

# SPORTING EDGE DIGITAL LIMITED

## PRIVACY POLICY

Last Updated January 2024

We respect the privacy of every person who visits or registers with [sportingedge.com](https://sportingedge.com) or uses the Performance Zone or Mindset Toolkit platform (“**Platform**”) at [digital.sportingedge.com](https://digital.sportingedge.com) or [members.sportingedge.com](https://members.sportingedge.com) (the “**Sites**”) and/or who uses the “Sporting Edge” branded consultancy services and other services that we offer including from the Sites (our “**Services**”) and we are committed to ensuring a safe online experience.

### 1 PURPOSE OF THIS POLICY

This privacy policy (“**Privacy Policy**”) explains our approach to any personal information that we might collect from you or which we have obtained about you from a third party and the purposes for which we process your personal information. This Privacy Policy also sets out your rights in respect of our processing of your personal information.

It will inform you of the nature of the personal information about you that is processed by us and how you can request that we delete, update, transfer it and/or provide you with access to it.

This Privacy Policy is intended to assist you in making informed decisions when using the Sites and our Services. Please take a moment to read and understand it. Please note that it should be read in conjunction with our **Website Terms of Service** and our **Cookie Policy**.

Please also note that this Privacy Policy only applies to the use of your personal information obtained by us, it does not apply to your personal information collected during your communications with third parties.

### 2 WHO ARE WE AND WHAT DO WE DO?

If you request “Sporting Edge” branded consultancy services, including our workshops, masterclasses, Q&A sessions, Keynote talks, training sessions and other events (“**Consultancy Services**”), those Consultancy Services are provided by Sporting Edge Solutions Limited (“**Sporting Edge Solutions**”). Where any personal information is collected and processed in relation to Consultancy Services, Sporting Edge Solutions is the data controller responsible for your personal information.

The Sites are operated by Sporting Edge Digital Limited (“**Sporting Edge Digital**”). All digital and other services which are not Consultancy Services (“**Digital Services**”) are provided by Sporting Edge Digital. Where any personal information is collected and processed in relation to your interaction with and use of our Sites and our Digital Services, Sporting Edge Digital is the data controller responsible for your personal information.

References in this Privacy Policy to “**Sporting Edge**”, “**we**”, “**us**” or “**our**” are to Sporting Edge Digital or Sporting Edge Solutions as the context dictates.

Sporting Edge Digital is registered at the UK Information Commissioner’s Office with registration number ZA251813.

Sporting Edge Digital is an English company with registered company number 08936216 and whose registered office is at Innovation Centre Airfield Business Park, Wellington Way, Market Harborough, Leicestershire, LE16 7WB.

Sporting Edge Solutions is registered at the UK Information Commissioner’s Office with registration number ZA251805.

Sporting Edge Solutions is an English company with registered company number 05324420 and whose registered office is at Innovation Centre Airfield Business Park, Wellington Way, Market Harborough, Leicestershire, LE16 7WB.

### **3 WHEN DOES THIS PRIVACY POLICY NOT APPLY TO YOU?**

This Privacy Policy does not apply to you where we obtain your personal information from the organisation you work for and we make our Services available to you under a contract between us and that organisation. In these circumstances, your organisation is the data controller responsible for your personal information and we are a data processor.

Where we are providing you with access to our Services on behalf of the organisation you work for, we are acting as a data processor on behalf of your organisation. As data controller, your organisation will have the right to: (i) control and administer your access to the Services; and (ii) access and process any data you submit or provide through use of the Services. To find out how your information will be processed and how you can exercise your rights in relation to such processing, please see your employer's privacy policy. For more information about the processing activities we undertake as a data processor on behalf of your organisation, please see our **processor privacy notice**.

