

Formic Solutions Privacy Policy

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Version: 1.12.

Last Updated: 11/10/2018

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1. COOKIE USAGE

a. Introduction

A cookie (also known as a web cookie, Internet cookie, browser cookie, or simply cookie) is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing. Cookies were designed to be a reliable mechanism for websites to remember stateful information like the user's browsing activity (including clicking particular buttons, logging in, or recording which pages were visited in the past). They can also be used to remember arbitrary pieces of information that the user previously entered form fields such as names, addresses, passwords etc. Formic's use of cookies is limited, and this section explains where we use and what we use cookies for.

By continuing to use our website and online services, either hosted by Formic, on-premise using your own infrastructure, or by accessing a third parties hosting of our solutions, you agree to the use of cookies.

b. General Usage

Across all of our online solutions the following cookies may be used.

i. Google Analytics

Formic use Google Analytics to track users and record how they interact with our website content. As a user navigates between web pages, Google Analytics provides website owners JavaScript tags (libraries) to record information about the page a user has seen, for example the URL\address of the page. The Google Analytics JavaScript libraries use HTTP Cookies to "remember" what a user has done on previous pages / interactions with the website. This information is used by Formic to understand what our visitors do on our website, i.e. what specific pages they visit\products and services they are interested in, and to monitor volume of traffic to help improve our website navigation, its content, and our products and services.

Specific cookies used are: `_ga`, `_gat`, `gid`. More information in relation to these can be found here: <https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

c. Use on our Web Site.

ii. Word Press

Formic's website is delivered using the Wordpress platform. Wordpress is a free and open-source content management system based on PHP and MySQL, used to build web and blogging sites. The Wordpress platform features a plugin architecture enabling the customization of the application making it highly adaptable in order to suit the specific needs of the organization using it. Formic use a plugin that records whether the visitor has accepted the use of cookies, specifically `'viewed_cookie_policy'`, in order to prevent them from being asked multiple times if they visit the site in the future.

d. Use in our solutions

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i. Online Forms

The online forms application does not use cookies if surveys are publicly available; no information is stored about the respondent apart from those which they choose to divulge as part of their response.

In the case where a respondent needs to login to the online forms application in order to access and complete surveys, an 'ASP.NET_SessionId' cookie is used to identify the session id, in order to differentiate users on the server.

ii. Hosted Applications

If you're using our hosted solutions then cookies will almost certainly be used to hold state information, based on the method of access or use of virtualization technology, e.g. Citrix, VMWare etc. Please contact our support desk if you require more information about which cookies are used in your particular scenario.

2. PRIVACY POLICY

a. Introduction

Formic Limited ("Formic", or "we" or "us") are committed to respecting your privacy and protecting your personal information in all circumstances. We take this responsibility very seriously which is why we ensure we have the correct systems and procedures in place to guarantee that data we hold is managed correctly, to this end we are:

- ISO27001:2013 certified – Internationally recognized certification.
- Cyber Essentials Plus certified – UK Government backed initiative.
- IGSoc Attainment Level 2 – NHS Digital Information Governance assessment.

Our privacy policy describes how we capture and use the personal information that we gather about visitors to this website and users of our products and services. Please read the following carefully to understand our views and practices regarding your personal information and how we will treat it. Formic provides products and services which enable our customers to create and administer surveys. We may host our customers' surveys on our servers and collect the responses to them on their behalf. Our customers remain data controllers of the data collected and we process it solely in accordance with our agreement with our customers (for example, our Software License, Services and SaaS agreements).

Formic acts as data controller in relation to all personal information other than data collected via surveys. If you are a survey respondent, the data controller of the data collected is our customer who invited you to participate in the survey. For all other information, your data controller is Formic.

If you have any questions, comments or complaints regarding our privacy policy or practices, please contact us at one of the following address:

By Post: DPO, Formic Limited, 8 The Square, Stockley Park, Uxbridge, UB11 1FW.

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By Email: info@formic.com

Our privacy practices differ depending on whether you fall into one of two categories:

- Use our products and services and/or visit our website.

OR

- Are a survey respondent.

