



KDVI LIMITED - PRIVACY POLICY

Dated: 25 May 2018

PLEASE READ THIS POLICY CAREFULLY BEFORE USING KDVI'S SERVICES

Protecting your data, privacy and personal information is very important to KDVI Limited (“KDVI”, “our”, “us” or “we”).

This policy (together with our terms of use at <https://www.kdvi.com/pages/footer/legal-centre> and any other documents referred to in it), sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by KDVI. Please read this privacy policy carefully to understand the types of information we collect from you, how we use that information, the circumstances under which we will share it with third parties, and your rights in relation to the personal data you provide to us.

This privacy policy applies only to your use of our website at www.kdvi.com (our “Website”), www.surveys.kdvi.com (our “Development Tools Platform”), our professional development programmes for individuals who contact KDVI directly (our “PDP”), and our direct marketing activities. This privacy policy does not apply to any other services we offer. When visiting our Website and our Development Tools Platform, or contacting us to enrol in our PDP, you acknowledge, and where applicable consent to, the practices described in this policy

Our Website contains links to third party websites. If you follow a link to any of those third party websites, please note that they have their own privacy policies and we do not accept any responsibility or liability for their policies or processing of your personal information. Please check these policies before you submit any personal information to such third party websites.

Information we may collect

We may collect and process the following data about you:

Information that you provide to us

You will be asked to provide us with your information when you:

- fill in forms on our Website, or correspond with us by phone, email or otherwise;
- enquire about any of our services;
- report a problem with our Website; or
- complete any surveys via our Development Tool Platform

Specifically, via our Development Tool Platform and in providing our PDP, we collect the following data:

- First Name* (via participant list, used on feedback report cover)
- Surname* (via participant list, used on feedback report cover)

- Email* (via participant list, used to send survey URL, reminders etc via email)
- Comments (input into platform directly by observers only, can occasionally contain the participants name or details that could identify them)
- Age (participant only, input into profile page on platform, by standard age groups)
- Gender (participant only, input into profile page on platform, F/M/ Prefer not to say)
- Nationality (participant only, input into profile page on platform, by standard groups)
- Position in the organisation (participant only, input into profile page on platform, KDVI defined groups)
- Industry (participant only, input into profile page on platform, by standard groups)
- Job location (participant only, input into profile page on platform, by standard groups)
- Relation to participant, eg direct report (observer only, input by the participant into survey on platform, used to generate group scores and graphs in feedback report)
- Survey responses* (from participants and observers)

Data marked * is mandatory and is required in order for KDVI to administer the Development Tools service (sending URL links, reminders etc).

All other data is optional, and it is the data subject's choice to provide this information. Participant and Observer data collected in the survey questionnaire(s) is entirely confidential. No identifying personal information from the survey platform and survey questionnaire(s) is shared anywhere outside of KDVI.

You must have obtained clear permission from the individuals whose data you provide us with before sharing that data with us. Specifically, when using the Development Tools Platform, Participants of surveys must have the express permission of their Observers to share their personal information with KDVI (First Name's, Last Name's and Email Addresses). You will be asked to indicate your acknowledgement of this within the platform.

For the avoidance of any doubt, any reference in this privacy policy to your data shall include data about other individuals that you have provided us with.

Information we collect about you

With regard to each of your visits to our Website and Development Tools Platform, we may automatically collect the following information:

- device-specific information, such as your hardware model, operating system version, unique device identifiers, and mobile network information;
- technical information about your computer, including where available, your IP address, operating system and browser type, for system administration and analytical purposes; and
- details of your visits to our website and development tool survey platform, including the full Uniform Resource Locators (URL) clickstream to, through and from our website



(including date and time), length of visits to certain pages, and page interaction information (such as scrolling, clicks, and mouse-overs).

Information we receive from other sources

When using our Development Tools Platform and PDP, we will be in contact with third parties who may provide us with certain information about you in order to enable your use of the services. This includes information [provided by an employer, business school, coach or consultant which is necessary in order to deliver the agreed service.

Information we may collect about others

We may collect and process data about others that you provide us with, including (but not limited to) information that you provide by filling in forms on our Website, that you provide to us by email or through your enrolment in our PDP, or that you input into the Development Tools Platform. This information might include, but is not limited to, contact information for observers on the Development Tool Platform (First Name, Last Name, Email Address).

How we use your information and justification of use

Use of personal information under EU data protection laws must be justified under one of a number of legal “grounds” and we are required to set out the ground in respect of each use of your personal data in this policy. These are the principal grounds that justify our use of your information:

- **Consent:** where you have consented to our use of your information (you are providing explicit, informed, freely given consent, in relation to any such use and may withdraw your consent in the circumstance detailed below by notifying us);
- **Contract performance:** where your information is necessary to enter into or perform our contract with you;
- **Legal obligation:** where we need to use your information to comply with our legal obligations;
- **Legitimate interests:** where we use your information to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights; and
- **Legal claims:** where your information is necessary for us to defend, prosecute or make a claim against you or a third party.

