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1. Introduction

1.1 We are committed to safeguarding the privacy and accuracy of the personal data of Our website visitors, service users and email recipients.

1.2 This policy applies where We are acting as a Data Controller with respect to the personal data of Our website visitors, service users, email recipients and personal data collected from public sources; in other words, where We determine the purposes and means of the processing of that personal data.

1.4 In this policy, “We”, “Us” and “Our” refer to Element22 Limited– trading as Element22 and ESGⁱ

1.5 Reference to a Data Subject means a natural person whose personal data is processed by a Data Controller or a Data Processor, in other words, You.

2. How We use Your personal data

2.1 In this Section 2 We have set out:

1. The general categories of personal data that We may process;
2. in the case of personal data that We did not obtain directly, the source and specific categories of that data;
3. the purposes for which We may process personal data; and
4. the legal bases of the processing.

2.1.1 The General Categories Of Personal Data That We May Process

2.1.1.1 Usage Data

We may process data about Your use of Our website and services (“**Usage Data**“). The Usage Data may include Your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of Your service use. The source of the Usage Data is Google Analytics as well as Our analytics tracking system. This Usage Data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is Our legitimate interests, namely monitoring and improving Our website and services, and tailoring any communication with You.

2.1.1.2 Account Data

We may process Your Account Data (“**Account Data**“). The Account Data may include Your name and email address. The source of the Account Data is You or Your employer. The Account Data may be processed for the purposes of providing Our services, ensuring the security of Our website and services, maintaining back-ups of Our databases and communicating with You. The legal basis for this processing is the performance of a contract between You and Us and/or taking steps, at Your request, to enter into such a contract.

2.1.1.3 Service Data

We may process Your personal data that are provided in the course of the use of Our services (“**Service Data**“). The Service Data may include name, email address and telephone number. The source of the Service Data is You or Your employer. The Service Data may be processed for the purposes of providing Our services and communicating with You. The legal basis for this processing is the performance of a contract between You and Us and/or taking steps, at Your request, to enter into such a contract.

2.1.1.4 Enquiry Data

We may process information contained in any enquiry You submit to Us regarding goods and/or services (“**Enquiry Data**“). The Enquiry Data may be processed for the purposes of Us offering, marketing and selling relevant goods and/or services to You. The legal basis for this processing is consent which may be withdrawn by You at any time by contacting Us.

2.1.1.5 Notification Data

We may process information that You provide to Us for the purpose of subscribing to Our email notifications and/or newsletters (“**Notification Data**“). The Notification Data

may be processed for the purposes of sending You the relevant notifications and/or newsletters. The legal basis for this processing is consent which may be withdrawn by You at any time by contacting Us.

2.1.1.6 Correspondence Data

We may process information contained in or relating to any communication that You send to Us (“**Correspondence Data**”). The Correspondence Data may include Your name, email address and the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The Correspondence Data may be processed for the purposes of communicating with You and record-keeping. The legal basis for this processing is Our legitimate interests, namely the proper administration of Our website and business and communications with users.

2.1.1.7 Public Data

We may process information found on public social networking profiles (“**Public Data**”). This data may include name and job title. Public Data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to Your employer. The legal basis for this processing is Our legitimate interests, namely proper administration of Our business.

2.1.1.8 Legal Claims Data

We may process any of Your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. (“**Legal Claims Data**”) The legal basis for this processing is Our legitimate interests, namely the protection and assertion of Our legal rights, Your legal rights and the legal rights of others.

2.1.1.9 Professional Use Data

We may process any of Your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. (“**Professional Use Data**”). The legal basis for processing Legal Claims Data is Our legitimate interests, namely the proper protection of Our business against risks.

2.2 In addition to the specific purposes for which We may process Your personal data set out in this Section 2, We may also process any of Your personal data where such processing is necessary for compliance with a legal obligation to which We are subject, or in order to protect Your vital interests or the vital interests of another natural person.

2.3 Please do not supply any other person's personal data to Us unless We prompt You to do so.

3. Sharing Your personal data with others

3.1 We may disclose Your personal data to any member of Our group of companies (this means Our subsidiaries, Our ultimate holding company and all its subsidiaries) (together known as "Group Companies") insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.

3.2 We may disclose Your personal data to Our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

3.3 In addition to the specific disclosures of personal data set out in this Section 3, We may disclose Your personal data where such disclosure is necessary for compliance with a binding legal obligation arising under EU law to which We are subject, or in order to protect Your vital interests or the vital interests of another natural person. We may also disclose Your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

4. International transfers of Your personal data

4.1 In this Section 4, We provide information about the circumstances in which Your personal data may be transferred to countries outside the European Economic Area ("EEA").

4.2 You acknowledge that personal data that You submit for publication through Our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

4.3 This privacy policy applies only to our Websites not those external Websites that we link to, who will have their own privacy policies. We are not responsible for these external Websites and their privacy policies and practices. In addition, if you linked to our Website from an external site, we cannot be responsible for the privacy policies and practices of the owners and operators of that external Website and recommend that you check the privacy policy of that external site.

5. Retaining and deleting personal data

5.1 This Section 5 sets out Our data retention policies and procedure, which are designed to help ensure that We comply with Our legal obligations in relation to the retention and deletion of personal data.

5.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

5.3 Notwithstanding the other provisions of this Section 5, We may retain Your personal data where such retention is necessary for compliance with a legal obligation to which We are subject, or in order to protect Your vital interests or the vital interests of another natural person.

6. Cookies

6.1 By using Our website and agreeing to this policy, You consent to Our use of cookies in accordance with the terms of Our [Cookie Policy](#).

