noledge
CLOUD SOLUTIONS

Privacy Notice

In accordance with Data Protection and Privacy Law
V1.2

1. The Noledge Group

The Noledge Group TNG is a private company that delivers financial management software, ERP systems, payroll and related software systems together with implementation, development, training and support services. We are committed to the privacy of those that we engage with and this statement details our approach. While providing personal data to us in the course of business or using our website, we will manage your data in accordance with this privacy statement.

- Controller name; The Noledge Group
- Controller contact: if you would like to contact TNG's data protection representative regarding this policy please email us at privacy@noledge.ie or call on +353 1 811 3815 for Ireland or from the UK please email privacy@noledge.co.uk or call +44 191 406 7458.

Personal data processed by TNG is in accordance with current Data Protection legislation in Ireland and the UK and the respective GDPR.

The Noledge Group (TNG) consists of a group of companies owned or controlled by The Noledge Advent Group Limited including Envisage Cloud Limited (IRL), Envisage Cloud UK Limited (UK), OSSM Cloud Solutions Limited (IRL), OSSM Cloud UK Limited (UK), Brook Technical Services Limited (IRL), Pims Business Systems Limited (IRL) and Pimbrook ERP Software Solutions UK Limited (UK).

If you are under 18 please read this statement with the assistance of a parent or guardian.

IMPORTANT – this notice provides information to you insofar as TNG are Controllers of your data. **For the purpose of providing services to our customers we are a Processor of personal data** and operate under the instruction of the Controller (normally our customer). You are advised to view the Controllers privacy notice to understand how your personal data is being processed and your rights.

2. Key Definitions

Our or we or TNG The Noledge Group or the business refers to The Noledge Advent Group Limited and group companies.

You, Your or Subject refers to the individual person whose personal data is the subject of the text.

Personal Data Information relating to an identified or identifiable natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as; a name, an identification number, location data, an online

identifier, or one of more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that natural person.

Data Subject The identified or identifiable natural person.

Special (often referred to as sensitive) data racial or ethnic origin, political opinions, religious or philosophical beliefs, or trades union membership, or that includes genetic data, biometric data to reveal the identity of a person, or data concerning health, sex life or sexual orientation. Personal data relating to criminal convictions is also considered sensitive.

Controller The natural or legal person or body which alone or jointly determines the purpose and means of the processing of personal data.

3. Purpose and lawful basis

TNG processes your personal data for many reasons, and we are obliged to inform you of the purposes for which we use your data and legal basis for processing.

In general, we may obtain personal data including name, address, phone numbers, e-mail address, other electronic identifiers, title, profession, images, IP address, company details, e-mails and other information provided by you while engaging with the business. We may also obtain similar information when you sign up to or attend events or otherwise engage with the business.

The purposes for processing your personal data may overlap, and some purposes for processing may have multiple legal basis. They are as follows:

Category	Purpose	Examples of the type of data processed	Legal basis for processing*
*Note; Where this document refers to the Legitimate interest of TNG as a legal basis for processing, such legitimate interest refers to the delivery of financial management software, ERP systems, payroll and related software systems together with implementation, development, training and support services.			
Employment			
Entering into and managing a contract of employment	To manage employee contractual arrangements and to enable and support employees to fulfil their role	Name, contact details, taxation details, medical details relating to your role, next of kin, references, performance reviews or pension details	- Entering into or performance of a contract - Consent - Legitimate interest of TNG* - There is a legal / regulatory obligation

Engaging staff by means other than employment	To manage staff contractual arrangements and to enable and support staff to fulfil their role	Name, contact details, taxation details, your direct employer, medical details relating to your role, next of kin, references or performance reviews	- Entering into or performance of a contract - Consent - Legitimate interest of TNG* - There is a legal / regulatory obligation
Interaction with customers and suppliers			
Entering into and managing a contract with a customer or suppliers of TNG	To interact with the representatives of our customers and suppliers to manage the business of TNG and provide the services of TNG.	General Personal Details; name, contact details, employer, their position and role in the organisation	- Entering into or performance of a contract - Consent - Legitimate interest of TNG*
Marketing & other activities			
Marketing to Customers	To inform Customers of TNG about services and events that they may be interested in	Contact details including postal address, e-mail, text, phone, mobile phone. (You may opt out of any of the above upon request).	- Consent - Legitimate interest of TNG*
Direct Marketing	To engage with potential customers	Name, contact details including postal address, e-mail, text, phone, mobile phone. (You may opt out of any of the above upon request).	- Consent - Legitimate interest of TNG*
General Legal/regulatory obligations			
Revenue	To comply with the requirements of Revenue, to pay all applicable taxes, enable tax audits and provide tax reports	Identity, PPs number, dividend or interest payments, tax residency, details relating to tax rules and income	- There is a legal / regulatory obligation
Regulatory Authorities	To enable processes that are compliant with law and regulation, and to facilitate audits and compliance reporting to health and safety and other authorities		- There is a legal / regulatory obligation - Legitimate interest of TNG*

4. Where you have provided consent

Where we are processing personal data based on your consent you may withdraw that consent at any time.

5. Who we share Personal Data with

We take all reasonable measures to protect your personal information while it is in our possession, however, it may be transferred to others where there is a legitimate and lawful reason. This section lists the categories and types of organisations that we may transfer personal data to.

5.1 Delivery of our services

We may share the contact details of the staff of our customers with suppliers of service where such transfer is necessary for the delivery of the service being provided.

5.2 Staff of TNG

Payroll bureau, IT providers, customers and their representatives, professional advisors, Insurers in the event of a claim.

