

# SOCIAL UNION LIMITED

## PRIVACY POLICY FOR OUR PROCREATOR PLATFORM AND SERVICE

### INTRODUCTION

This is the privacy policy for the PROCREATOR.UK and PROCREATOR.ME website and the ProCreator service, whether accessed via that website or in mobile application software form in any format (collectively referred to in this privacy policy as the **Platform, ProCreator, or PC**), owned and operated by **SOCIAL UNION LIMITED**.

It supplements and forms part of the Platform [Terms and Conditions of Use](#).

SOCIAL UNION LIMITED respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you use the Platform wherever you are, and tell you about your privacy rights and how the law protects you.

This privacy policy is provided in the numbered sections set out below, and you can browse through to any of these via their headings.

You can also download a pdf version of the policy [\\_](#).

1. IMPORTANT INFORMATION AND WHO WE ARE
2. THE DATA WE COLLECT ABOUT YOU
3. HOW IS YOUR PERSONAL DATA COLLECTED
4. HOW WE USE YOUR PERSONAL DATA
5. DISCLOSURES OF YOUR PERSONAL DATA
6. INTERNATIONAL TRANSFERS
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## 1. WHO WE ARE AND OTHER IMPORTANT INFORMATION

### PURPOSE OF THIS PRIVACY POLICY

In this privacy policy we set out information on how SOCIAL UNION LIMITED collects and processes your personal data through your use of the Platform. This will include any data you may provide by creating an account with us, signing in via any permitted third party social media platform profile (such as Facebook or YouTube) (referred to in this privacy policy as an **SM platform**), using the Platform or completing any online form - and particularly where as a creator (influencer) you enable access to your **SM platform** profile data with the purpose of establishing your ProCreator profile that will be shared with corporate brands or representing agencies.

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**

SOCIAL UNION LIMITED is the data controller and responsible for your personal data (referred to as **we**, **us** or **our** in this privacy policy).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact our data privacy manager using the details set out below.

Our full **CONTACT DETAILS** are:

SOCIAL UNION LIMITED, the data privacy manager.

Email address: [privacy.support@ProCreator.me](mailto:privacy.support@ProCreator.me)

Postal address: ProCreator, 12 King James Avenue, Potters Bar, Hertfordshire, EN6 4LR.

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. We would, however, welcome the opportunity to address your concerns before you approach the ICO so please contact us in the first instance.

You can find the ICO here [www.ico.org.uk](http://www.ico.org.uk)

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## **CREATORS (INFLUENCERS) AGED BETWEEN 13 and 17 YEARS**

We do permit use of the Platform by creators (influencers) aged between 13 and 17 years.

If you are such a creator (influencer), we refer to you in this privacy policy as a **Young Creator**. But other than Young Creators who we permit to join the Platform, the Platform is not intended for children and we do not knowingly collect personal data relating to children.

For Young Creators this privacy policy will apply to you as it does to all our other users. So we want you to be happy that you understand its contents, that we have informed you of what we are doing with your personal data (and identified any potential risks to you and their corresponding safeguards) and that you are able to [contact us](#) if you have any questions or we can provide you with further information. The information we set out below under this heading for Young Creators, supplements the rest of this privacy policy.

In Section 4 (**How we use your personal data**) below, we set out in a **Table** what types of data are processed for what activity/purpose and the corresponding bases upon which we are able to process your personal data.

We recognise that a key element of your success as a creator/influencer is your social media profile elsewhere and that this will inform your ProCreator profile and be shared with all our other users on the platform. So where this data is used for creating personality or user profiles for marketing purposes, as a Young Creator we draw your attention to the information set out below as to how ProCreator relies on such information to provide the Platform's services to you.

**AUTOMATED DECISION MAKING:** means "making a decision solely by automated means without any person being involved" (and can involve profiling).

**PROFILING:** 'profiling' means "any form of automated processing of personal data to evaluate certain things about an individual.":

Profiling can be part of an automated decision-making process.

We will use your personal data for profiling that is not used to make decisions about you, or profiling that feeds into a wider decision making process with a person being involved (a human element), and in such circumstances we will endeavour to provide you with additional Information as to any applicable risks and consequences of the processing, and the safeguards we put in place to guard against these. We draw your attention always to section 9 (**your legal rights**) below.

Our objective is to provide you (whether as a Creator or as Brand) with Platform services which promote engagement between Creators and Brands. We seek to create a transparent and fair engagement mechanism that increases visibility and commercial opportunities for Creators and value for Brands.

