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PRIVACY NOTICE

The Fresh Air Learning Company Ltd
v1.0 dated 14 May 18

INTRODUCTION

Welcome to the Fresh Air Learning Company Ltd's privacy notice.

The Fresh Air Learning Company ("we", "us", "our") respects your privacy and is committed to protecting your personal data. This privacy notice will inform you about how we look after your personal data when you visit our website (regardless of where you visit it from) or communicate with us via other means, and tell you about your privacy rights and how the law protects you. This privacy notice is organised in the following clauses:

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.
7. Data security.
8. Data retention.
9. Your legal rights.
10. Glossary.

1. IMPORTANT INFORMATION AND WHO WE ARE

Purpose of this privacy notice

- 1.1 This privacy notice aims to give you information on how we collect and process your personal data through your use of our website (e.g. by completing an inquiry form), or by communicating with us by post, phone, text, email or otherwise.

Controller

- 1.2 The Fresh Air Learning Company Ltd is the data controller and responsible for your personal data.
- 1.3 We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights please contact the data privacy manager using the details set out below.
- 1.4 Contact details are: Dave Stewart, dave@freshairlearning.com





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- 1.5 You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

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

- 1.6 This version was last updated on 13 May 18.
- 1.7 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.

Third-party links

- 1.8 This website may include links to third-party 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 and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. THE DATA WE COLLECT ABOUT YOU

- 2.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- 2.2 We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:
- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender. This may also include stills and video photography featuring your image.
 - **Contact Data** includes billing, personal, office and delivery addresses; email and social media addresses; and telephone, Skype, WhatsApp, and similar communication services contact details.
 - **Financial Data** includes bank account details.
 - **Transaction Data** includes details about payments between us, and other details of products and services you have purchased from us.
 - **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
 - **Profile Data** includes purchases or orders made by you, your interests, preferences, feedback and survey responses. We also record any other professional or personal information (such as health issues, medication, and injuries) which is relevant to the situation or project for which you seek our services.
 - **Usage Data** includes information about how you use our website, products and services.
 - **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.





2.3 Other than information regarding medical conditions, medication, and injuries (see Profile Data above), we do not collect any Special Categories of Personal Data about you. This includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, or genetic and biometric data. Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

2.4 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 with you (e.g. to provide you with goods or services). In this case, we may have to cancel a product or service you have with us. We will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

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

3.2 Direct interactions. You may provide us personal data by filling in forms on or site or by communicating with us by post, phone, email or otherwise. This includes personal data you provide when you:

- request information from us;
- request marketing information be sent to you;
- subscribe to our publications;
- enter a competition, promotion or survey;
- contract for our products or services; or,
- give us some feedback.

3.3 Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this data by using "cookies" - small files of information which are stored on your PC's hard drive. "Cookies" do not contain any Identity Data about you but allow our web server to recognise you when you visit our website. If you do not wish us to use this information you may set up your web browser to reject "cookies" and/or refuse "cookies" when first using the website.

3.4 Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:

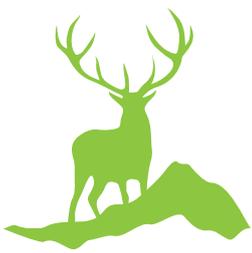
3.5 Technical Data from the following parties:

- analytics providers such as Google and our website platform WordPress based outside the EU;
- advertising networks such as Eventbrite based outside the EU; and
- search information providers such as LinkedIn based outside the EU.

3.6 Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Eventbrite based outside the EU, and membership organisations (and their payment platforms) such as Chambers of Commerce and Entrepreneurial Scotland based inside the EU.

3.7 Identity and Contact Data from membership organisations (e.g. Chambers of Commerce) and the organisers of conferences and other events which we attend.





3.8 Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

4. HOW WE USE YOUR PERSONAL DATA

4.1 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:

- In order to provide our services and communicate with you.
- Where we need to perform the contract we are about to enter into or have already entered into.
- Where it is necessary for our legitimate interests or those of a third party (e.g. the proper administration of our business) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation, or take appropriate steps to protect our business from risk.

4.2 Generally, we do not rely on consent as a legal basis for processing your personal data other than 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 contact us.

Stills and video photography

4.3 Stills and video photography are valued by our clients as important visual storytelling elements of the work we do.

4.4 Stills and videos also have great utility in supporting our marketing effort. We use them on our website, across social media, in electronic presentations, and in printed material.

4.5 We will obtain your written agreement (email or hard-copy) before using your images.

Testimonials

4.6 Testimonials support our marketing effort.

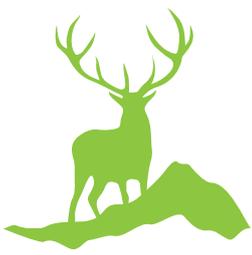
4.7 We will obtain your written agreement (email or hard-copy) before quoting your testimonials regarding us or our services.

Promotional offers from us

4.8 We may use your Identity, Contact, 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 products, services and offers may be relevant for you (we call this marketing).

4.9 You will receive marketing communications from us if you have requested information from us, purchased services from us, or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.





Opting out

- 4.10 You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.
- 4.11 Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service inquiry or purchase, or other transactions.

Change of purpose

- 4.12 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.
- 4.13 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.
- 4.14 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 4.15 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

- 5.1 We may have to share your personal data with the parties set out below:
- Our insurers and professional advisors in so far as reasonably necessary for the purpose of obtaining and maintaining insurance cover, managing risk, obtaining professional advice; or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out of court procedure,
 - Our partners, associates, and sub-contractors as is reasonably necessary for the performance of a contract between you and us.
 - Banks and other payment services only as is reasonably necessary to deal with complaints, payments, and refunds.
 - 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.
 - Third parties where disclosing your personal data is necessary for compliance with a legal obligation to which we are subject.
- 5.2 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.





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6. INTERNATIONAL TRANSFERS

6.1 Our provider of email distribution services, MailChimp, is situated outside the European Economic Area (EEA) in the USA. The European Commission has deemed the USA's data protection laws to be adequate in relation to the protection of your personal data.

7. DATA SECURITY

7.1 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, associates, 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.

7.2 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?

8.1 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.

8.2 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.

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

8.4 In some circumstances you can ask us to erase your data. See "Your legal rights" at Section 9 below.

8.5 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

9.1 Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please see below.

9.2 If you wish to exercise any of these rights please contact us.





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No fee usually required

9.3 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

9.4 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

9.5 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.

10. GLOSSARY

LAWFUL BASIS

- 10.1 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.
- 10.2 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.
- 10.3 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.

YOUR LEGAL RIGHTS

- 10.4 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





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inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