2.1 If you use our products and services and/or visit our website.

This policy applies to all personal information for which we are the data controller. As you are the data controller for your data, different principles often apply to it and where relevant we include a note on this data at the end of each section.

a. Summary

- Your data is your information. We will only process it to provide our products and services to you.
- For all other information, we will only use the information that you provide to us or that we collect about you as described in this privacy policy, including to provide our products and services, to respond to your enquiries and to protect and improve our products, services and website.
- We may use your information to send you marketing communications. You can ask us to stop doing this at any time. You have other rights in relation to your personal information, such as the rights to access, amend or request the deletion of personal information that we hold about you, or in some cases to object to our use of it.
- We only share your information in limited circumstances, as we describe below.

b. Policy Detail

i. The information we collect about you:

We collect information about you when you provide it to us, when you use our products, services and website, and when other sources provide it to us, as follows:

Account information: Where you subscribe to our products or services, or create an account with us, we collect information from you such as your name and email address, username, phone number, address and organisation. We also ask for and collect personal information such as an email address and name from any individual that you authorise to use our products or services.

Billing information: Where you need to make a payment to us for our products or services, we collect your billing details, including a billing address and financial and payment information.

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Information that you provide to us: We collect the information that you give to us, for example when you:

- contact us by phone, email, online chat or otherwise.
- fill in forms on our website.
- register to use our website.
- sign up for our newsletters and promotions.
- respond to a survey conducted by Formic (e.g. to get feedback on our own services and training courses).
- register or attend one of our events or training courses.
- participate in forums on our website.
- contact us for customer support.

Technical information: We collect information relating to your interaction with our products, services and website, including the type of browser and/or device used, operating system, files viewed, date/time stamp, referrer page and IP address.

Usage information: We may collect information about your usage of our products and services, including the version of any of our software that you are using and the number of users of that software. We also collect information about your use of our website including which webpages you view, the services you view or search for, your referring and exit pages, the length of visits to certain pages and the times and dates of these actions.

Cookies: we use cookies to distinguish you from other users of our products, services and website. This helps us to improve our website's performance and your experience of using our website. You can control the use of cookies at the individual browser level. Some of those cookies are necessary for the use of our services. If you reject cookies, you can still use our website, but your ability to use some features or areas of our website may be limited. For more information on the cookies we use and the purposes for which we use them see our cookies policy.

Social media features and widgets: Our website includes social media features, such as Facebook, Twitter and LinkedIn. These features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. Your interactions with these features are governed by the privacy policy of the company providing them.

Third-party services: If you choose to enable or connect to a third-party application or service in conjunction with our products and services, that third party service may make certain information about you available to us, for example your name and email address in order to authenticate you. You should check your privacy settings on these third-party services to understand and control the information provided to us through these services.

Information from other users: other users of our products or services may provide us with information about you. For example, when another individual authorises you to use our products and services, they may provide us with your name and email address, or an

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individual in your organisation may provide us with your contact information if they designate you as the billing or technical contact on your organisation's account.

ii. How we use your information

We use the information that we hold about you in the following ways. For each of these, we have identified our legal basis for processing your information in that way.

This section does not relate to data collected from surveys – we process this only in accordance with your instructions and our agreement with you.

Providing our products and services: We use your information to provide you with the products and services which you have subscribed to or requested. This may include providing you with customer support and with the benefits of any update feature associated with the relevant product or service. This processing is necessary to perform our contract with you for these products and services.

To collect payment: We use your information to collect fees due to us for your use of our products and services, in accordance with our legitimate interests of collecting revenue.

Responding to enquiries: We will use your contact information and any information that you send to us to respond to your questions, requests for information or complaints. Depending on the nature of your enquiry, we may do this on the basis of performing our contract with you, our legal obligations, or our legitimate interests of providing you with the best service and understanding how we can improve our products and services based on your experience.

Third-party services: Where you choose to enable or connect to a third-party application or service we use the information provided about you by that application or service to enable it to work in conjunction with our products or services.

To protect our business, products, services and website: We will use your information in accordance with our legitimate interests of administering and maintaining our systems and ensuring network and information security, for example to prevent unauthorised access to our networks, to investigate faults, to control the abuse of our products or services, to prevent denial of service attacks and to monitor system usage and server load.

To develop, test and improve our products, services and website: We will use your information about how you use our products, services and website to improve the user experience for our users, for example to ensure we are offering appropriate features, supporting appropriate browsers and devices and to ensure our website content is presented in the most effective manner. We do this on the basis of your consent to our use of cookies and in accordance with our legitimate interests of developing our existing products, services and website, understanding how we can continue to improve them, and creating new products and services.

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Monitoring and enforcing our rights: We may use your information to ensure that you are using our products and services in accordance with the terms on which they are supplied, and to enforce those terms, our website terms of use, or other relevant agreements that we have with you, in accordance with our legitimate interests of being able to enforce our rights.