ProCreator sets out to achieve this by (amongst other things),

- A. enabling Creators to (i) establish an estimate of what they could charge a Brand for a campaign, (ii) to track their own social media engagements and (iii) to create a profile that combines both public and non-public data that is visible to Brands; and
- B. enabling Brands to (i) identify the most relevant Creators for their campaign, (ii) validate the Creator's track record, (iii) calculate an indicative value of a Creator in fulfilling a campaign and (iv) track the results of a campaign.

To achieve these outcomes for both Brands and Creators we need to use your personal data to engage in profiling and in some automated decision making.

Specific situations where we do this are (i) where a Creator's profile and social feeds are indexed so that the Platform services can deliver for Brands lists of the most relevant Creators for their campaigns, and (ii) where a Creator's social feed is analysed to estimate pricing that they could achieve, based upon proprietary technology and software that ProCreator has created.

This automated profiling and decision making enables us to provide services to both Creators and Brands. We have set out more information about these Platform services in our [Terms of Use](#) the agreement between you and us in respect of the Platform services.

#### Safeguards

All of our Brand members who will be able to review the results of our profiling will have been individually authenticated and assessed to ensure that they have satisfied

our criteria, including that they are commercially viable and have a professional interest in 'Influencer Marketing'.

We will only carry out automated profiling while you are a member of the Platform. Should you decide to leave the Platform and cease being a member, your personal information will be deleted and no longer profiled.

You can ask us to cease carrying out such automated profiling at any time, although this will mean that you may not be able to derive any benefit from the Platform and (as we state in section 2 of this privacy policy) we will no longer be able to provide our Platform services to you.

If you decide to do so or have any more questions on how we carry out the profiling and automated decision making referred to please [contact us](#).

We will always seek your opt-in to receive direct marketing. You have the same right as adults to object to processing personal data for direct marketing. So we must stop doing this (and any related profiling involved) if you (or someone acting on your behalf) ask us to.

If we seek your consent to a specific processing activity/purpose, we will at the time inform you of the details and nature of the processing intended and we will take reasonable steps to verify your age and that you understand what you are consenting to.

Where in the Table we identify that we rely on 'performance of a contract with you' as the basis of processing, we refer to our [Terms of Use](#) which you agree apply to your use of ProCreator. We will consider whether you appreciate and understand those Terms of Use and that they apply to an agreement made between you and us when you accept they apply when you become part of ProCreator.

Where in the Table we identify that we rely on our 'legitimate interests' as necessary for the particular processing, we will endeavour to provide you with additional information as to any applicable risks and consequences of the processing, and the safeguards we put in place to guard against these. We draw your attention always to section 9 (**your legal rights**) below.

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## **CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES**

This version was last updated in May 2018 and historic versions can be obtained by [contacting us](#).

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.

We will notify you of material changes we may need to make to this privacy policy from time to time.

## **THIRD-PARTY LINKS**

Our Platform may from time to time include links to third party owned 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, plug-ins and applications and are not responsible for their privacy statements. Upon leaving the Platform, we encourage you to read the applicable privacy notice of every such third party website, plug-in or application you may visit.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include ‘anonymous data’, namely data where the identity has been removed.

We may collect, use, store and transfer different kinds of personal data about you.

We have identified that data into the groupings set out below:

- **Identity Data** includes first name, last name, username or similar identifier(s), title, date of birth and gender.
- **Contact Data** includes email address, telephone numbers, business address, [billing address].
- **Profile Data** includes your username, account password, SM platform sign-in data, feedback and survey responses.
- **PR Profile page/SM platform profile data** includes your chosen SM platforms’ profile data including content information you select for inclusion such as a biography, your website, your blog, interest tags, any picture or image, or video content.

Additionally, this may include content you create on your social media posts and via your engagements, and any data accessed through Platform interfaces (“APIs”) with your chosen SM platforms’ provided by you such as audience demographics, engagements, when you posted and the SM platform or client application you used to post; information about your SM platform account, such as creation time, language, country, and time zone; and any content shared, liked, commented or any other interaction or engagement with content of any third party provided digital media or social media platform. We do not acquire any personal data in respect of your ‘friends’ linked to you, from any of your SM platforms or any other associated individuals.

- **Usage Data** includes information about how you use the Platform.
- **Technical Data** includes device information (device and application ID’s) internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser type, search terms, referring web page, pages visited, browser plug-in types and versions, operating system and platform and other technology on any device you may use to access and use the Platform.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Transaction Data** includes details about payments to and from you and other details of services you have acquired from us.
- **Financial Data** includes bank account and payment card details.