7. The Rights of Data Subjects

7.1 In this Section 7, We have summarised the rights that You have under data protection law. Some of the rights are complex, and not all of the details have been included in Our summaries. Accordingly, You should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

7.2 Your principal rights under data protection law are:

1. [The right to be informed](#)
2. [the right to access](#)
3. [the right to rectification](#)
4. [the right to erasure](#)
5. [the right to restrict processing](#)
6. [the right to object to processing](#)
7. [the right to data portability](#)
8. [Rights related to automated decision making including profiling](#)
9. [the right to complain to a supervisory authority;](#) and
10. [the right to withdraw consent.](#)

7.2.1 The Right to be Informed

This is the right of Data Subjects to know details regarding the processing of their data and this information is included in this Privacy Policy

7.2.2 The Right To Access

You have the right to confirm as to whether or not We process Your personal data and, where We do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, We will supply to You a copy of Your personal data upon request and within one month of verification of Your identity (We may extend the time within which We must provide the information by a further two months if the request is particularly complex or if there are numerous requests and We will let You know if this is the case. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

7.2.3 The Right to Rectification

You have the right to have any inaccurate personal data about You rectified and, taking into account the purposes of the processing, to have any incomplete personal data about You completed. If the request is accepted by Us, the rectification will be completed within one month (may be extended by Us by a further two months if complex).

We will use all reasonable endeavours to notify any third party with whom we have shared the data of any rectifications made.

7.2.4 The Right to Erasure (also known as the “Right to be Forgotten”)

In some circumstances You have the right to the erasure of Your personal data without undue delay. Those circumstances include:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- You withdraw consent to consent-based processing;
- You object to the processing under certain rules of applicable data protection law and there is no over-riding legitimate interest for continuing the processing;
- the processing is for direct marketing purposes;
- the personal data has to be erased to comply with a legal obligation; and
- the personal data have been unlawfully processed.

However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary:

- For exercising the right of freedom of expression and information;

- for compliance with a legal obligation for the performance of a public interest task or exercise of official authority;
- for archiving purposes in the public interest, scientific research or historical purposes; or
- for the establishment, exercise or defence of legal claims.

We will use all reasonable endeavours to notify any third party with whom we have shared the data of any actioned erasure requests.

7.2.5 The Right to Restrict Processing

In some circumstances You have the right to restrict the processing of Your personal data. Those circumstances are:

- You contest the accuracy of the personal data (We will restrict processing for a period enabling Us to verify the accuracy of such data);
- processing is unlawful but You oppose erasure;
- Where You have objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and We are considering whether Our organisation's legitimate grounds override those of the individual;
- We no longer need the personal data for the purposes of Our processing, but You require personal data for the establishment, exercise or defence of legal claims;

Where processing has been restricted we may continue to store Your personal data. However, We will only otherwise process it: with Your consent or for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

We will use all reasonable endeavours to notify any third party with whom we have shared the data of any restriction placed on the processing of Your data.

7.2.6 The Right to Object to Processing

You have the right to object to Our processing of Your personal data on grounds relating to Your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for:

- The performance of a task carried out in the public interest or in the exercise of any official authority vested in Us (including profiling);
- the purposes of the legitimate interests pursued by Us or by a third party;
- direct marketing (including profiling); or
- purposes of scientific/historical research and statistics

If You make such an objection, we will cease to process the personal information unless We can demonstrate compelling legitimate grounds for the processing which

override Your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

7.2.7 The Right to Data Portability

To the extent that the legal basis for Our processing of Your personal data is:

- (a) consent; or
- (b) that the processing is necessary for the performance of a contract to which You are party or in order to take steps at Your request prior to entering into a contract and
- (c) such processing is carried out by automated means,

You have the right to receive Your personal data from Us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

7.2.8 Rights related to automated decision making including profiling

We do not use automated decision making (including profiling) when processing your data.

7.2.9 Right to Complain

If You consider that Our processing of Your personal information infringes data protection laws, You should first contact Us. If You are dissatisfied with the outcome, You have a legal right to lodge a complaint with a Supervisory Authority responsible for data protection. You may do so in the EU member state of Your habitual residence, Your place of work or the place of the alleged infringement.

7.1.10 Right to Withdraw Consent

To the extent that the legal basis for Our processing of Your personal information is consent, You have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal. To withdraw Your consent, please contact Our Us.

7.13 You may exercise any of Your rights in relation to Your personal data by written notice to Us.

8. Contacting Us concerning the contents of this Privacy Policy

8.1 If Your query relates to this Privacy Policy or should you wish to exercise one of Your Data Protection Rights as a Data Subject, You can contact Us in the following ways:

By post to Our registered office:

70 Gracechurch Street, London, EC3V 0HR

By email at: support@esgi.global

By telephone on: +44 (0)20 3968 8822

9. Amendments to this policy

9.1 We may update this policy from time to time by publishing a new version on Our website.

9.2 You should check this page occasionally to ensure You are happy with any changes to this policy.

9.3 We may notify You of changes to this policy by email.

9.4 Our carefully selected partners and service providers may process personal information about you on our behalf as described below:

Digital Marketing Service Providers

We periodically appoint digital marketing agents to conduct marketing activity on our behalf, such activity may result in the compliant processing of personal information. Our appointed data processors include:

(i) Prospect Global Ltd (trading as Sopro) Reg. UK Co. 09648733. You can contact Sopro and view their privacy policy here: <http://sopro.io>. Sopro are registered with the ICO Reg: ZA346877 their Data Protection Officer can be emailed at: dpo@sopro.io.

This policy was last updated on 3rd April, 2023