Legal requests: We may need to use your information to comply with a legal obligation such as to respond to a court order or a request from a supervisory authority or government, or to prevent fraud.

Notifications: We will use your information to send you communications which are required by law or to notify you of changes to our terms or this privacy policy, or changes (permanent or temporary) to our products or services. Such messages will not include any promotional content. Depending on the nature of the communication we may do this on the basis of performing our contract with you or complying with our legal obligations.

Surveys and feedback requests: We may use your information to invite you to participate in surveys run by us on our own behalf, for example to invite your feedback on our products, services and website. These communications will not contain any promotional content and will be sent on the basis of our legitimate interests of improving our products, services and website. However, if you would prefer not to receive such communications, please contact us at info@formic.com.

Marketing: We may use your information to provide you with information about our products and services, offers and events that we consider may be of interest to you. This information will relate to our own products and services only, and we will not provide your information to third parties for marketing purposes. We send these communications either on the basis of your consent (where you have specifically consented to receiving such communications) or in accordance with our legitimate interests of growing our business.

You may stop receiving marketing communications from us at any time. To withdraw your consent or to opt-out of receiving marketing communications, you may contact us at info@formic.com or follow the unsubscribe instructions contained in the communication itself.

Legal basis for processing (EEA only): Where your data is processed by Formic or if you are an individual from the EEA, we must have a legal basis for collecting and using your information when we act as data controller. This will be one of the following:

- Where we require the information to perform a contract with you (e.g. to deliver the services that you have requested);
- Where we have your consent to do so, and in this case you have the right to withdraw or refuse to give your consent at any time. This will not however affect the lawfulness of any processing based on your consent before you withdraw it;
- Where the processing is necessary for our legitimate interests (and those legitimate interests are not overridden by your interests or fundamental rights and freedoms); or

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- Where we need to comply with a legal or regulatory obligation.

If you have any questions or require further information concerning the legal basis on which we collect and use your information, including regarding our legitimate interests, please contact us at info@formic.com.

iii. Who we share your information with:

We will only disclose your information in the circumstances below:

Our service providers: we may disclose your information to our third-party service providers. In each case we have agreements in place with the service provider to ensure that they provide appropriate protection for your information and to ensure that they are only permitted to use your information in accordance with our instructions and as necessary to provide the relevant service to us.

For example, we may engage third parties to provide the following services:

- hosting our online survey services and our website.
- sending our customer communications.
- translation and transcription services.
- provide analytics information.
- manage credit card processing.

Professional advisers: We may need to disclose your information to our professional advisers, including our lawyers, bankers, auditors and insurers.

Compliance with legal obligations and enforcement of our rights: We may also have to disclose your information if this is reasonably required to:

- comply with any applicable law, regulation or legal process or to respond to a request from a government or a regulatory body.
- enforce our agreements, policies and website terms of use.
- protect the security or integrity of our products and services.

Other users within your organisation: Where your organisation purchases products or services from us covering multiple authorised users and contacts, we may disclose your information to other users within your organisation, for example to verify licensing and billing information.

Forums: If you use forums we host, you should be aware that any personal information you submit there can be read, collected, or used by other users of these forums, and could be used by them to send you unsolicited messages. We are not responsible for the personal information you choose to submit in these forums or for private messages that you send via the forum. To request removal of your personal information from a forum, contact the organisation we host the service for, who are responsible for administering the site.

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You have the option of receiving email notifications each time someone replies to the threads or boards you add to your notify list. If you no longer wish to receive these types of notifications simply login to your forum account and modify your notification settings.

Data: Our agreement with you specifies the authorised sub-processors to whom we may disclose your collected data. We will not disclose your data to anyone else, unless we are required to do so by law, or you have specifically asked us to.

iv. Links to other websites

This privacy policy covers our products, services and website. Our website may contain links to and from third party websites. The information practices and the content of such other websites are governed by the privacy policy of that website. If you click on a link to those websites you will leave our website to go to the website that you selected. Please note that we cannot accept responsibility or liability for any use of your personal information by such third parties, and we cannot guarantee that they will adhere to the same privacy practices as us. We encourage you to review the privacy policies of any third party before you submit any personal data to them.

v. Updating your information

If you wish to update, amend or request deletion of your personal information you may do so by making the change within your account once logged in or by emailing us at info@formic.com. We will respond to your request within 30 days.

vi. Your rights as a data subject

At your request we will provide you with information about whether we hold any of your personal information and provide a copy of this information to you. To request this information please contact us at info@formic.com. You may update, amend or request deletion of your personal information as described above.

