

Privacy Notice

INTRODUCTION

PathCloud Ltd respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the policy here

https://www.pathcloud.life/PrivacyNotice_v1.0.pdf.

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how PathCloud Ltd collects and processes your personal data through your use of this website, including any data you may provide through this website when you purchase or supply a product or service or take part in a survey. It is important that you read this privacy notice 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 notice supplements the other notices and is not intended to override them.

DATA PROCESSOR

PathCloud Ltd (referred to as “we”, “us” or “our” in this privacy notice) is a ‘data processor’ for the purposes of data protection legislation. We have appointed a data protection officer (DPO) 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 DPO using the details set out below.

CONTACT DETAILS

Full name of legal entity: PathCloud Ltd

Name or title of DPO: Kobus Botha

Email address: kobus.botha@pathcloud.net

Postal address: 184 Cambridge Science Park, Cambridge CB4 0GA, United Kingdom

Telephone number: +44 (0)845 527 5994

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

This version was last updated on 6th May 2019. 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.

THIRD-PARTY LINKS

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

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).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes given names, family name, maiden name, username or similar identifier, marital status, title, date of birth, gender, race or ethnicity, religious or philosophical beliefs, sex life and sexual orientation, and also includes professional identity data such as registration numbers and regulatory body information.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you 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 your username and password, purchases or orders made by you, your biography and resume, areas of interest, research interests, publications, other interests, preferences, feedback and survey responses.
- **Practice Data** includes current and past posts, hospital location, fitness to practice information, specialities and secretary information.
- **Medical Data** includes patient history, patient demographics, health, genetic and biometric data, diagnosis information, type of care delivered and treatment details, specialist information.
- **Insurer Data** includes insurer name, renewal dates, identification details and bespoke notes.
- **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.

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, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. 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.

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 goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. HOW YOUR PERSONAL DATA IS COLLECTED

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

- **Direct interactions.** You may give us your Identity, Contact, Financial, Profile, Practice, Insurer and Marketing and Communications Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services;
 - create an account on our website;
 - subscribe to our service or publications;
 - request marketing to be sent to you;
 - enter a promotion or survey; or

- give us some feedback.
- **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 personal data by using cookies, 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.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties (including, for example, business partners, hospitals, clinical practices, insurers, regulatory bodies, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers and search information providers), specifically:
 - Identity, Contact, Profile, Practice, Medical and Insurer Data from insurers, clinical practices and hospitals.
 - Technical Data from analytics providers, advertising networks, and search information providers.
 - Contact, Financial and Transaction Data from providers of technical, payment and delivery services.
 - Identity, Contact, Profile and Practice Data from data brokers or aggregators.
 - Identity, Contact, Profile and Practice Data from publicly available sources.

4. HOW WE 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 that 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.

LAWFUL BASIS

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](#).

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.

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.

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 [Contacting us](#).

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways 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 ground depending on the specific purpose for which we are using your data. Please [Contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact (c) Practice	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)

charges (b) Collect and recover money owed to us	(d) Transaction (e) Practice (f) Medical (g) Insurer (h) Marketing and Communications	
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Practice (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to complete a survey	(a) Identity (b) Contact (c) Profile (d) Practice (e) Usage (f) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical (d) Usage	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Practice (g) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

PROMOTIONAL OFFERS FROM US

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). You will receive marketing communications from us if you have requested information from us or purchased goods or services from 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 the PathCloud group of companies for marketing purposes.

OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time 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 a product/service purchase, product/service experience or other transactions.

COOKIES

Our sites use cookies to distinguish you from other users of our sites. Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. This helps us to provide you with a good experience when you browse our sites and also allows us to improve our sites.

The table below explains the cookies we use and why.

Cookie	Name	Purpose	More Information
Google Analytics	<ul style="list-style-type: none">• _utma• _utmb• _utmc• _utmz	These cookies are used to collect information about how visitors use our sites. We use the information to compile reports and to help us improve our sites. The cookies collect information in an anonymous form, including the number of visitors to our site, where visitors have come to our sites from and the pages they visited.	Click here for an overview of privacy at Google
Session cookie	SESSION	These enable you to carry out some essential functions on our sites, such as maintaining log in details for the session or a transaction. They also help by minimising the need to transfer information across the internet. They are not stored on your computer and they expire when you terminate your browser session.	

