinary business (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with your employer or company 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 information to our financial or professional advisors or HMRC	(a) Identity (b) Contact (c) Marketing and Communications (d) Financial & Commercial	(a) For our legitimate interests in managing our ordinary business (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our goods and/or services)

<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity (b) Contact (c) Technical</p>	<p>(a) 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) (b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and email newsletters to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity (b) Contact (c) Usage (d) Marketing and Communications (e) Technical (f) Commercial</p>	<p>(a) For our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, client relationships and experiences</p>	<p>(a) Technical (b) Usage (c) Commercial</p>	<p>(a) 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>To make suggestions and recommendations to you about goods or services that may be of interest to you</p>	<p>(a) Identity (b) Contact (c) Technical (d) Usage (e) Marketing and Communications (f) Commercial</p>	<p>(a) For our legitimate interests (to develop our products/services and grow our business)</p>

Marketing

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

Marketing from us

We may use your Identity, Contact, Technical and Usage Data to form a view on our goods and or services 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 (we call this marketing).

You will receive marketing communications from the Xtrac Group if you have requested information from us, or you, your company or your employer has purchased goods or services from us and you have not opted out of receiving that marketing.

Opting out

You can ask us to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you, or by contacting us at dataprotection@xtrac.com at any time.

Where you opt out of receiving these marketing messages, we will continue to process your data as set out in this privacy policy.

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 website may become inaccessible or not function properly. For more information about the cookies we use, please see our cookie policy on our website.

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 at dataprotection@xtrac.com.

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 regularly check this privacy policy for any changes.

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.

Disclosures of your personal data

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

- Xtrac Group companies as set out in the glossary.
- Third parties who provide goods or services to us. [A list of our main providers is set out in the glossary]
- 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.

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.

International transfers

Some of our Xtrac Group are based outside the European Economic Area (**EEA**) so their processing of your personal data will involve a transfer of data outside the EEA. We have entered into the European Union Standard Contractual Clauses which are designed to offer you the same level of protection your data has in the UK and 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. For further details, see https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en Where we use certain service providers or transfer your personal data to any Internal Third Party based outside the UK or EEA, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en Please contact us at dataprotection@xtrac.com if you want further information on the specific mechanism used by us when transferring your personal data out of the UK or EEA.

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.

Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: please see the Request Erasure of your personal data section for further information.

Your legal rights

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

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us at dataprotection@xtrac.com.

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.

Glossary

LAWFUL BASIS

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 at dataprotection@xtrac.com.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

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

THIRD PARTIES

External Third Parties

Service providers acting as processors based in the [UK, EEA and US who provide services such as goods, IT and system administration services, marketing and data analytic services.]

Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK and the EEA who provide consultancy, banking, legal, insurance and accounting services.

Tax authorities in the countries in which we trade or have suppliers], regulators and other authorities [acting as processors or joint controllers] based in the EEA and UK who require reporting of processing activities in certain circumstances.

Group Companies means us, and Xtrac Inc and DataRep.

YOUR LEGAL RIGHTS

You have the right to:

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.

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.

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.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

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.

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.

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.