Where your information is processed by Formic or if you are from the EEA you may have the right to exercise additional rights available to you, including:

Right of Erasure: In certain circumstances you have the right to erasure of personal information held about you, although this may be qualified where e.g. it is necessary for that information to be retained for record keeping purposes or compliance with our obligations. If we are unable to comply with your request, we will explain why.

Right of Rectification: You have the right to have your personal information rectified if it is inaccurate or incomplete.

Right to Object: You have the right to request that we stop processing your personal information for marketing purposes, and can request that we stop processing your personal information for other purposes based on our legitimate interests. In some cases, we may be

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able to demonstrate that we have compelling legitimate grounds to continue to process your information.

Right of Restriction: You may have the right to request that we restrict the processing of your personal information (e.g. where you believe that the personal information we hold about you is inaccurate or unlawfully held).

Right to Data Portability: You may have the right to be provided with your personal information in a structured, machine readable and commonly used format and to request that we transfer the personal information provided by you to another data controller.

You also have the right to withdraw consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you would like to exercise such rights, please contact us at info@formic.com. To protect your privacy and security, we may take steps to verify your identity before complying with the request.

You also have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. In the UK, this is the Information Commissioner's Office <https://ico.org.uk/>.

vii. How long we keep your information

We will retain your information for as long as your account is active or as needed to provide our products or services or otherwise fulfil the purposes described in this policy, including for the purposes of satisfying any legal, accounting or reporting requirements. If you wish to delete your personal information at any time, please contact us at info@formic.com. If we are unable to comply with that request, for example because we need to retain some or all of your information to comply with a legal obligation, we will let you know and will explain why.

Data: You are in control of the management of your data collected from surveys and can delete it from our online systems or download it to your own systems at any time. Please refer to our contract with you for the specific period for which we retain your data when we cease providing you with our products and services and for how long your data remains in our back-ups before being permanently deleted.

viii. Security of your information

We take the security of your information extremely seriously and have attained ISO 27001:2013, Cyber Essentials Plus certifications as well as NHS Digital's IGSoC Attainment Level 2, in order to provide independent confirmation and peace of mind that we follow industry best practice.

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All information that you provide to us is stored on secure servers. When you enter personal information within the customer login area of the site, we encrypt that information using transport layer security (TLS). Where you use a password to access certain areas of our website and services you are responsible for keeping this password confidential.

Our data centre providers are also ISO27001:2013 certified, and your data is encrypted on the servers at rest and in transit across the internet.

ix. Changes to our privacy policy

We may change this privacy policy from time to time. We will post any privacy policy changes on our website, if the changes are significant, we will post a notice on the homepage of our website, the login screens for our services, and/or we will send an email notification to our account holders. We will also keep prior versions of this policy in archive for your review.

2.2 If you are a survey respondent.

Formic's products and services enable our customers to create and administer surveys. We may host our customers' surveys on our servers and collect the responses to those surveys on their behalf. Our customers may also upload contact information of potential survey respondents to invite them to participate in a survey. We refer to this contact information and responses as data. Our customers remain data controllers of this data and we process it solely in accordance with our agreement with our customers. Aside from this data, we are likely to process very limited information about you.

Our customers have total discretion to determine what information they collect, who they invite to participate in a survey, whether they upload respondent information, what the data will be used for, whether it will be combined with other information and data, who it will be shared with and how long it will be stored. We strongly recommend you read the privacy notices and/or obtain privacy information from our customer who has invited you to participate in the survey to fully understand how your data will be used.

We offer our customers a range of options as to how they host their surveys. Our customers may also install our products on their own servers in which case the survey is hosted by our customer and we do not process any data relating to that survey. The rest of this policy applies only where we host surveys on behalf of our customers or otherwise process data for them (for example, where we may carry out paper surveys for them).

a. Summary

- We collect respondent data on behalf of our customers and the data controller of this data is our customer who invited you to participate in the survey.
- Our customers determine how they design their surveys, what information they will collect and what they will use it for. You should review their privacy information to understand how your information will be used. In the majority of cases, you should contact our customer if you have any questions about their survey, or to exercise your rights in relation to the data you submitted.

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- We collect very limited information about you ourselves (as described in our full policy below) and we are the data controller of this information. We will only use it for limited purposes including protecting the security of our services and to respond to you if you contact us directly. We will not use your contact information for marketing.

b. Policy Detail

i. The information we collect about you:

We collect the following information about you:

Response Data: We collect your survey responses. Our customer may also have uploaded your contact information to enable them to invite you to participate in the survey, and send reminder emails to you. As explained above, we process this data on our customer's behalf and make no use of it ourselves.