Most web browsers allow some control of most cookies through the browser settings. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org. To opt out of being tracked by Google Analytics across all websites visit <https://tools.google.com/dlpage/gaoptout>. We also embed videos from our official YouTube channel which may set cookies on your computer once you click on the YouTube video player, but YouTube will not store personally-identifiable cookie information for playbacks of embedded videos. To find out more please visit YouTube's embedding videos information page.

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 which 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 share your information with selected third parties for the purposes set out in the table in paragraph 4 above including:

- Any member of our group of companies.
- Business partners, suppliers, insurers, hospitals and sub-contractors for the performance of any contract we enter into with them or you.
- Professional advisers 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 based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Advertisers and advertising networks that require the data to select and serve relevant adverts to you and others. We do not disclose information about identifiable individuals to advertisers, but we may provide

them with aggregate information about users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.

- Analytics and search engine providers that assist us in the improvement and optimisation of our sites.

We may also disclose your information to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your information to the prospective seller or buyer of such business or assets.
- If we or substantially all of our assets are acquired by a third party, in which case information held by us about our customers will be one of the transferred assets.
- If we are under a duty to disclose or share your information in order to comply with any legal obligation, or in order to enforce or apply our terms and conditions and other agreements; or to protect our rights, property, or safety, or those of our customers or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

In accordance with the above, certain information that you provide to us when using our products and/or services will be passed to third parties (including insurers and hospitals) who will then become data controllers of this information. As such, the processing of the information by these third parties will be undertaken in accordance with the privacy policies of these third parties. Despite this, however, we undertake that certain categories of information that you provide to us will be deemed to be “non-publishable” by either us or certain of these third parties. We will tell you (via such means as we deem appropriate, such as in the terms and conditions) of the categories of information that are to be “non-publishable”.

6. INTERNATIONAL TRANSFERS

We currently do not transfer your personal data outside the European Economic Area (**EEA**). If in the future we do transfer your personal data outside the EEA, we will 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.
- 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.
- 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.

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 take all reasonable steps to protect your personal data. All information collected and processed by us is stored on a secure server. Our security includes the use of user authentication (username and password) 256-bit encryption.

In addition, we take the following security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed:

- Making all of our officers, employees and sub-contractors aware of the rules and procedures laid down by us from time to time with respect to the security of personal data and the importance of confidentiality. Our officers, employees and sub-contractors have a duty to follow the rules laid down by us and to cooperate with us to ensure that this policy is effective. We will, where appropriate, take disciplinary action against any officer or employee who fails to comply with these rules and procedures.
- Taking measures to ensure the proper training, supervision and instruction of officers, employees and sub-contractors dealing with your personal data.
- Limiting access to your personal data to those officers, employees, sub-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.
- Putting in place procedures to deal with any suspected personal data breach. We will notify you and any

applicable regulator of a breach where we are legally required to do so.

- Not retaining personal data for longer than is necessary for the purposes set out in this notice.
- Implementing procedures to comply with all relevant statutory and regulatory requirements and monitoring internal procedures periodically to ensure that there is such compliance.
- Requiring all sub-contractors to enter into confidentiality agreements in respect of personal data they acquire from us.

WHERE WE STORE YOUR PERSONAL DATA

The personal data that we collect from you will only be stored and processed by us within the United Kingdom. However, other third parties that are not acting as data processors for us, but who receive your data from us (such as insurers or hospitals), may transfer and store your data at a destination outside the EEA. You should carefully check the privacy policies of those third parties to see how and where your data is being processed.

8. DATA RETENTION

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.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by [Contacting us](#). 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 for tax purposes.

In some circumstances, you can ask us to delete your data: see *Request erasure* below 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. Please click on the links below to find out more about these rights:

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. 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.

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.