



# Privacy Policy

**Effective Date: July 15, 2018**

FyfeWeb Limited (Ltd.) (“FyfeWeb”, “FyfeWeb Advanced”, “we”, “us”, “our” or “the company”) respects your privacy and believe in transparency when it comes to the personal information of our end users. For this reason, we have outlined what information we collect, what we do with the information that is collected, how long we retain such information and what we do to protect and secure this data.

Furthermore, UK Law requires that, where a website uses cookies or equivalent technologies, the website operator must make certain disclosures in relation to the use of the cookies. The General Data Protection Regulation 2018 or GDPR will also apply where cookies use involves the processing of personal data will be disclosed in this Privacy Policy.

By visiting our websites and using services provisioned by FyfeWeb, you confirm that you have agreed to our Terms of Service & Acceptable use Policy and have read & understood this privacy policy.

Key Terms:

- User/Client: Customer. A customer, a person we provide services to.
- End User: A person using a service or a web visitor, someone who visits one of our websites

1) Sites that this privacy policy applies to:

- [fyfeweb.com](http://fyfeweb.com)
- [fyfewebadvanced.co.uk](http://fyfewebadvanced.co.uk)

2) How does this Privacy Policy apply? This Privacy Policy describes what we do with personal information that we collect and use for our own purposes (i.e., where we are a controller), such as your account information and information about how you use and interact with our services, including information you submit to our customer support systems as well as certain information relating to customer end users.

We also host and process user content for our clients. Our clients instruct us what to do with their content, and we follow their instructions. This privacy policy does not describe what we do with user content on our users’ instructions (i.e., as their processor). If you are an end user of one of our clients and want to know how the user in question handles your information, you should check their privacy policy. If you want to know about what we do for our own purposes, read on.

3) We collect various personal information regarding you. This includes the following:

- i. Information you provide to register for an Account, specifically your email address, first name and last name, company name, address and telephone number
- ii. Your marketing preferences.
- iii. The emails and other communications that you send us or otherwise contribute, such as customer support enquiries or posts to our customer message boards or forums and blogs. Please be aware that information on public parts of our sites is available to others.
- iv. Information you share with us in connection with surveys, contests or promotions.
- v. Information from your use of our sites and services and/or users' sites. This includes: Internet Protocol (IP) addresses, information about your browser, network and device (such as browser type and version, operating system, internet service provider, preference settings, and language and other regional settings), information about how you interact with the service and our users' sites and services (such as timestamps, clicks, scrolling, browsing times, searches, transactions, referral pages, load times, and problems you may encounter, such as loading errors).
- vi. Other information you submit to us directly or through your or our use of third-parties

4) How we collect personal information: We obtain personal information from various sources. We do this in three main ways:

- You provide some of it directly (such as by registering for an Account).
- We record some of it automatically when you use our services or users' services (including with technologies like cookies).
- We receive some of it from third parties (like when you make payments to us using a third-party payment processor).

We've described this in more detail below.

(a) Personal information you provide

When you use our services, we collect information from you in several ways. For instance, we ask you to provide your name and email address to register and manage your account. We also maintain your marketing preferences and the emails and other communications that are exchanged or those that are otherwise contributed, such as customer support enquiries.

Sometimes we require you to provide us with information for contractual or legal reasons. For example, we may ask you to select your jurisdiction when you sign up for our services to determine if, and how much, tax we need to collect from you and whether you are allowed or are able to use legally access and use our services. We'll normally let you know when information is required, and the consequences of failing to provide it. If you do not provide personal information when requested, you may not be able to use our services – as intended - if that information is necessary to provide you with the service or if we are legally required to collect it.

(b) Personal information obtained from your use of our services

When you use our services and visit our websites, we collect anonymised information about your activity and interactions, and information such as your Internet Protocol (IP) addresses, your device (manufacturer and model etc.) and browser type, what pages on our sites you visit and for how long and identifiers associated with your devices. None of this information however is personally identifiable. If you are an end user of our client's service, we may also get information

about your interactions with their sites, though we use this in anonymous, aggregated or pseudonymized form which does not focus on you individually. We use this data to evaluate, provide, protect or improve our systems, networks and services (including by developing new products and services).

Some of this information is collected automatically using cookies and similar technologies when you access and/or use our systems or services and our customer's sites or services. We let our users control what cookies and similar technologies are used through their sites (except those we need to use to provide the site or services in question properly (such as for performance or security related reasons). Some of this information is similarly collected automatically through your browser or from your device.

