

# Privacy Notice

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Effective from September 2022 | Version 09.22

This privacy notice tells you how we look after your personal data when you visit our website at [immersivelabs.com](https://immersivelabs.com) (**Website**) or become our customer and when you access the Immersive Labs platform (**Platform**) as a user

This privacy notice tells you what personal data Immersive Labs collects about you, what we use it for and who we share it with. It also explains your rights and what to do if you have any concerns.

This privacy notice will supplement any other notices you receive from us and they should be read together. We may need to make changes to this notice occasionally, to reflect any changes to our services or legal requirements. We will notify you of any important changes before they take effect.

## 1. WHO WE ARE AND OTHER IMPORTANT INFORMATION

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We are Immersive Labs Group (**Immersive Labs, we, us or our**) which is formed of the following companies:



Immersive Labs Holdings Limited (registered in England and Wales under company number 11439032 with its registered office at 6<sup>th</sup> Floor, The Programme, All Saints' St, Bristol, England, BS1 2LZ)



Immersive Labs Limited (registered in England and Wales under company number 10553244 with its registered office at 6<sup>th</sup> Floor, The Programme, All Saints' St, Bristol, England, BS1 2LZ)



Immersive Labs Corporation (registered in Delaware, USA with its office at WeWork, 200 Berkeley St, Boston, 02116 MA, USA)



Immersive Labs GmbH (registered in Düsseldorf, Germany with its office at c/o RSM GmbH, Georg-Glock-Straße 4, 40474 Düsseldorf)

In relation to our Website and Platform, Immersive Labs will be 'controller' of your information, which means that it decides what personal data we collect from you and how it is used. Immersive Labs Ltd is registered with the Information Commissioner's Office, the UK regulator for data protection matters under number ZA281110.

Where you are employed or engaged by our customer and are given access to our Platform by them, we will process some of your personal data on their behalf. In this case, they will be the 'controller' and we will be their 'processor'.

### CONTACT DETAILS

Email address: [legal@immersivelabs.com](mailto:legal@immersivelabs.com)

Postal address: 6<sup>th</sup> Floor, The Programme, All Saints' St, Bristol, England, BS1 2LZ

## KEEPING US UPDATED

We want to make sure that your personal data is accurate and up to date. Please let us know about any changes so that we can update our systems for you.

## THIRD-PARTY LINKS

Our Website and Platform includes links to external websites, plug-ins and applications provided by other organisations. By clicking on those links or enabling connections you may allow those organisations to collect or share personal data about you. We do not control how these organisations use your personal data, so we encourage you to read their privacy notices.

## 2. THE PERSONAL DATA WE COLLECT ABOUT YOU

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**Personal data** means any information which does or could be used to identify a living person. We have grouped together the types of personal data that we collect below:



**Identity Data** - name and username



**Contact Data** - billing address, delivery address, business email address, personal email address or academic email address and telephone numbers



**Transaction Data** - details of products and services we have provided to you and bank details (we do not process payment card details)



**Technical Data** - 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 on the devices you use to access our Website



**Profile Data** - your username and password, your interests, preferences, feedback and survey responses



**Usage Data** - information about your visit including the full Uniform Resource Locators (URL) clickstream to, through and from our site, reports, information you viewed or searched on our Website, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks and mouse-overs, tab completion activity and methods used to browse away from the page)



**Marketing and Communications Data** - your preferences in receiving marketing from us and our third parties and your communication preferences

When we collect personal data, we sometimes **anonymise** it (so it can no longer identify you as an individual) and then combine it with other anonymous information to form **Aggregated Data**. This helps us identify trends (for example, what percentage of users access a specific product feature). Data protection law does not restrict us when it comes to how we use Aggregated Data and the various rights described below do not apply to Aggregated Data.

We do not intentionally collect any **Special Categories of Personal Data** (sensitive types of information which require additional protections, such as health information). However, we acknowledge some information we collect could suggest **special category** data (for example, a user affiliated with a health charity could be inferred to have that health issue).

### 3. HOW YOUR PERSONAL DATA IS COLLECTED

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- **Direct interactions:** You provide your personal data to us by filling in forms or by corresponding with us by post, phone or email when you:
  - apply for our products or services
  - create an account on our platform
  - subscribe to our service or publications
  - allow us to send you marketing
  - enter a competition, promotion or survey
  - give us some feedback
- **Automated technologies or interactions:** As you interact with our website, we 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. Some cookies are strictly necessary for us to provide our Website and Platform, therefore if you disable them, our Website and Platform may not work as it should
- **Information provided by others.** We may receive personal data about you from:
  - technical service providers, acting as our processors (which means they can only use your personal data in line with our instructions)
  - marketing agencies that help us identify prospective customers
  - organisations such as your employer if they are a customer of Immersive Labs and our [Cyber Academy](#) partners including the National Autistic Society through which you may be given access to our Platform
  - organisations such as your prospective employer if they are a customer of Immersive Labs and ask you to complete labs on the Platform as part of your assessment for a job-role.