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, as a creator (influencer) we may aggregate your PR Profile page/SM platform profile data to collate your user statistics for a certain user demographic so the extent of influence can be represented within your ProCreator profile page or dashboard for portrayal to corporate brands or representative agencies in respect of campaigns activated by you. 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 notice.

**Special Categories of Personal Data** consist of 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.

We do not specifically collect special categories of your personal data, however certain special categories may become apparent from other PR Profile page/SM platform profile data that we collect and hold about you.

In that event, where PR Profile page/SM platform profile data is identified as being processed in the Table in section 4 (**How we use your personal data**) in addition to the applicable lawful basis for processing details we have included in respect of the various processing purposes/activities, we are required by law to satisfy an additional condition to allow us to process such special category personal data. Accordingly we will either do so with either (A) your explicit consent to the stated purposes, or (B) do so where the special category personal data has been manifestly made public by you.

Where you are a Young Creator we will only do so on the basis of A, namely with your explicit consent and where we have taken appropriate measures to safeguard your rights, freedoms and legitimate interests.

We do not 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 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 (or a product) but we will notify you if this is the case at the time.

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

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

- **Direct interactions.** You may give us your Identity, Contact, Profile, PR Profile page/SM platform profile, Marketing and Communications and Financial Data by completing online forms, selecting log-in preferences or by contacting us whether by email, telephone or otherwise. This includes personal data you provide when you; (i) apply to use ProCreator and complete the signing up process, subscribe to any other services/products we may make available; (ii) create a user account; (iii) subscribe to our notifications and newsletters; (iii) request marketing to be sent to you; or (iv) send any kind of feedback to us.

- **SM platforms.** Where you have provided us with your selected SM platforms' log-ins we will via Platform interfaces (API's) receive on an ongoing basis updates in respect of the various data feeds from those SM platforms which you have enabled. These will likely include Facebook, Twitter, YouTube and Instagram.
- **Automated technologies or interactions.** As you interact with the Platform, we may automatically collect Technical Data about your devices, engagements, browsing actions and patterns. We collect this personal data by using cookies, web/server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details].
- **Other third parties or publicly available sources.** We may receive personal data about you from various third parties (whose services we use in relation to the Platform services) or from public sources as follows:

Type of Data	How collected	Services received by us	Third party identity/location where based
Identity  PR Profile page/SM platform profile	From other Platform users who may share or disclose information about you, such as when they mention you, share a photo of you, or tag you in a photo - or from your interactions with the Platform services and information you share	(Not applicable)	(Not applicable)
Identity  Contact  Profile	In the course of Platform sign-up by you	We use these relationship management technologies to better manage how we communicate with you	Hubspot and or Engagebay (U.S.)
Identity  Contact	From publicly available sources such as blog websites, other social networking platforms and websites	Not applicable	Not applicable
Identity  Contact	From email finder service providers offering email list data	We use these services to increase our ability to contact creators and brands and issue invitations to join the Platform	Email Magpie (U.K.) Deep Social (U.S.)
	From responses to advertising across the LinkedIn professional networking services platform	We use these advertising services to increase our ability to contact creators and brands and issue invitations to join the Platform	LinkedIn Advertising (ROI)



## 4. HOW TO 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.
- 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.

**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.

**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.

**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.

See the Table below to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally we do not rely on consent as a legal basis for processing your personal data other than where we have specifically asked you for it in relation to certain personal data via a privacy notice or fair processing notice addressing the purposes of the processing and the lawful basis (or other condition) as applicable; or, 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

The table we set out below, describes the ways in which 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 basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis we are relying on to process your personal data where more than one basis has been set out in the table below