5) How we use your personal information: We use the personal information we obtain about you to:

- Provision services: Create and manage your Account, provide and personalise our services, process payments and respond to your enquiries.
- Communicating with you: Communicate with you, including by sending you emails about your transactions, support enquiries and service-related and/or company-related announcements.
- Promotions: Promote our services and send you tailored marketing communications about products, services, offers, programs and promotions.
- Tailoring your services: Provide you with customised or tailored services. For example, we use country-level location information to determine your language preferences or display accurate date and time information.
- Security: Ensure the security, safety and integrity of our websites, systems, networks and services.
- Enforcement: Enforce our Terms of Service and other legal terms and policies.
- Protection: Protect our and another's interests, rights and property (e.g., to protect our users from abuse).
- Complying with law: Comply with applicable legal requirements and court orders, such as tax and other government regulations and industry standards, contracts and law enforcement requests that we could receive.

We process your personal information for the above purposes when:

- Consent: You have consented to the use of your personal information in a legal way. When you consent, you can change your mind at any time.
- Performance of a contract: We need your personal information to provide you with services and products requested by you, or to respond to your enquiries so we can perform our contract with you or take steps at your request before entering into a contract.
- Legal obligation: We have a legal obligation to use your personal information, such as to comply with applicable tax and other government regulations or to comply with a court order or legally binding law enforcement request.
- Legitimate interests: We have a legitimate interest in using your personal information in the following cases: to analyse and improve the safety and security of our websites, systems, networks and services - we do this as it is necessary to pursue our legitimate interests in ensuring FyfeWeb is secure, such as by implementing and enhancing security measures and protections and protecting against fraud, spam and abuse.
- To provide and improve the services, including any personalised or tailored services - we do this as it is necessary to pursue our legitimate interests of providing an innovative and tailored offering to our users on a sustained basis.

- To anonymize and subsequently use anonymized information collected from sources listed within this policy
- Protecting us, you and others: To protect the vital interests of ourselves, you and third parties

6) The disclosure of information: We never share your information with third parties. Disclosures of anonymised information are only made in the following ways:

- Affiliates: No personal information has ever and will never be disclosed or otherwise shared with affiliates
- Users: We may share with our users, non-personally identifiable data regarding usage by their end users of their services or sites. For example, we provide a user with information about how their end users interacted with their site – otherwise known as “Analytics”. This is so our users can analyse the usage of their service or website.
- Staff Members: On occasion, whether to process services orders, support tickets or legal claims, the company may disclose or staff may be able to access possibly personally identifiable information. Such data is not saved or stored outside of our servers or networks, rented or sold nor is it accessed when not needed.
- Service providers: We indirectly share information with our service providers that perform or provision services on our behalf (i.e. Internet Service Provider.)
- Following the law or protecting rights and interests: We may disclose some of your personal information if we determine that such disclosure is reasonably necessary to comply with the law, protect our or others’ rights, property or interests (such as enforcing our Terms of Service & other legally binding agreements) or to prevent fraud or abuse of our services or our users or end users. In particular, we may disclose your personal information in response to lawful requests by public or government authorities, such as to meet national security or law enforcement requirements after we have conducted our own internal investigation. Should we determine that unlawful or suspicious activity has occurred will your information may be conveyed to law enforcement officials. \*
- Business transfers: If we're involved in a reorganisation, merger, acquisition or sale of some or all our assets, your personal information may be transferred as part of that deal.

\*Upon receipt of a judicial court order from British authorities that require us to disclose information about a specific client or user, we are obliged to disclose readily available information about the named client or user, only once the order has been investigated internally and validated by our abuse and legal team. Any disclosures will be noted in a Transparency Report and the client in question may be informed of this disclosure, if permitted. Should we be provided with overwhelming evidence that a criminal offence or our legal agreement have been violated, the client/users’ account and services will be suspended pending the internal investigation and review.

7) Your Rights & Choices: Where applicable law requires (and subject to any relevant exceptions under law), you have the right to access, update, change, restrict the processing of or deletion of your personal information. In our Client Area, some fields may be locked for editing. This is because we need to protect our vital interests and we also require evidence to permit these changes or to check whether these changes contain authentic information before being replaced. Should you encounter this and require a change for a field locked for editing; please contact our team and they will be more than happy to assist.

You can access, update, change or delete personal information either directly in our client area or by contacting us via a support ticket. You can exercise your other rights (including deleting your account) by contacting us at our client area and requesting a cancellation of a service.

You can also elect not to receive marketing communications by changing your preferences in our client area or by clicking the link on the bottom of any marketing emails you receive.

Please note that, for technical reasons, there is likely to be a delay in deleting your personal Information from our systems when you ask us to delete it. We will retain some personal Information in order to comply with the law, protect our and others' rights, resolve disputes or enforce our legal agreements or policies, to the extent permitted under applicable law.

