

KERBOODLE! PRIVACY POLICY

1. INCORPORATION OF PRIVACY POLICY

- 1.1 Nelson Thornes (Company No.01083899) ('NT') is committed to ensuring that the Customer's and its Users' privacy and personal data are protected and NT is compliant with the Data Protection Act 1998. This privacy policy ('Privacy Policy') explains the information and personal data collected and how NT uses the information and personal data which NT collects about the Customer and/or its Users and the procedures that NT has in place to safeguard the information and personal data collected.
- 1.2 Unless otherwise stated or the context requires, any defined term used in this Privacy Policy shall have the same meaning as NT's Kerboodle! Terms and Conditions.
- 1.3 For the purpose of the Data Protection Act 1998, the data controllers are the Customer and NT.

2. INFORMATION THAT NT HOLDS AND USER CONSENT

- 2.1 In order for NT to carry out its obligations under the Kerboodle! Terms and Conditions, it is necessary for NT to collect information and personal data of the Customer and its Users. The information which NT will collect is as follows:
 - 2.1.1 User's name;
 - 2.1.2 User's class;
 - 2.1.3 User's email address;
 - 2.1.4 information which is based upon the Customer and/or its Users' interest, demographics, behaviour navigation on Kerboodle!; and
 - 2.1.5 such other information as may be necessary for NT to perform its obligations under the Kerboodle! Terms and Conditions.
- 2.2 The Customer undertakes to procure such consent in writing from its Users and/or where applicable, the guardians of its Users (as the case may be) in order for NT to collect and use such information and/or personal data as set out in this Privacy Policy.

- 2.3 If requested by NT, the Customer will provide such evidence to the reasonable satisfaction of NT that such consent has been procured from its Users and/or where applicable, the guardians of its Users (as the case may be).
- 2.4 The Customer agrees to indemnify and hold harmless NT against any losses, damages, fines and/or penalties which relate to, arise from and/or connected to the Customer's breach of its obligations under Clause 2.2 and 2.1 of this Privacy Policy.

3. USE OF INFORMATION

- 3.1 Subject to the terms and conditions of this Privacy Policy, NT protects all personal data from being disclosed to any third parties except when required by law. In addition, NT may use the Customer's and/or Users' information to assist in the prevention of unlawful activities e.g. intellectual property rights infringement, indecent materials or activities which threaten Kerboodle! or is adverse to the Customer's, NT's other customers or users, or NT's interest.
- 3.2 NT will use such personal data collected in order to perform its obligations under the Kerboodle! Terms and Conditions e.g. resolving technical problems, creating user names and passwords, sending password reminders etc. In this regard, personal information of the Customer and/or its Users may be disclosed to NT's sub-contractor e.g. hosting supplier, software developer etc. In these limited circumstances, NT may transfer personal data to companies who are located in countries outside the European Economic Area. If the data protection regime in any such countries do not provide adequate safeguards, NT will ensure that data transferred is adequately protected and that the transfer of such data to such companies is made pursuant to a contract or other measures providing adequate protection.
- 3.3 NT may also use aggregate information and statistics, (but, which will not contain the Customer's and/or its Users' identifying information) for the purposes of monitoring the Customer's and/or its Users' usage of Kerboodle! in order to help NT develop Kerboodle!, and the products and/or services offered by NT. NT may provide such aggregate information to third parties e.g. its consultants to assist in analyzing the data.
- 3.4 NT may also wish to provide the Customer and/or its teacher Users with information about special features featured on Kerboodle! and/or any other service or products

NT thinks may be of interest to the Customer and/or its teacher Users which relate to the Services and/or NT Materials which the Customer subscribes under the Contract with NT for Kerboodle!