5.3 Legal / Regulatory Requirements

Revenue Commissioners, Audit & Compliance, Solicitors or advisors representing TNG.

6. International transfer

TNG does not currently transfer personal data to any recipients outside of the EEA European Economic Area unless;

- we are requested to do so by a customer or
- a supplier has personnel or sub-processors outside of the EEA or
- in the course of the recovery of a debt where connected parties are outside of the EEA.

In the event that our customers business is international in nature or sub processors are entities that are not within the EU, we will take steps to ensure that international transfer is subject to the protections provided by a lawful basis of transfer.

7. Responsibility of customers and others who provide personal data to us

You undertake that personal information provided to us by you that relates to data subjects (e.g. company representatives, associates or suppliers) has been obtained fairly and lawfully and that such information is accurate. You also warrant that data subjects are aware of the purpose for which their personal data is being used and that their privacy rights have been upheld.

8. Information relating to children and vulnerable persons

The processing of personal data relating to children receives special attention under Data Protection Regulation and we shall treat this information with particular care. The legal age for digital consent is 16 years in Ireland and 13 years of age in the UK. Information obtained about children shall comply with the requirement for parental consent and shall receive additional consideration while planning an operational process.

9. Special (Sensitive) Data

TNG recognises that it may from time-to-time process special categories, particularly in the context of employment and the delivery of our services. The processing of this category of information shall typically require explicit consent. We may also process special data where there is a legal/regulatory obligation.

10. Confidentiality & security

TNG have implemented generally accepted standards of technology and operational security to protect personal data from alteration, unauthorised disclosure or destruction, and from use for unauthorised purposes. Furthermore, we have taken measures to ensure that contracts with all third parties that provide technical and processing services include terms that specify appropriate technical and organisational security measures to prevent accidental, unauthorised or unlawful disclosure or processing of personal data.

11. Your Rights

Subjects have the right to:

1. Be informed of information if we have personal data relating to a subject, the categories of data and the purpose of processing,
2. Where information is collected directly from the subject, to be informed of the controller and representative, the purpose and legal basis for processing, where we rely on our legitimate interest we will inform you of that interest, who we may transfer that personal data to, if the data is being transferred internationally, the retention duration or criteria for storage for personal data, the consequences of not providing the data,

3. Where data was not provided by you, we will identify the source of that data together with data categories,
4. Be informed if a failure to provide the personal data will have any direct and material personal consequences,
5. Have access your personal data. Where you request information and the format of the data is not reasonably understood, it shall be delivered to you in an intelligible format,
6. Have inaccurate, incomplete or out-of-date personal data that we hold about you corrected, or deleted,
7. Withdraw consent for your personal data to be processed,
8. Make a submission on any automated decisions making processes or profiling of you,
9. At your request and under certain circumstances, to transfer your data to another controller,
10. Have your personal data excluded from certain categories of processing,
11. Lodge a complaint with the data protection authorities:
    a. In the EU that is the Irish Data Protection Commissioner - www.dataprotection.ie.
    b. In the UK that is the Information Commissioner's Office - ico.org.uk.

Please note:

- There are some limitations to these rights.
- You can contact us to exercise these rights by e-mail at privacy@noledge.ie or privacy@noledge.co.uk. We will ask for additional information to verify your identity prior to acting upon such requests.

12. Removal from mailing lists

You may unsubscribe from our mailing lists at any time by using the 'unsubscribe' button on marketing communications, or by contacting us at privacy@noledge.ie or privacy@noledge.co.uk.

13. Reporting of Data Breaches

Where a data breach occurs that poses a risk to the subject it shall be reported to the relevant data protection authority in line with published guidelines. Where such a breach occurs and poses a high risk to you we will also inform you. All breaches will be managed in accordance with the relevant Irish or UK law and the GDPR.

14. Automated Decision Making

TNG does not automate the processing of personal data for decision making purposes.

15. Data Retention

We retain personal data that you submit to us only for as long as is necessary and for the purposes for which it was obtained, or as required by law. We have detailed retention periods for which personal data shall be retained for particular purposes below. The business reserves the right to delete personal data prior to the conclusion of the retention period or where such retention is not necessary.

Storage of personal data -		
Purpose of processing	**Duration**	**Criteria for the storage of personal data**
Customer and sales transaction data	7 years	From the completion of contractual arrangements
Employment/volunteer data		Generally for the duration of employment plus 7 years. Where categories of data have - regulatory limitations to possible liability, or - mandatory retention periods, We will retain for these periods plus one year.
Marketing data relating potential to customers	12 months	From the last communication
Incidents or complaint reports	7 years	From the last activity relating to an event, or the closing of the event
Data required under taxation or other law		Stored as mandated by law plus 12 months
Nothing in this section creates an obligation upon TNG to retain personal data on behalf of a data subject.		

16. Cookies

While browsing our web sites we use cookies – small text files – which are placed on your hard drives to provide a more intuitive website experience. Cookies are a typical part of operating procedure for most websites and most browsers permit users to opt-out of receiving them if the user would prefer.

You can opt out of the use of certain categories of cookies on the cookie notice tool that is always visible while you use a TNG website. This may reduce some of the functionality of the site. Cookies can also be deleted by you from your browser at any time.

17. Updates

This notice may be updated from time to time. The most up to date version is available upon request form privacy@noledge.ie or privacy@noledge.co.uk and is published on our website. We advise you to use a current version of this document when considering your rights.

Shaping Better Outcomes in Everything We Do.

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