You may have the right to restrict or object to the processing of your personal information or to exercise a right to data portability under applicable law. You also may have the right to lodge a complaint with the UK's supervisory authority, the Information Commissioner's Office, should you not be satisfied with the response to your initial complaint. If you are subject to EU data protection laws, regulations suggest you lodge any such complaints first to ourselves via submitting a support ticket with our Legal Team.

Additionally, if we rely on consent for the processing of your personal information, you have the right to withdraw it at any time and free of charge. When you do so, this will not affect the lawfulness of the processing before your consent withdrawal. To provide us with consent us to process your data, you need to accept the Terms of Service. To withdraw consent – submit a support ticket with our Legal Team.

If you are an End User of one of our client's sites, you should contact them to exercise your rights with respect to any information they hold about you.

8) How we protect your personal information: We have a team dedicated to keeping personal information safe. We maintain stringent administrative, technical and physical safeguards that are intended to appropriately protect against accidental or unlawful destruction, accidental loss, unauthorised alteration, unauthorised disclosure or access, misuse and any other unlawful form of processing of, the personal information in our possession. We employ security measures such as using sophisticated firewalls to protect against intruders, building redundancies throughout our network (so that if one node goes down, another can cover for it where possible) and testing for and protecting against vulnerabilities. Furthermore, all our infrastructure is enclosed in secure racks in data centres around the United Kingdom. In the very unlikely event that we were required to send any form of data to a third country, it would be done in a secure environment using our own platforms with the most recent security features and mechanisms – such as encryption.

9) How we retain your personal information: We retain personal information regarding you or your use of the services for as long as your account is active or for as long as needed to provide you or our users with the services. We also retain personal information for as long as necessary to achieve the purposes described in this Privacy Policy, for example, to comply with our legal obligations, to protect us in the event of disputes and to enforce our agreements and to protect our and others' interests.

The precise periods for which we keep your personal information vary depending on the nature of the information in question, your use of our service and why we need it. Factors we consider in determining these periods include the minimum required retention period prescribed by law or recommended as best practice, the period during which a claim can be made with respect to an agreement or other matter, whether the personal information has been aggregated or pseudonymized, and other relevant criteria. For example, the period we keep your email address is connected to how long your account is active, while the period for which we keep a support message is based on how long has passed since the last submission in the thread.

As Users may have a seasonal site or come back to us after an account becomes inactive, we don't immediately delete your personal information if your services expire, suspend or cancel due to inactivity. If you cancel all services, we keep your personal information for a reasonable period, so it will be there for you if you come back.

You may delete your account by visiting our client area or by submitting a support request within our client area. Once this contact has been initiated and once our team have confirmed you want to go ahead with the deletion of your account, we will delete the personal information it holds about you within 30 days (unless we need to retain it for the purposes set out in this Privacy Policy for longer).

Please note that in the course of providing the service, we collect and maintain aggregated, anonymised or de-personalised information which we may retain indefinitely.

10) End user's personal information: Our customers who have created a site using FyfeWeb Systems and Services are responsible for what they do with the personal information they collect, directly or through FyfeWeb, about their End Users. This section is directed to such customers. (a) Your relationship with end users: If you're one of our customers, you will collect personal information about your end users. For example, during checkout you may ask your end users to provide their name, address, email address and payment information so that you can complete their orders. You may also use cookies and similar technologies to analyse usage and other trends. You're solely responsible for complying with any laws and regulations that apply to your collection and use of your end users' information, including personal information you collect about them from us or using FyfeWeb's functionality or cookies or similar technologies

11) Cookies: To enrich and perfect your online experience, FyfeWeb uses "Cookies", similar technologies and services provided by others to display personalized content, appropriate advertising and store your preferences on your computer. A cookie is a string of information that a website stores on a visitor's device, and that the visitor's browser provides to the website each time the visitor returns. FyfeWeb uses cookies to help us identify and track visitors, their usage of our websites, and their website access preferences. FyfeWeb visitors who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using our websites, with the drawback that certain features of our websites may not function properly without the aid of cookies. By continuing to navigate our website without changing your cookie settings, you hereby acknowledge and agree to FyfeWeb's use of cookies.

Furthermore, our customers (who process personal data) must publish their own privacy and cookie policy and comply with the law.

We're not liable for your relationship with your end users or how you collect and use personal information about them (even if you collect it from us or using our system's functionality or cookies or similar technologies) and we won't provide you with any legal advice regarding such matters. (b) End user payment information: Your End users' payment information may be processed via third party eCommerce Payment Processor with which you integrate your account, in accordance with such eCommerce Payment Processors' terms and policies. We don't collect or store your End Users' payment information, nor do we collect and retain personal information about them either.

12) Changes to our Privacy Policy: This privacy policy will be updated from time to time, so when we deem it appropriate/necessary for affiliates and clients will be notified accordingly. We recommend that you return periodically to see if any changes have occurred as both major/minor changes may occur unannounced.