



## Total Drive Software Ltd Privacy Policy

**Total Drive (“us”, “we”, or “our”) operates the [www.totaldrive.co.uk](http://www.totaldrive.co.uk) website (the “Service”).**

This page informs you of our policies regarding the collection, use, and disclosure of personal data when you use our Service and the choices you have associated with that data. We use your data to provide and improve the Service. By using the Service, you agree to the collection and use of information in accordance with this policy. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our Terms and Conditions, accessible from [www.totaldrive.co.uk](http://www.totaldrive.co.uk)

### **WHO ARE WE?**

Total Drive Software Ltd is the controller and responsible for your personal data.

If you have any questions about this privacy Policy or our data protection practices please contact us.

### **WHAT ARE OUR CONTACT DETAILS?**

Our full details are: Total Drive Software

Full name of legal entity: Total Drive Software Limited

Name of data privacy manager: Ross Kernick

Email address: [privacy@totaldrive.co.uk](mailto:privacy@totaldrive.co.uk)

Postal address: 37 Shiphay Lane, Torquay, England, TQ2 7DU

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). Total Drive Software are registered with the ICO, reference number ZB000843. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **WHAT TYPE OF YOUR DATA IS COLLECTED?**

We collect several different types of information for various purposes to provide and improve our Service to you.

#### ***Personal Data***

While using our Service, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you (“Personal Data”). Personally, identifiable information. We may collect, use, store and transfer different kinds of personal data about you as follows:

- **Identity Data** includes first name, last name, username or similar identifier, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** Total Drive Software Ltd, does not collect or store any financial data.
- **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 interests, preferences, feedback and survey responses.
- **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 could be derived from your personal data but is not considered personal data in law as this data will 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 policy.

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, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

#### **WHAT IF YOU DO NOT 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.

#### **HOW DO WE COLLECT YOUR DATA?**

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

**Direct interactions.** You may give us your Identity, Contact and Financial 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 competition, promotion or survey; or
- give us feedback or contact us.

**Automated technologies or interactions.** As you interact with our website, we will 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 information below for further details.

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

Technical Data from the following parties:

- (a) analytics providers such as Google based outside the UK;
- (b) advertising networks such as Google based inside **OR** outside the UK; and
- (c) search information providers such as Google based inside **OR** outside the UK.

*Please see our cookie information below for further details.*

- (d) Contact, Financial and Transaction Data from providers of technical, payment and delivery services inside the UK].

### **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 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 obligation.

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

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before 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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
<b>All</b>		
To register you as a new customer/pupil	(a) Identity (b) Contact	Performance of a contract with you directly or indirectly.
To provide and maintain our service	(a) Identity (b) Contact (c) Profile (d) Technical	(a) Performance of a contract (b) Necessary to comply with a legal obligation (c/d) Necessary for our legitimate interests (to provide our service to you).
To allow you to participate in interactive features.	(a) Identity (b) Contact (c) Profile (d) Technical	(a) Performance of a contract you (b) Necessary to comply with a legal obligation (c/d) Necessary for our legitimate interests (to provide interactive features to you).
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) Marketing and Communications	(a) Performance of a contract (b) Necessary to comply with a legal obligation (c/d) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)

To provide customer service to you	(a) Identity (b) Contact (c) Profile (d) Technical (e) Marketing and Communications	(a) Performance of a contract (b) Necessary to comply with a legal obligation (c/d/e) Necessary for our legitimate interests (to provide a good service to you).
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	(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 (c/d/e) Necessary for our legitimate interests (to provide a good service to you).
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) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)
<b>Subscribers and Instructors</b>		
To process and deliver your subscription including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b/c/d) Necessary for our legitimate interests (to recover debts due to us) (e) Necessary for our legitimate interests (to develop our products/services and grow our business)

To sign you up and manage your ongoing ability to use the software	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to provide the service to you)
<b>Pupils</b>		
To enable you to use our software	(a) Identity (b) Contact (c) Profile (d) Usage	(a) Performance of a contract with the subscriber (b/c/d) Necessary for our legitimate interests (to provide the service to you)

## **MOUSEFLOW**

Our web admin portal at [www.totaldrive.app](http://www.totaldrive.app) has used Mouseflow: a website analytics tool that provides heatmaps, funnels, form analytics, feedback campaigns, and similar features/functionality. Mouseflow may record your clicks, mouse movements, scrolling, form fills (keystrokes) in non-excluded fields, pages visited and content, time on site, browser, operating system, device type (desktop/tablet/phone), screen resolution, visitor type (first time/returning), referrer, anonymized IP address, location (city/country), language, and similar meta data. Mouseflow does not collect any information on pages where it is not installed, nor does it track or collect information outside your web browser. If you'd like to opt-out, you can do so at <https://mouseflow.com/opt-out>. If you'd like to obtain a copy of your data, make a correction, or have it erased, please contact us first or, as a secondary option, contact Mouseflow at [privacy@mouseflow.com](mailto:privacy@mouseflow.com).

For more information, see Mouseflow's Privacy Policy at <http://mouseflow.com/privacy/>.

For more information on Mouseflow and GDPR, visit <https://mouseflow.com/gdpr/>.