#### **HOW TO CONTACT US?**

If you have any questions about this Privacy Policy or want to exercise your rights set out in this Privacy Policy, please contact us by using the following details:

##### Sporting Edge Digital:

- Send an email to [hello@sportingedge.com](mailto:hello@sportingedge.com); or
- Call us on: +44 1858 414 214

##### Sporting Edge Solutions:

- Send an email to [hello@sportingedge.com](mailto:hello@sportingedge.com); or
- Call us on: +44 1858 414 214

### **4 WHAT PERSONAL INFORMATION DO WE COLLECT AND HOW DO WE USE IT?**

Our primary goal in collecting personal information from you is to: (i) verify your identity when you register an account with us, when you access your account with us and when you use our Services; (ii) help us improve our Services and develop and market new products and services; (iii) carry out requests made by you on the Sites; (iv) investigate or settle inquiries or disputes; (v) comply with any applicable law, court order, other judicial process, or the requirements of a regulator; (vi) enforce our agreements with you; (vii) protect the rights, property or safety of us or third parties, including our other customers and users of the Sites; (viii) provide support for the provision of our Services; and (ix) use as otherwise required or permitted by law.

In particular, we use your personal information for the following purposes:

#### **Fulfilment of Services.**

We collect and maintain personal information that you voluntarily submit to us during your use of the Sites and/or our Services. For example, when you purchase a subscription, you will be asked to provide at least your name, email address, screen name, password and demographic information, as well as your payment details. We will also require your name and password when you log in to your account.

We use the contact and payment details you have provided to us so that we can administer your account with us, take subscription payments from you and fulfil the supply of Services you have requested from us.

#### **Who do we share your personal information with for this purpose?**

We will share your personal information with the following categories of third parties:

- **Cloud service providers** such as Training Right Now, Inc., who assist us with the operation and maintenance of our Site, the administration of your account and the provision of access to secure areas of our Sites;

- **Credit card companies and other payment providers** such as Stripe Inc., who assist us with the processing of card payments and refunds;
- **Survey management companies** such as SurveyMonkey Inc., who assist us with the provision to you of our initial fact-finding questionnaires, which we require you to complete so that we can provide certain Services to you, and the processing of the results of those questionnaires;
- **Email database management companies** such as HubSpot and The Rocket Science Group, LLC trading as MailChimp, who assist us by delivering our regular content updates, email notifications, service messages concerning your account or our Sites and/or Services generally;

#### **What is our legal basis?**

It is necessary for us to use your personal information to perform our obligations in accordance with any contract that we may have with you.

#### **Customer services.**

Our Sites use various user interfaces to allow you to request information about our Services. These include electronic enquiry forms as well as email and telephone enquiry services. Contact information may be requested in each case, together with details of other personal information that is relevant to your customer service enquiry. This information is used in order to enable us to respond to your requests.

#### **Who do we share your personal information with for these purposes?**

We do not share your personal information for this purpose.

#### **What is our legal basis?**

It is in our legitimate interest to use your personal information in such a way to ensure that we provide the very best customer service we can to you.

#### **Your feedback about our products and services.**

From time to time, we may contact you to invite you to provide feedback about our Services in the form of online or postal surveys. We may also ask you to complete printed feedback forms following an event or training session. We use this information to help us improve the quality of service provided by our staff. We also use your feedback to monitor the quality of our Services and to assist with the selection of future product and service lines.

#### **Who do we share your personal information with for these purposes?**

We use a third-party service provider, SurveyMonkey Inc., to assist us with customer surveys and feedback requests. Our third-party provider is located in the USA and their use of your personal information is governed by Standard Contractual Clauses.

#### **What is our legal basis?**

It is in our legitimate interest to use the information you provide to us in your feedback for the purposes described above.

#### **Customer insight and analysis.**

We analyse your contact details with other personal information that we observe about you from your interactions with our Sites, with our email communications to you and/or with our Services.

Where you have given your consent (where lawfully required), we use cookies, log files and other technologies to collect personal information from the computer hardware and software you use to access the Sites, or from your mobile. This includes the following:

- an IP address to monitor Sites traffic and volume;
- a session ID to track usage statistics on our Sites;
- information regarding your personal or professional interests, demographics, buying habits, experiences with our products and contact preferences.

Our web pages and emails contain “cookies” “web beacons” or “pixel tags” (“**Tags**”). Tags allow us to track receipt of an email to you, to count users that have visited a web page or opened an email and collect other types of aggregate information. Once you click on an email that contains a Tag, your contact information may subsequently be cross-referenced to the source email and the relevant Tag.

In some of our email messages, we use a “click-through URL” linked to certain websites administered by us or on our behalf. We may track click-through data to assist in determining interest in particular topics and measure the effectiveness of these communications.