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Onboarding: To register you as a new Platform user and establish your ProCreator account	<ul style="list-style-type: none"> <li>c. Identity</li> <li>d. Contact</li> <li>e. Profile</li> <li>f. PR Profile page/SM platform profile data</li> </ul>	Performance of a contract with you
To enable creators (influencers) to establish an PR profile and corporate brands/representing agencies to select, list, communicate with and engage in campaigns with creators (influencers); profiling	<ul style="list-style-type: none"> <li>g. Identity</li> <li>h. Contact</li> <li>i. PR Profile page/SM platform profile data</li> </ul>	<ul style="list-style-type: none"> <li>j. Performance of a contract with you</li> <li>k. Necessary for our legitimate interests (to study how users use the Platform and our services, to develop them, and grow our business)</li> </ul>
To enable presentation of campaign outcomes dashboard to [corporate] brands/representing agencies - to track, measure and compare and to derive campaign costs data	<ul style="list-style-type: none"> <li>l. Identity</li> <li>m. Contact</li> <li>n. Profile</li> <li>o. PR Profile page/SM platform profile data</li> <li>p. Usage</li> <li>q. Technical</li> </ul>	<ul style="list-style-type: none"> <li>r. Performance of a contract with you</li> <li>s. Necessary for our legitimate interests (to study how users use the Platform and our services, to develop them, and grow our business)</li> </ul>
<p>To manage our relationship with you which will include:</p> <ul style="list-style-type: none"> <li>t. Notifying you about changes to our terms of use or privacy policy</li> <li>u. Asking you for feedback or to provide survey information</li> </ul>	<ul style="list-style-type: none"> <li>v. Identity</li> <li>w. Contact</li> <li>x. Profile</li> <li>y. Marketing and Communications</li> </ul>	<ul style="list-style-type: none"> <li>z. Performance of a contract with you</li> <li>aa. Necessary to comply with a legal obligation</li> <li>bb. Necessary for our legitimate interests (to keep our records updated and to study how users use the Platform and our services)</li> </ul>
To administer and protect our business and the Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<ul style="list-style-type: none"> <li>cc. Identity</li> <li>dd. Contact</li> <li>ee. PR Profile page/SM platform profile data</li> <li>ff. Usage</li> <li>gg. Technical</li> </ul>	<ul style="list-style-type: none"> <li>hh. Necessary for our legitimate interests (for conducting our business, delivery of technical and administration services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</li> <li>ii. Necessary to comply with a legal obligation</li> </ul>

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To deliver relevant content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	jj. Identity kk. Contact ll. Profile mm. PR Profile page/SM platform profile data nn. Usage oo. Marketing and Communications pp. Technical	Necessary for our legitimate interests (to study how users use the Platform's services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our Platform services, dashboard content and creation, marketing, user-to-user relationships and experiences	qq. PR Profile page/SM platform profile data rr. Usage ss. Technical	Necessary for our legitimate interests (to define types of users within the Platform and which services perform best, to keep the Platform current, to update Platform content, and to develop our business and inform our marketing strategy)
To make suggestions and recommendations to you about services or products that may be of interest to you	tt. Identity uu. Contact vv. Profile ww. PR Profile page/SM platform profile data xx. Usage yy. Technical zz. Marketing and Communications	Necessary for our legitimate interests (to develop our services and products and grow our business)
To process and deliver your account, any subscription fee-based service, or any user-to-user transaction involving payment, including:	ccc. Identity ddd. Contact eee. Financial fff. Transaction ggg. Marketing and Communications	hhh. Performance of a contract with you iii. Necessary for our legitimate interests (to recover debts due to us)
aaa. Manage payments, fees and charges bbb. Collect and recover sums owed to us		

## **PROFILING & AUTOMATED DECISION MAKING**

**AUTOMATED DECISION MAKING:** means “making a decision solely by automated means without any person being involved” (and can involve profiling).

**PROFILING:** ‘profiling’ means “any form of automated processing of personal data to evaluate certain things about an individual.”:

Profiling can be part of an automated decision making process.

Our objective is to provide you (whether as a Creator or as Brand) with Platform services which promote engagement between Creators and Brands. We seek to create a transparent and fair engagement mechanism that increases visibility and commercial opportunities for Creators and value for Brands.

ProCreator sets out to achieve this by (amongst other things),

- JJJ. enabling Creators to (i) establish an estimate of what they could charge a Brand for a campaign, (ii) to track their own social media engagements and (iii) to create a profile that combines both public and non-public data that is visible to Brands; and
- KKK. enabling Brands to (i) identify the most relevant Creators for their campaign, (ii) validate the Creator’s track record, (iii) calculate an indicative value of a Creator in fulfilling a campaign and (iv) track the results of a campaign.

To achieve these outcomes for both Brands and Creators we need to use your personal data to engage in profiling and in some automated decision making.

Specific situations where we do this are (i) where a Creator’s profile and social feeds are indexed so that the Platform services can deliver for Brands lists of the most relevant Creators for their campaigns, and (ii) where a Creator’s social feed is analysed to estimate pricing that they could achieve, based upon proprietary technology and software that ProCreator has created.

This automated profiling and decision-making enables us to provide services to both Creators and Brands. We have set out more information about these Platform services in our [Terms of Use](#) the agreement between you and us in respect of the Platform services.