We use information held about you (and information about others that you have provided us with) in the following ways:

Types of Information Collected	Uses of that Information	Use Justification
Name, email address, and information submitted by you in website forms (including comments or questions) and related correspondence	To provide you with details about our services and specifically for the processing of any enquiries made via our Website.	Consent (through submissions and requests to provide information).
Name, email address, company and job title	Prospect information for sales account management and billing	Legitimate interests (to manage sales processes)
Name, email address	For marketing, provided always that we: (i) only use aggregated and anonymised data; or (ii) only engage in direct marketing for products and/or services provided by KDVI that we believe will be of interest to you (we will provide an option to unsubscribe or opt-out of future communications from any electronic marketing communications sent to you).	Legitimate interests
Name, email address, IP address	To ensure the content on our Website is presented in the most effective manner for you and your computer or mobile device.	Legitimate interests
First Name, Last Name, Email address, any answers and comments in response to a Development Tool Survey, including observer relation to a participant	To administer our Website and for internal operations related to the service of our Development Tools platform, including data analysis and data statistics (only with prior agreement of clients who must inform all participants).	Legitimate interests
Age, gender, nationality, position in the organisation, industry, job location, relation to participant	To carry out research and look at trends in the field of leadership development and organisational change. We only present this data in aggregated and anonymised form.	Legitimate interests
Name, email address	To notify you about changes to our Services.	Legitimate interests



We will not sell your personal data (or any other data you provide us with) to third-parties; however, we reserve the right to share any data which has been anonymised and/or aggregated for research purposes. You acknowledge and accept that we own all right, title and interest in and to any derived data or aggregated and/or anonymised data collected or created by us.

Marketing

We may use information for marketing products and services to you in the following ways:

Type of marketing activity	Use Justification
Newsletters and marketing emails relating to our own similar services and products, new content and articles we believe will be of interest to you. Where required by law, we will ask for your consent at the time we collect your data to conduct any of these types of marketing.	Legitimate interests (to market our products and services – you have the right to unsubscribe at any time)
To send you details about our own unrelated services or products or special offers and discounts which are being provided by our selected business partners. Where required by law, we will ask your consent at the time we collect your data to conduct any of these types of marketing.	Consent (which can be withdrawn at any time)

We will provide an option to unsubscribe or opt-out of further communication on any electronic marketing communication sent to you or you may opt out by contacting us.

Where we store your personal information

The personal data we collect from you is stored within the EU using our cloud hosting provider Rackspace UK, global leaders in managed, dedicated and cloud hosting. The datacentre housing the server infrastructure is based in the south of the UK.

Disclosure of your information

We may also disclose your personal information to third parties in the following circumstances:

Purpose of disclosure and third party(s) to which disclosure might be made	Use Justification
<p>We may disclose your personal information to our service providers and business partners, including our Associate partners (who facilitate our client programmes), our IT partners Focus (who support with technical queries and development of our platforms), our Printing partner Hanway (who print Development Tool Feedback reports should you request this service), Dropbox Business (our secure file storage system), MailChimp (our secure direct email marketing partner), SurveyMonkey (for feedback evaluations) (to assist us in performing any contract we enter into with them or you, including providing the Website and the Services it enables), analytics providers, including our IT partner Focus (to assist us in the improvement and optimisation of the Website) and/or a member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006. A list of such third parties and agents can be reviewed at https://www.kdvi.com/pages/footer/legal-centre.</p>	<p>Legitimate interests</p>
<p>If we sell or buy any business or assets, we may disclose your personal information to the prospective seller or buyer of such business or assets</p>	<p>Legitimate interests</p>
<p>If KDVI or substantially all of its assets are acquired by a third party, personal information about our customers will be one of the transferred assets</p>	<p>Legitimate interests</p>
<p>If we are under a duty to disclose or share your personal data in order to comply with any legal obligation or to protect the rights, property, or safety of KDVI, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection</p>	<p>Legal obligation</p>
<p>Fraud Prevention and other checks. We and other organisations may also access and use your personal information to conduct credit checks and checks to prevent fraud. If false or accurate information is provided and fraud is identified or suspected, details may be passed to fraud prevent agencies.</p>	<p>Legitimate interests (to assist with the prevention of fraud and to assess your risk profile)</p>
<p>We may disclose your personal information to third parties, the court service and/or regulators or law enforcement agencies in connection with proceedings or investigations anywhere in the world where compelled to do so. Where permitted, we will direct any such request to you or notify you before responding unless to do so would prejudice the prevention or detection of a crime.</p>	<p>Legitimate interests (to cooperate with law enforcement and regulatory authorities)</p>



Security over the internet

No data transmission over the internet or website can be guaranteed to be secure from intrusion. However, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your personal information in accordance with data protection legislative requirements.

All information you provide to us is stored on our or our subcontractors secure servers, and accessed and used subject to our security policies and standards. We use hosted services (such as Dropbox Business, Rackspace Cloud UK and Mailchimp) in the course of our business, including for the provision of marketing and sales activities.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential and for complying with any other security procedures that we notify you of. We ask you not to share your password with anyone.

Sensitive information between your browser and our Website is transferred in encrypted form using Secure Socket Layer (“SSL”). When transmitting sensitive information, you should always make sure that your browser can validate the KDVI certificate.