This information is used to create profiles and insights about your browsing habits and the browsing habits of our other customers. Where we have your consent to do so, we will also use your location data for customer insight purposes.

By using this information, we are able to measure the effectiveness of our content and how visitors use our Sites and our Services. This allows us to learn what pages of our Sites are most attractive to our visitors, which parts of our Sites are the most interesting and what kind of offers our registered users like to see.

We also use this information for marketing purposes (see the marketing section below for further details).

#### **Who do we share your personal information with for these purposes?**

We share your personal information with a variety of third party service providers to assist us with customer insight analytics. These providers are described in our Cookie Policy. Some of our third party providers are located in the USA and their use of your personal information is governed by Standard Contractual Clauses.

#### **What is our legal basis?**

Where your personal information is completely anonymised, we do not require a legal basis to use it as the information will no longer constitute personal information that is regulated under data protection laws. However, our collection and use of such anonymised personal information may be subject to other laws where your consent is required. Please see our Cookie Policy for further details.

Where your personal information is not in an anonymous form, it is in our legitimate interest to use your personal information in such a way to ensure that we provide the very best products and services to you and our other customers.

We will only use your location data for customer insight purposes where we have your consent to do so.

#### **Marketing communications.**

We carry out the following marketing activities using your personal information:

- **Email marketing.**

We use information that we observe about you from your interactions with our Sites, with our email communications to you and/or with our Services (see the Customer Insight and Analysis section above for more details of the information collected and how it is collected) in order to decide what sort of marketing communications to send you.

We use your email address to send you marketing communications by email, where you have consented to receive such marketing communications, or where we have another lawful basis to do so.

**Who do we share your personal information with for these purposes?**

We share your personal information with HubSpot and The Rocket Science Group, LLC trading as MailChimp, who assist us in delivering our email marketing campaigns (including our newsletters) to you. MailChimp is located in the USA and its use of your personal information is governed by Standard Contractual Clauses.

**What is our legal basis?**

We will only send you marketing communications via email where you have consented to receive such marketing communications or where we have a lawful right to do so.

Where we use your personal information to help us decide what sort of marketing communications to send you, if that personal information is completely anonymised we do not require a legal basis to use it as the personal information will no longer constitute personal information that is regulated under data protection laws. However, our collection and use of such anonymised personal information may be subject to other laws where your consent is required. Please see our Cookie Policy for further details.

Where your personal information is not in an anonymous form, it is in our legitimate interest to use your personal information for marketing purposes.

**Business administration and legal compliance.**

We use your personal information for the following business administration and legal compliance purposes:

- to comply with our legal obligations;
- to enforce our legal rights;
- protect rights of third parties; and
- in connection with a business transition such as a merger, acquisition by another company, or sale of all or a portion of our assets.

**Who do we share your personal information with for these purposes?**

We will share your personal information with professional advisers such as lawyers and accountants and/or governmental or regulatory authorities.

**What is our legal basis?**

Where we use your personal information in connection with a business transition, enforce our legal rights, or to protect the rights of third parties it is in our legitimate interest to do so. For all other purposes described in this section, it is our legal obligation to use your personal information to comply with any legal obligations imposed upon us such as a court order.

Where we share your sensitive personal information, we shall obtain your consent to do so.

**Any other purposes for which we wish to use your personal information that are not listed above, or any other changes we propose to make to the existing purposes will be notified to you using your contact details.**

## **5 HOW DO WE OBTAIN YOUR CONSENT?**

Where our use of your personal information requires your consent, you can provide such consent:

- at the time we collect your personal information following the instructions provided; or
- by informing us by email, post or phone using the contact details set out in this Privacy Policy.

## **6 OUR USE OF COOKIES AND SIMILAR TECHNOLOGIES**

Our Sites use certain cookies, pixels, beacons, log files and other technologies of which you should be aware. Please see our Cookie Policy to find out more about cookies and how to manage and delete cookies.

## **7 THIRD PARTY LINKS AND SERVICES**

Our Sites contain links to third party websites and services. Please remember that when you use a link to go from our Sites to another website or you request a service from a third-party, this Privacy Policy no longer applies.

