

# Privacy Notice

**August 2021**

This privacy notice governs the collection, storage and use of personal data about our suppliers, contractors and website visitors by members of the Flux Federation Group ("we", "us" or "our" for short). It was last updated in June 2021. Please ensure you read this privacy notice carefully, and our website terms of use. The aim of this privacy notice is to let you know that:

- Flux may collect personal data from your employees, contractors and officers when we interact with you in a business capacity, and when you visit our website fluxfederation.com ("Website").;
- Flux can use your information to provide you with relevant information and to communicate with you;
- Flux may store your personal information, but will take steps to protect that information;
- You may email our privacy officer should you wish to access or correct personal information we hold about you;
- Flux may change this policy from time to time. You should regularly check this privacy policy for changes.

## What personal data do we collect?

From you: We collect and record the personal data that is relevant to conducting business with our suppliers, contractors and customers directly from their employees, contractors and officers. This is likely to include their name, position, email address and phone numbers.

Whenever you visit our Website we collect personal data if you decide to fill out a form (e.g. to download a brochure) or contact us through our 'contact us' forms. We typically ask you for your contact information (e.g.

name, company name, email address, contact phone number and postcode). We use this personal data in connection with answering the queries we receive and the purpose of the form (for example, if you consent to us contacting you for marketing materials). Personal information collected on this website is stored by Flux via Hubspot in accordance with [Hubspot's Product Privacy Policy](#).

From you about other people: If you provide information about anyone else (such as contact details for other employees or contractors of your company or business) then in doing so you are confirming that you have explained how their personal data may be used by us and those other people have given you permission for such use.

You should let us know if your personal data changes (for example your phone number, address or email address) so that we can keep this information up to date.

From Website Analytics: We also collect data about the way you use our Website through analytics service providers such as Google Analytics and marketing service providers such as Hubspot.

Google Analytics uses cookies to collect a range of anonymised information, such as the number of visitors on our Website per day, which pages they visit, some content they enter, see and interact with when they visit and use our Website, their computer's internet protocol address and operating system, the date and time of their visit, location, browser type and language, referring website addresses, and the types of devices using our Website. It also infers or collects demographic profiles about our Website users (e.g. age and gender), through a range of techniques including cookies from websites you visit and from other Google services. You can find out more about how Google Analytics collects and processes data by visiting this site:

["How Google uses data when you use our partners' sites or apps"](#).

In the event that you have identified yourself to us, for example by completing a form, we may combine website analytics with personal information to create a user profile for you in Hubspot. Hubspot collects a range of website analytics information, such as the date of your first and last visit to our Website, which pages you visit, the content you provide when you visit and use our Website, your computer's internet protocol address and operating system, location, browser type and language, referring website addresses, and the types of devices using our Website. By providing identifiable information to us via our Website, you consent to us collecting and storing identifiable website analytics in this way. You can find out more about how Hubspot collects and processes data by visiting this site: "[Hubspot Product Privacy Policy](#)".

Cookies are small data files transferred onto computers or devices by sites for record-keeping purposes and to enhance functionality on our site. Cookies are stored on your individual device and you have full control over their use. You can deactivate or restrict the transmission of cookies by changing the settings of your web browser. If you visit our site with cookies deactivated, you may not be able to use all of the functions on our site.

From Platform Analytics: Behavioural data about individuals' usage of a secure site supplied by Flux to its Clients, such as web pages clicked, websites and content areas visited, date and time of activities (in certain circumstances this may utilise external party services such as, but not limited to, Google Analytics, Heap and Mixpanel).

How do we use your personal data?

To conduct business with our suppliers, contractors and customers

We will use the personal data collected during our business interactions with you, to conduct business with our suppliers, contractors and customers. The legal basis we rely on to use your personal data in these ways is in our legitimate interests as a company to set up, optimise, maintain, improve, increase or reduce our business, and maximise the profitability of our business for our shareholder. This includes but is not limited to the following:

- to enquire about goods or services;
- for credit-checking your business (or the business of the company you work for or contract to);
- to negotiate, manage and terminate contracts including the supply of goods and services;
- to make payments and recover any overpayments;
- to supply and be paid for our services;
- to manage disputes and litigation;
- to provide information required under a contract, or receive any such information; and
- to facilitate and enter into any joint venture or business arrangement, including where we are approached by a potential buyer of our business or assets (but always with appropriate confidentiality arrangements).

If you do not wish us to use your personal data in these ways, we will need to have substitute information provided by other relevant employees, contractors or officers or we may not be able to do business with the company or business you work for or contract to.

#### To comply with our legal obligations

Sometimes we must use your personal data as required by law. The legal basis we rely on to do this is compliance with a legal obligation to which we are subject. Some instances of this include:

- to comply with general laws and regulations that apply to our business such as health and safety;
- to comply with any lawful government requests, e.g. from the Police.

#### To send and display marketing materials to you

If you consent to us contacting you with email communications, you will receive product information, company updates and other promotional material from Flux via email from time to time.

We may use remarketing services such as LinkedIn Ads, Facebook Ads, and Google AdWords, to advertise on third party websites and networks (including Google, LinkedIn and Facebook) to previous visitors of our Website. Third party vendors, including LinkedIn, Google and Facebook, use cookies to serve ads based on someone's past visits to this website. For instance, if you've visited this website in the past, you may see a Flux advertisement on a Google search results page, or on LinkedIn.