Safeguards

All of our Brand members who will be able to review the results of our profiling will have been individually authenticated and assessed to ensure that they have satisfied our criteria, including that they are commercially viable and have a professional interest in 'Influencer Marketing'.

We will only carry out automated profiling while you are a member of the Platform. Should you decide to leave the Platform and cease being a member, your personal information will be deleted and no longer profiled.

You can ask us to cease carrying out such automated profiling at any time, although this will mean that you may not be able to derive any benefit from the Platform and (as we state in section 2 of this privacy policy) we will no longer be able to provide our Platform services to you.

If you decide to do so or have any more questions on how we carry out the profiling and automated decision making referred to please [contact us](#).

## **MARKETING**

Our objective is to enable you to make choices around certain personal data uses, particularly around marketing and advertising.

### **Promotional offers from us**

We may use your Identity, Contact, PR Profile page/SM platform profile, 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 services, products and offers may be relevant for you - this we classify as 'marketing'.

You will receive marketing communications from us if you have requested information from us or have joined the Platform and are using our services or if you provided us with your details when you registered for a promotion or other specific interaction with us and, in each case, you have not opted out of receiving that marketing.

### **Third-party Marketing**

We will get your express opt-in consent before we share your personal data with any company outside us for marketing purposes.

## **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by logging into the Platform 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 any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of your participation as a user of the Platform or other transactions.

## **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 Site may become inaccessible or not function properly. For more information about the cookies we use, please see our [cookie policy](#).

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis that allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the Table in section 4 above (and as further detailed below).

### **Internal third parties:**

Other users of the Platform, whether you are a creator (influencer), corporate brand (represented by authorised individuals) or a representing agency (represented by authorised individuals).

**Specific external third parties as set out below;**

<b>Identity</b>	<b>The services provided</b>	<b>How we use the services and examples of personal data used</b>	<b>Location of processing</b>
Hubspot and/or Engagebay.	Customer relationship management (CRM) platform services	Storage of contact database, gathering insight for decision making (includes Contact and Marketing and Communications Data for example)	Such services may operate through geographically distributed servers, so the actual location where the Personal Data are stored may include countries outside the EEA; including the U.S.
MailChimp (The Rocket Science Group, LLC.)	An email address management and message sending service	Email marketing management, email design and unsubscribe functionality (linked to Insightly) - includes Contact Data for example	US
Google Analytics (Google Inc.)	A web-use analysis service	Visitor numbers and behaviour tracking across use of the Platform services; gathering insight for decision making (includes Usage Data for example)	US
Google Adsense (Google Inc.)	Digital advertising network services	Retargeting the Platform's visitors, behavioural/contextual targeting based on Google Analytics' results	Such services may operate through geographically distributed servers, so the actual location where the Personal Data are stored may include countries outside the EEA; including the U.S.
Digital Ocean	Data hosting and backend management services	We use these services to store Platform data and files that enable ProCreator to operate, be made available to you and to provide the technical infrastructure for ProCreator	Such services may operate through geographically distributed servers, so the actual location where the Personal Data are stored may include countries outside the EEA; including the U.S.



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<b>Identity</b>	<b>The services provided</b>	<b>How we use the services and examples of personal data used</b>	<b>Location of processing</b>
LinkedIn	Professional online networking platform	Retargeting visitors to the Platform via a tracking code set on the Platform's webpages	Such services may operate through geographically distributed servers, so the actual location where the Personal Data are stored may include countries outside the EEA; including the U.S.

Other external third parties:

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

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 notice.

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.

## 6. INTERNATIONAL TRANSFERS

In the event that we transfer data outside the EEA we will ensure your personal data is protected by requiring it to follow the same rules as the EEA when processing your personal data. These rules are called “binding corporate rules”. For further details, see European Commission Binding corporate rules at: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/binding-corporate-rules\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/binding-corporate-rules_en)

Several of our external third parties are based outside the European Economic Area (EEA) so their processing of your personal data will, in limited circumstances, involve a transfer of data outside 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 - European Commission: Adequacy of the protection of personal data in non-EU countries at [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)
- 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. For further details, see European Commission: Model Contracts for the transfer of personal data to third countries at [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en)
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield at [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en)

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. 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.

## **8. 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.

By law we have to keep basic information about our Platform users (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see section 9 below in respect of requesting erasure for further information.

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.

## **9. YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights include the following types of “request”:

- 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.

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 (sometime referred to as “the right to be forgotten”). 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 services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

### **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.