- 3.5 Notwithstanding Clause 3.4 of this Privacy Policy, if the Customer and/or any teacher Users do not wish NT to send them such information set out in Clause 3.4 of this Privacy Policy, the Customer and/or such teacher Users can send an e-mail to www.gatormarketing.co.uk/unsubscribe and NT will remove the Customer and/or such teacher Users from the mailing list or newsletter list within 30 days of notification.
- 3.6 If NT and/or part of its business is sold or integrated with another business, the Customer's and/or its Users' details may be disclosed to NT's advisers and any prospective purchasers and their advisers and will be passed on to the new owners.
- 3.7 Subject to the other provisions of this Privacy Policy, NT will not provide the Customer's and/or Users' information to other companies or organisations without the Customer's and/or its Users' consent. For the avoidance of doubt, NT does not share or transfer information to any third parties which it collects from the Customer which relate to Kerboodle! for marketing purposes.

4. USE OF COOKIES AND OTHER INFORMATION GATHERING TECHNOLOGIES

- 4.1 NT uses 'cookies' and other technologies to collect information on Kerboodle! to assist NT in monitoring NT's web page flow, promotional effectiveness as well as to promote trust and safety.
- 4.2 Certain features on Kerboodle! are only available if the Customer and/or its Users enable the cookie. In this regard, the Customer will notify its Users that its Users will need to enable the cookie in order to enjoy the full Kerboodle! experience.
- 4.3 The Customer and/or its Users are free to decline NT's cookies although that may impair certain features on Kerboodle!
- 4.4 The Customer and/or its Users can delete any cookies from their computer - refer to the internet browser's help files.

5. DATA INTEGRITY, SECURITY AND PROTECTION OF INFORMATION

- 5.1 NT strives to maintain the reliability, accuracy, completeness and currency of the Customer's and its Users' personal data in its databases and to protect the privacy and security of NT's databases.
- 5.2 NT's servers and our databases are protected by industry standard security technology, such as network address translation and password protection.
- 5.3 NT's employees who have access to personal data have been trained to handle such data properly and in accordance with our security protocols and strict standards of confidentiality.
- 5.4 Notwithstanding Clause 5.2 and 5.3 of this Privacy Policy, NT cannot guarantee against any loss, misuse, unauthorised disclosure, alteration or destruction of data. However, NT will use best endeavours to try to prevent such unfortunate occurrences. In addition, the Customer should note and ensure that its Users are aware that the internet is not a secure medium and no system is entirely fool-proof even though NT has put in place various security procedures and strict policy rules to safeguard and protect the Customer's and its Users' information from unauthorised and unlawful access and use. As such, the Customer should and shall remind its Users to be careful when the Customer and/or its Users reveal any confidential information to any third party.

6. PERSONAL DATA REQUEST AND UPDATING DETAILS

- 6.1 Upon receipt of the Customer's, such Users' and/or such Users' guardians' (as the case may be) written request (provided such request contains sufficient information to permit NT to identify the information requested), NT will disclose such information relating to the Customer, such Users' and/or such Users' guardians' (as the case may be).
- 6.2 If any of the information that the Customer and/or its Users have provided to NT changes, please let NT know the correct details by sending an e-mail to kerboodle@nelsonthornes.com so that the information kept by NT is accurate, complete and current .

7. OTHER TERMS

- 7.1 Owing to the global nature of the Internet infrastructure, the information the Customer and/or its Users' provide may be transferred in transit to countries outside the European Economic Area that do not have similar protections in place regarding

the Customer's and/or its Users' data and its use as set out in this Privacy Policy. However, NT has taken the steps outlined above to try to improve the security of the Customer's and/or its Users' information. By using Kerboodle! the Customer consents and shall procure that its Users' consent to these transfers.

- 7.2 NT reserves the right to amend this Privacy Policy from time to time as it deems necessary. In such event, NT will post such changes on Kerboodle!
- 7.3 This Privacy Policy shall be governed by English Law and the English Courts shall have exclusive jurisdiction.
- 7.4 Nothing in this Privacy Policy shall limit the right of NT to take proceedings against the Customer in any other court of competent jurisdiction, nor shall the taking of proceedings in any one or more jurisdiction preclude the taking of proceedings in any other jurisdiction, whether concurrently or not, to the extent permitted by the law of such other jurisdiction.