Exports outside the EEA

Your personal information may be accessed by staff or suppliers in, transferred to, and/or stored at, a destination outside the European Economic Area (EEA) in which data protection laws may be of a lower standard than in the EEA. Regardless of location or whether the person is an employee or contractor, we will impose the same data protection safeguards that we deploy inside the EEA.

Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export personal information to these jurisdictions. In countries which have not had these approvals, we will either ask for your consent to the transfer or transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient, unless we are permitted under applicable data protection law to make such transfers without such formalities.

Please contact us if you would like further details of the specific safeguards applied to the export of your personal data.

How long we retain your personal data

We will hold the above information for as long as is necessary in order to conduct the processing detailed in the table above, deal with any specific issues that may raise, or otherwise as is required by law or any relevant regulatory body. Once your account is terminated or deactivated, we shall delete the personal data relating to your account within 7 working days. Some personal data may need to be retained for longer than this to ensure KDVI can comply with applicable laws and



internal compliance procedures, including retaining your email address for marketing communication suppression if you have opted not to receive any further marketing.

If information is used for two purposes, we will retain it until the purpose with the latest period expires but we will stop using it for the purpose with a shorter period when that period expires. We restrict access to your personal information to those persons who need to use it for the relevant purpose(s). Our retention periods are based on business needs and your information that is no longer needed is either irreversibly anonymised (and the anonymised information may be retained) or securely destroyed.

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.

Data gathered and stored in the Development Tool Platform is archived 6 months after the programme end date (the last day the data gathered from the survey is planned to be used). When data is archived it is stripped of all identifying personal data- name, email, and comments. Non-identifying data (gender, job role, industry, survey scores etc.) is kept within the system. Archiving takes place automatically once a month on the last calendar day of the month. Any deviation from this default process is agreed in writing with each client, who has the responsibility to inform participants of the change to the standard process as laid out in KDVI documents and explained on our Development Tools Platform.

Your rights

Under the General Data Protection Regulation (EU) 2017/676, you have various rights in relation to your personal data. All of these rights can be exercised by contacting us at data.protection@kdvi.com.

In certain circumstances, you have the following rights in relation to your personal data:

Rights	Details
Right of access	You have the right to obtain from us information as to whether your personal data is being processed and, where that is the case, access to such personal data.
Right to Rectification	We will use reasonable endeavours to ensure that your personal information is accurate. In order to assist us with this, you should notify us of any changes to the personal information that you have provided to us by sending us a request to rectify your personal data where you believe the personal data we have is inaccurate or incomplete.
Right to erasure / 'Right to be forgotten'	Asking us to delete all of your personal data will result in KDVI deleting your personal data without undue delay (unless there is a legitimate and legal reason why KDVI is unable to delete certain of your personal data, in which case we will inform you of this in writing).

Right to restriction of processing	You have the right to ask us to stop processing your personal data at any time.
Right to data portability	You have the right to request that KDVI provides you with a copy of all of your personal data and to transmit your personal data to another data controller in a structured, commonly used and machine-readable format, where it is technically feasible for us to do so and the processing is based on consent or contractual performance.
Right to complain	You have the right to lodge a complaint to a supervisory authority such as the Information Commissioner's Office in the UK (see www.ico.org.uk). Although we encourage our customers to engage with us in the event they have any concerns or complaints.

KDVI will not ordinarily charge you in respect of any requests we receive to exercise any of your rights detailed above; however, if you make excessive, repetitive or manifestly unfounded requests, we may charge you an administration fee in order to process such requests or refuse to act on such requests. Where we are required to provide a copy of the personal data undergoing processing this will be free of charge; however, any further copies requested may be subject to reasonable fees based on administrative costs.

Asking us to stop processing your personal data or deleting your personal data will likely mean that you are no longer able to use KDVI's Services, or at least those aspects of the Services which require the processing of the types of personal data you have asked us to delete, which may result in you no longer being able to use the Services.

Where you request KDVI to rectify or erase your personal data or restrict any processing of such personal data, KDVI may notify third parties to whom such personal data has been disclosed of such request. However, such third party may have the right to retain and continue to process such personal data in its own right.

Changes to this policy

Any changes we make to our privacy policy in the future will be posted on this page, and where appropriate, notified to you by email. We therefore encourage you to review it from time to time to stay informed of how we are processing your information.

Contact

Questions, comments and requests regarding this privacy policy are welcome and should be addressed to data.protection@kdvi.com.

For the purpose of the relevant data protection legislation, the data controller is KDVI Limited (company no. 07295422), with registered address at Finsgate, 5-7 Cranwood Street, London, EC1V 9EE.



**KETS DE VRIES
INSTITUTE**

Cookies

KDVI uses cookies to distinguish you from other users. This helps us provide you with a good experience when you use our Website, and also allows us to improve our Services. Please note that it is possible to disable cookies being stored on your computer by changing your browser settings. However, our Website may not perform properly or some features may not be available to you if you disable cookies.

For detailed information on the cookies we use and the purposes for which we use them see our Cookie policy at <https://www.kdvi.com/pages/footer/legal-centre>.