For more information on Mouseflow and CCPA visit <https://mouseflow.com/ccpa>.

## **WHAT ABOUT DISCLOSURES OF MY PERSONAL DATA?**

We may share your personal data with the parties set out below..

### **Internal Third Parties**

Individuals in the Total Drive Software Limited Group.

### **External Third Parties**

- Subscribers to our service whose contract your services are being provided under and your Instructors who act as processors and/or joint controllers.
- Service providers acting as processors based in the United Kingdom who provide IT and system administration services.
- 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 policy.
- Other third parties to comply with a legal obligation, to protect and defend the rights or property of Total Drive Software Ltd, to prevent or investigate possible wrongdoing in connection with the Service, to protect the personal safety of users of the Service or the public or to protect against legal liability.

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.

### **Disclosure by Contract to the Subscriber**

When a Pupil, Subscriber or Instructor sign up to the service they are doing so under the Subscription that has been entered into between us and the Subscriber. All data imputed into the system effectively therefore belongs to the Subscriber. The Subscriber and the Instructors will have access to their Pupils Personal data and the Subscriber will have access to their Instructors Data. If the Subscriber requests for the Personal Data to be removed from the software and provided to them directly they are able to do so by providing evidence that the Instructor/Pupils have agreed to the data being transferred (generally by way of express agreement or their own Privacy Policy). If you do not wish for the Subscriber or Instructor to have access to your Personal Data then we are unable to provide the service to you. If you subsequently leave the services for your Instructor or Subscriber then please contact us and we will arrange the deletion of your records from our system where we are able to do so.

### **WHAT ABOUT LINKS TO OTHER SITES?**

Our Service may contain links to other sites that are not operated by us. If you click on a third party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit. We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

### **WILL WE KEEP YOUR DATA SECURE?**

The security of your data is important to us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security.

### **DO WE USE 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 services from us and 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 third party for marketing purposes.

### **WHAT IF WE MAKE CHANGES TO THIS PRIVACY POLICY?**

We may update our Privacy Policy from time to time. We will notify you of any changes by posting the new Privacy Policy on this page. We will let you know via email and/or a prominent Policy on our Service, prior to the change becoming effective and update the "effective date" at the top of this Privacy Policy. You are advised to review this

Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

### **HOW LONG WILL WE KEEP YOUR PERSONAL DATA FOR?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

### **WHAT ARE 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:

**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:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- 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.
- 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 could 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 could 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.

**WHAT ABOUT COOKIES AND USAGE DATA?**

We may use your Personal Data to contact you with newsletters, marketing or promotional materials and other information that may be of interest to you. You may opt out of receiving any, or all, of these communications from us by following the unsubscribe link or instructions provided in any email we send.

***Usage Data***

We may also collect information on how the Service is accessed and used (“Usage Data”). This Usage Data may include information such as your computer’s Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

***Tracking Cookies Data***

We use cookies and similar tracking technologies to track the activity on our Service and hold certain information. Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyze our Service. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Service. Examples of Cookies we use:

- **Session Cookies.** We use Session Cookies to operate our Service.
- **Preference Cookies.** We use Preference Cookies to remember your preferences and various settings.
- **Security Cookies.** We use Security Cookies for security purposes.



## **Analytics**

We may use third-party Service Providers to monitor and analyse the use of our Service.

### *Google Analytics*

Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. You can opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js, and dc.js) from sharing information with Google Analytics about visits activity. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <http://www.google.com/intl/en/policies/privacy/>

## **Google AdWords**

Google AdWords remarketing service is provided by Google Inc. You can opt-out of Google Analytics for Display Advertising and customize the Google Display Network ads by visiting the Google Ads Settings page: <http://www.google.com/settings/ads> Google also recommends installing the Google Analytics Opt-out Browser Add-on – <https://tools.google.com/dlpage/gaoptout> – for your web browser. Google Analytics Opt-out Browser Add-on provides visitors with the ability to prevent their data from being collected and used by Google Analytics. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <http://www.google.com/intl/en/policies/privacy/>

## **Facebook**

Facebook remarketing service is provided by Facebook Inc.

You can learn more about interest-based advertising from Facebook by visiting this page: <https://www.facebook.com/help/164968693837950>

To opt-out from Facebook's interest-based ads follow these instructions from Facebook: <https://www.facebook.com/help/568137493302217>

Facebook adheres to the Self-Regulatory Principles for Online Behavioral Advertising established by the Digital Advertising Alliance. You can also opt-out from Facebook and other participating companies through the Digital Advertising Alliance in the USA <http://www.aboutads.info/choices/>, the Digital Advertising Alliance of Canada in Canada <http://youradchoices.ca/> or the European Interactive Digital Advertising Alliance in Europe <http://www.youronlinechoices.eu/>, or opt-out using your mobile device settings.

For more information on the privacy practices of Facebook, please visit Facebook's Data Policy: <https://www.facebook.com/privacy/explanation>

## **HOW DO YOU CONTACT US?**

If you have any questions about this Privacy Policy, please contact us at [privacy@totaldrive.co.uk](mailto:privacy@totaldrive.co.uk)

## **GLOSSARY**

### **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 obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.