### 4. HOW WE USE YOUR PERSONAL DATA

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We are required to identify a legal basis for collecting and using your personal data. There are six legal grounds which organisations can rely on. The most relevant of these to us are where we use your personal data:

- to enter into and perform our **contract** with you (but only where the contract is with you as an individual, not a contract with another organisation)
- to comply with a **legal obligation** that we have
- to pursue our **legitimate interests** (our justifiable business aims) but only if those interests are not outweighed by your other rights and freedoms (for example, your right to privacy)
- to do something that you have given your **consent** for

This table sets out the legal ground that we rely on when we use your personal data for different purposes:

Purpose	Categories of personal data	Legal ground
Taking steps to enter into the contract with our customer	Identity Data Contact Data	Performance of contract (where our customer is an individual)  Legitimate interests (where our customer is an organisation, as necessary to conclude our contract with such organisation and obtain contact details for key contracts)
Processing payments and collecting and recovering monies owed to us	Identity Data Contact Data Transaction Data	Performance of contract (where our customer is an individual)  Legitimate interests (where our customer is an organisation, as necessary to recover debts due to us)
Handling requests for technical support	Identity Data Contact Data Marketing and Communications Data	Performance of contract (where our customer is an individual)  Legitimate interests (where our customer is an organisation, as necessary to perform our contractual obligations to provide technical support)
Administering and protecting products, services and systems (and those of our processors)	Identity Data Contact Data Profile Data Usage Data Marketing and Communications Data	Legitimate interests (necessary to provide our products and services, monitor and improve network security and prevent fraud)
Providing insight on how our products and services are being used	Identity Data Contact Data Technical Data Profile Data Usage Data	Performance of contract (where our customer is an individual)  Legitimate interests (where our customer is an organisation, to provide an overview of their users' engagement with the service)
Sending you service emails to notify you of objectives that have been assigned to you	Identity Data Contact Data Technical Data	Legitimate interests (necessary to provide our products and services)

Sending you marketing communications by email	Identity Data Contact Data Technical Data	Consent (where you are a private individual, sole trader or partner in a partnership)  Legitimate interests (where your email address belongs to an organisation which is a corporate body)
Asking you to participate in surveys and other types of feedback including (but not limited to) user research	Identity Data Contact Data Technical Data Profile Data Usage Data	Legitimate interests (necessary for product and service improvement purposes)
Asking you to complete labs as part of an assessment for a job with a third-party organisation	Identity Data Contact Data Technical Data Profile Data Usage Data	Legitimate interests (necessary to provide our products and services).
Notifying you about changes to our privacy notice	Identity Data Contact Data Profile Data	Legal obligation (necessary to comply with our obligations under data protection law)

If we plan to use personal data for a new purpose not in the table above, we will let you know beforehand and explain what legal ground we intend to rely on.

## 5. MARKETING, FEEDBACK AND RESEARCH

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If you access the platform in your capacity as an individual, we will get your consent before we direct market to you.

If you access the platform in your capacity as an employee for your employer organisation, we will direct market to you unless you opt-out using the unsubscribe links in the footers of emails. We do this because data protection law allows us to direct market to corporate subscribers (e.g., business email addresses) under the lawful basis of legitimate interests (please see the table at Section 4 above).

Our direct marketing communications will always include a link so you can unsubscribe at any time.

We sometimes use your information to form a view on what products, services or offers we think you might be interested in.

We may contact you if your recent activity suggests you might want to hear from us (for example, you entered one of our competitions), unless you have already let us know you do not wish to receive marketing communications.

We may also get in touch with you to ask you to give us feedback or participate in user research so that we can improve our products and services. Where possible, we will remove identifiable personal data so that the feedback or research does not identify you as an individual. For example, for user research, we will remove your name (and any other identifiable information) from the data completely, and we will use pseudonyms when presenting the research internally.

If you participate in user research, we may ask you if we can record your voice and browser for the purposes of the exercise. For some types of research, we will also ask if we can record your video through your webcam, but this is less frequent. We use a third-party software provider (please see our [list of Processors](#)) to facilitate the research. We will always let you know before we access your camera, microphone and / or browser.

Please be aware that the software records your entire browser. Therefore, if you access other content on your browser outside the Immersive Labs platform during your participation in the research, we may have access to such recorded content. As always, you can exercise any of your rights (under Section 12 below) in relation to this data.