#### To best configure our Website

We use information from website analytics to help us understand how our Website is working and how we could improve it. We use this information to analyse trends, better configure our service and messages, track the performance of referring websites, administer our Website and monitor your interactions with our Website. To collect and help us analyse this information about our Website, we use services such as Google Analytics.

#### To manage customer lifecycle

We use Hubspot user profiles to track and advance customer lifecycle status. Your user profile helps us improve your personal experience by making communications we may send to you (for example, via email)

and the content and advertising displayed on our website more relevant to you (i.e. by helping us tailor our content, marketing communications, offers and advertisements to your interests).

#### To answer your questions

When you use 'drop us a line' functionality or other contact forms on our Website, we will respond to you to answer your questions or requests.

#### When do we transfer your personal data out of the European Economic Area?

We may pass your personal data outside of the European Economic Area (EEA), but only ever with the relevant legal and security protection in place. Instances where we do this include emails to other members of our Group via the Gmail suite, which may involve transfers to the US and to other countries, and the use of Google Analytics and Hubspot for our Website.

We do this under Privacy Shield certification and a GDPR compliant Data Processing Addendum with Google, and EU-U.S. and Swiss-U.S. Privacy Shield Frameworks with Hubspot.

#### Data Retention

For information we collect in the course of business with you, we will keep the personal data for the length of the business relationship we have with you, plus until the beginning of the calendar year following.

For information collected when you consent to direct marketing, we will keep it until you unsubscribe or withdraw consent - see below under 'Consent to store personal data'.

For Website analytics and Website analysis, we will keep it for twelve months.

#### Automated decision-making and profiling

Under law, we must tell you when we use fully automated decision-making which produces legal effects for you or similarly significantly affects you. We do not do this.

We must also tell you if we conduct profiling, which involves the use of your personal data to evaluate certain personal aspects relating to you, such as analysing or predicting aspects of your performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements. We do not do this either.

## Security

We take security seriously, and we comply with the law to take adequate technical and organisation measures to keep your personal data secure.

## Third party websites

This website may contain hyperlinks to websites operated by third parties. We are not responsible for the content of such websites, or the manner in which those websites collect, store, use, and distribute any personal information you provide. When you visit third party websites from hyperlinks displayed on this website, we encourage you to review the privacy statements of those websites so that you can understand how the personal information you provide may be collected, stored, used and disclosed.

## What rights do you have over your personal data?

**Access:** You are entitled to see the personal data that we hold about you at any time. (If you write to, email or phone us and ask to see this information, it is known as a 'subject access request' or 'SAR' for short). When we receive your request we will send you a form to fill in, and possibly also phone you to check your identity. If you do not return the form and/or answer our phone

calls to verify you have made this request, we will not be able to deal with your request.

**Changing or deleting:** You can check that the personal data that we hold is accurate, or to let us know of any changes to your personal data. We always try to ensure that the information that we hold is accurate, up to date and relevant. We'll be more than happy to make changes or to correct any inaccuracies.

**Restriction on use:** You can ask us to temporarily stop using the personal data in the following circumstances:

- where you think your personal data is not accurate, we will temporarily stop using your personal data until you have verified the accuracy of it, if we cannot resolve the accuracy of it straight away;
- where you have objected to our use of the personal data (in circumstances where it was necessary for the performance of a public interest task or for our legitimate interests as a business), and we are considering whether our legitimate interests as a business override your rights to object to our use of it;
- when processing is unlawful and you don't want us to erase it, and request restriction instead; or
- if we no longer need the personal data but you want it to establish, exercise or defend a legal claim.

If we have shared the personal data in question to third parties, we must inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so. We must also inform them when we decide to lift a restriction on processing.

**Data Portability:** You can request the personal data you provided to us in a

commonly used and machine-readable format.

Consent to store personal data: Most of the personal data we require during business interactions is necessary to conduct business with you, and we don't rely on consent to use and retain it (we detail the legal grounds we rely on to use the personal data under each sub-heading in the section 'How do we use the personal data?'). If you (or anyone you have supplied personal data for, such as another employee in your business) no longer wish for us to have some of this personal data, then it is possible that we will no longer be able to do business with you (or your company or business). We will still retain what personal data we already have, in accordance with the data retention period set out above.

You have the right to withdraw your consent where you have provided it to us (such as for marketing materials). There will be a functional 'unsubscribe' link at the bottom of every email Flux sends to you, or you can email [marketing@fluxfederation.com](mailto:marketing@fluxfederation.com) or [privacy@fluxfederation.com](mailto:privacy@fluxfederation.com) to withdraw your consent.

Complain: If you think we are using or processing the personal data in a way that is not consistent with this privacy notice or with the law, you can lay a complaint with your local regulatory authority responsible for data protection. In the United Kingdom, this is the Information Commissioner's Office. In New Zealand, this is the Privacy Commissioner's Office.

You can exercise any of these rights by contacting us as set out below under 'Who is your data controller?' below.

#### Who is your data controller?

Flux-UK Limited is the data controller for the personal data collected for suppliers and contractors that work in the United Kingdom or European Union, and for website visitors that reside in the European Union or the United Kingdom. Otherwise Flux Federation

Limited (NZ based) is the data controller. You can contact us to exercise any of your rights by emailing [privacy@fluxfederation.com](mailto:privacy@fluxfederation.com).

#### What if we update our privacy notice or you have any questions?

We do keep our privacy notices under regular review. If you have any questions or if you feel that we are not complying with the terms of this privacy notice please contact us by using the same method as set out above under 'Who is your data controller?'