Your browsing and interaction on any other websites, or your dealings with any other third party service provider, is subject to that website's or third party service provider's own rules and policies.

We do not monitor, control or endorse the privacy practices of any third parties.

We encourage you to become familiar with the privacy practices of every website you visit or third-party service provider that you deal with and to contact them if you have any questions about their respective privacy policies and practices.

This Privacy Policy applies solely to personal information collected by us through our Services and does not apply to third party websites and third-party service providers.

## **8 HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION FOR?**

We keep your personal information for a period of three (3) years from the date of our last interaction with you.

If your information is only useful for a short period e.g. for specific marketing campaigns we may delete it.

## **9 CONFIDENTIALITY AND SECURITY OF YOUR PERSONAL INFORMATION**

We are committed to keeping the personal information you provide to us secure and we will take reasonable precautions to protect your personal information from loss, misuse or alteration.

We have implemented information security policies, rules and technical measures to protect the personal information that we have under our control from:

- unauthorised access;
- improper use or disclosure;
- unauthorised modification; and
- unlawful destruction or accidental loss.

All of our employees and data processors (i.e. those who process your personal information on our behalf, for the purposes listed above), who have access to, and are associated with the processing of personal information, are obliged to respect the confidentiality of the personal information of all users of our Services.

## **10 HOW TO ACCESS YOUR INFORMATION AND EXERCISE YOUR OTHER RIGHTS?**

You have the following rights in relation to the personal information we hold about you:

### **Your right of access.**

If you ask us, we'll confirm whether we're processing your personal information and, if so, provide you with a copy of that personal information (along with certain other details). If you require additional copies, we may need to charge a reasonable fee.

### **Your right to rectification.**

If the personal information we hold about you is inaccurate or incomplete, you're entitled to have it rectified. If we've shared your personal information with others, we'll let them know about the rectification where possible. If you ask us, where possible and lawful to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

### **Your right to erasure.**

You can ask us to delete or remove your personal information in some circumstances such as where we no longer need it or if you withdraw your consent (where applicable). If we've shared your personal information with others, we'll let them know about the erasure where possible. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

### **Your right to restrict processing.**

You can ask us to 'block' or suppress the processing of your personal information in certain circumstances such as where you contest the accuracy of that personal information or you object to us processing it. It won't stop us from storing your personal information though. We'll tell you before we lift any restriction. If we've shared your personal information with others, we'll let them know about the restriction where it is possible for us to do so. If you ask us, where it is possible and lawful for us to do so, we'll also tell you who we've shared your personal information with so that you can contact them directly.

### **Your right to data portability.**

With effect from 25 May 2018, you have the right, in certain circumstances, to obtain personal information you've provided us with (in a structured, commonly used and machine readable format) and to reuse it elsewhere or to ask us to transfer this to a third party of your choice.

### **Your right to object.**

You can ask us to stop processing your personal information, and we will do so, if we are:

- relying on our own or someone else's legitimate interest to process your personal information, except if we can demonstrate compelling legal grounds for the processing; or
- processing your personal information for direct marketing.

### **Your rights in relation to automated decision-making and profiling.**

You have the right not to be subject to a decision when it's based on automatic processing, including profiling, if it produces a legal effect or similarly significantly affects you, unless such profiling is necessary for entering into, or the performance of, a contract between you and us.

### **Your right to withdraw consent.**

If we rely on your consent (or explicit consent) as our legal basis for processing your personal information, you have the right to withdraw that consent at any time.

**Your right to lodge a complaint with the supervisory authority.**

If you have a concern about any aspect of our privacy practices, including the way we've handled your personal information, you can report it to the UK Information Commissioner's Office (ICO). You can find details about how to do this on the ICO website at <https://ico.org.uk/concerns/> or by calling their helpline on 0303 123 1113.

**11 CHANGES TO THIS PRIVACY POLICY**

We may make changes to this Privacy Policy from time to time.

To ensure that you are always aware of how we use your personal information we will update this Privacy Policy from time to time to reflect any changes to our use of your personal information. We may also make changes as required to comply with changes in applicable law or regulatory requirements. We will notify you by email of any significant changes. However, we encourage you to review this Privacy Policy periodically to be informed of how we use your personal information.