## 6. WHO WE SHARE YOUR PERSONAL DATA WITH

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- **Our staff** (our employees or other workers bound by contracts containing strict confidentiality and data protection obligations) – some of our staff may work for one of our group companies
- **Our technical service providers** including hosting, customer support, marketing and customer relationship, software monitoring, project management and customer insight providers (these organisations only have access to information they need to provide their services to us and are bound by contracts containing strict confidentiality and data protection obligations)
- **Strategic partners** such as resellers (businesses that sell Immersive Labs products on our behalf). Strategic partners may have access to your organisation’s account and will be able to set objectives on the Platform and view: (i) user profiles; (ii) complete and incomplete labs; and (iii) leader boards
- **Regulatory authorities** such as HM Revenue & Customs, the UK tax authority
- **Our professional advisers** such as the accountants or legal advisors we sometimes use to help us conduct our business
- **Any actual or potential buyer of our business**

If Immersive Labs are asked to provide personal data in response to a court order or legal request (e.g. from the police), we would seek legal advice before disclosing any information and carefully consider the impact on your rights when providing a response.

For a list of our Processors (defined below), please see the section titled “Privacy” in the legal section of our Website which can be accessed [here](#).

## 7. WHERE YOUR PERSONAL DATA IS STORED

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Where we instruct organisations to process personal data on our behalf (our **Processors**) and that results in your information being sent outside of the UK or European Economic Area (EEA), we make sure that your information receives a similar level of protection by:

- only sending information to [countries that have been formally recognised by the European Commission as having an adequate level of protection](#) for personal data
- or

- using [contracts approved by the European Commission](#) to ensure appropriate safeguards are in place

If you are using our Platform because you have been enrolled by an organisation (e.g. your employer) then your personal data may be stored on servers located in the same region that they are based.

You can ask us for more information if you have a question about information sent outside the UK or EEA.

## 8. THIRD-PARTY MARKETING

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We will get your consent before we share your personal data with any person outside Immersive Labs for marketing purposes.

## 9. COOKIES

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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](#).

## 10. HOW WE KEEP YOUR PERSONAL DATA SECURE

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We have implemented security measures to prevent your personal data from being accidentally or illegally lost, used or accessed by those who do not have permission. These measures include:

- access controls and user authentication
- internal IT and network security
- regular testing and review of our security measures
- staff policies and training
- incident and breach reporting processes
- business continuity and disaster recovery processes

For further information about our security measures, please see the section titled “Security Measures” in the legal section of our Website.

If there is a breach of security which has affected your personal data and we are the controller, we will notify the regulator and keep you informed (where required under data protection law).

## 11. HOW LONG WE WILL KEEP YOUR PERSONAL DATA FOR

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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 volume, 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 use your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we must keep Transaction Data for six years.

We may keep Identity Data, Contact Data and certain Marketing and Communications Data (specifically, any exchanges between us by email or any other means) for up to six years after the end of our contractual relationship with you or your organisation to help us bring or defend any legal proceedings.

If you are not a customer and you browse our Website, we keep personal data collected through our analytics tools.

If you are not a customer and you have asked for information from us or you have subscribed to our mailing list, we keep your details until you ask us to stop contacting you or your email address becomes permanently unavailable.

For a list of all retention periods by emailing [legal@immersivelabs.com](mailto:legal@immersivelabs.com).

## 12. YOUR RIGHTS

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You have specific rights when it comes to your personal data:



**Access:** You must be [told if your personal data is being used](#) and you can [ask for a copy of your personal data](#) as well as information about how we are using it to make sure we are abiding by the law



**Correction:** You can [ask us to correct your personal data](#) if it is inaccurate or incomplete. We might need to verify the new information before we make any changes.



**Deletion:** You can [ask us to delete or remove your personal data](#) if there is no good reason for us to continuing holding it or if you have asked us to stop using it (see below). If we think there is a good reason to keep the information you have asked us to delete (e.g. to comply with regulatory requirements), we will let you know and explain our decision.



**Restriction:** You can [ask us to restrict how we use your personal data](#) and temporarily limit the way we use it (e.g. whilst you check that the personal data we hold for you is correct)



**Objection:** You can [object to us using your personal data](#) if you want us to stop using it. We always comply with your request if you ask us to stop sending you marketing communications but in other cases, we decide whether we will continue. If we think there is a good reason for us to keep using the information, we will let you know and explain our decision.



**Portability:** You can [ask us to send you or another organisation an electronic copy of your personal data](#)



**Complaints:** If you are unhappy with the way we collect and use your personal data, you can complain to the [UK Information Commissioner's Office](#) but we hope we can help in the first instance. If you have any concerns you can email us at [legal@immersivelabs.com](mailto:legal@immersivelabs.com).

It is usually free for you to exercise your rights and we aim to respond within one month. We might ask you to verify your identity before we begin working on your request as part of our security measures (to keep personal data safe).



It might take us longer to deal with more complicated requests or where multiple requests are made at the same time, but we will always let you know first and will only ever extend the deadline by a maximum of two months.

The only time we charge a fee or refuse to respond is if we feel the request is unfounded or excessive, but we will always let you know and explain our decision.

If you want to make any of the right requests above, you can reach us at [legal@immersivelabs.com](mailto:legal@immersivelabs.com).

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*This privacy notice was updated in September 2022. For previous versions, please email [legal@immersivelabs.com](mailto:legal@immersivelabs.com).*

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