Technical information: We collect information relating to your interaction with our software and services, including the type of browser and/or device used, operating system, date/time stamp, referrer page and IP address. We do not link this information to any data you provided.

Cookies: Our online forms service uses a single cookie to identify you as an individual in the form of a session id, if you are required to login. This is an anonymous identifier, and is not linked to any data you may have provided. If you're accessing our surveys and did not require to login, no cookies will be created,

Your contact information: We will collect information from you if you contact us directly, for example in relation to a survey invitation that you have received.

ii. How we use your information

We use the information that we hold about you in the following ways:

Response Data, in order to provide our products and services: We hold, store and process your data solely to fulfil our contract with our customers. We only use your data for our own purposes if required to do so by law.

Technical information, to protect our services, and for analysis: We will use your information in accordance with our legitimate interests of administering and maintaining our systems and ensuring network and information security, for example to prevent unauthorised access to our networks, to investigate faults, to control the abuse of our products or services, to prevent denial of service attacks and to monitor system usage and server load. We may also use this information in aggregate form for our legitimate interests of improving our products and services.

Your contact information, to respond to your enquiry: We will only use your contact

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information where you contact us directly, in order to respond to your enquiry. This is in accordance with our legitimate interests of providing customer service. In many cases (for example where you wish to exercise your rights as a data subject) this is likely to involve referring you to our customer for them to respond to you directly.

We will not use any information that we hold about you for marketing purposes.

iii. Who we share your information with

Response Data: Unless we are required to do so by law, we will not disclose your data to any third parties other than our customers and our sub-processors (such as our affiliates and our hosting providers) that have been authorised by our customer in our agreement with them.

Your contact information: Where you contact us directly we may, if appropriate, refer your enquiry to our customer.

iv. Your rights as a data subject

At your request we will provide you with information about whether we hold any of your personal information (other than your response data) and provide a copy of this information to you. To request this information please contact us at info@formic.com. You may also request that we update, amend or delete your personal information.

If you wish to access, correct, or delete your response data, or exercise any of the other rights described below in relation to your data, you will need to contact our customer directly. Where necessary, we will aid our customers in order to deal with your request.

Where we are the data controller, you may have the right to exercise the following additional rights:

Right of Erasure: In certain circumstances you have the right to erasure of personal information held about you, although this may be qualified where e.g. it is necessary for that information to be retained for record keeping purposes or compliance with our obligations.

Right to Object: You may have the right to object to our processing of your personal data for purposes based on our legitimate interests. In some cases, we may be able to demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms.

Right of Restriction: You may have the right to request that we restrict the processing of your personal data (e.g. where you believe that the personal data we hold about you is inaccurate or unlawfully held).

Right to Data Portability: You may have the right to be provided with your personal data

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in a structured, machine readable and commonly used format and to request that we transfer the personal information provided by you to another data controller.

If you would like to exercise such rights, please contact us at info@formic.com. To protect your privacy and security, we may take steps to verify your identity before complying with the request.

You also have the right to withdraw consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

You also have the right to complain to a data protection authority about our collection and use of your personal data. For more information, please contact your local data protection authority. In the UK, this is the Information Commissioner's Office <https://ico.org.uk/>.

v. How long we keep your information

Response Data: Our customers determine how long they store your data in our products and services, so if you have any questions about this please ask them directly.

Aside from response data we are likely to hold only very limited information about you. We typically retain technical information for no longer than 6 months from the date we collect it and will retain your contact information for no longer than a year after we have resolved your enquiry (unless we have a specific reason to retain it for longer, for example to comply with a legal requirement).

vi. Security of your information

We take the security of your information extremely seriously and have attained ISO 27001:2013, Cyber Essentials Plus certifications as well as NHS Digital's IGSoc Attainment Level 2, in order to provide independent confirmation and peace of mind that we follow industry best practice.

All information that you provide to us is stored on secure servers. Our data centre providers are also ISO27001:2013 certified, and our customers' data is encrypted on the servers at rest and in transit across the internet.

vii. Changes to our privacy policy

We may change this privacy policy from time to time. We will post any privacy policy changes on this page and, if the changes are significant, we will post a notice on the homepage of our website and the login screens for our services. We will also keep prior versions of this policy in an archive for your review.