

Total Negotiation Limited – Privacy and Cookie Policy

Last updated: 21 March 2023.

1. About this Privacy and Cookie Policy

Total Negotiation Limited (“we”, “us”, “our”) respects your privacy and is committed to protecting your personal data.

This privacy and cookie policy will give you information on how we collect and process your personal data when you have any dealing with us, including when you visit our website (regardless of where you visit it from), when you participate in one of our workshops or attend any other of our sessions.

It is important that you read this privacy and cookie policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy and cookie policy supplements other notices and privacy policies and is not intended to override them.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. Data controller

Total Negotiation Limited (registered in England and Wales with company number 06859459) is the data controller and is responsible for your personal data.

If you have any questions about this privacy and cookie policy, including any requests to exercise your legal rights, please contact us at info@totalnegotiation.com

3. What information may we collect from you?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed, which is anonymous data.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data**, which **includes** first name, last name and title.
- **Contact Data**, which includes address, email address and telephone numbers.
- **Capability Data**, which includes details about your business competences and skills.
- **Survey Data**, which includes answers and comments you have provided on any of our surveys.
- **Financial Data**, which includes bank account and payment card details.
- **Technical Data**, which **includes** internet protocol (IP) address, your login data, browser

type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website.

- **Usage Data**, which **includes** information about how you use our website.
- **Marketing and Communications Data**, which **includes** your preferences in receiving marketing from us.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

Aggregated data

We also collect, use and share **Aggregated Data** such as statistical data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate Capability Data to calculate the percentage of participants that possess a certain business competency skill. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy and cookie policy.

4. How is your personal data collected?

We use different methods to collect data from and about you, including through:

- **Direct interactions.** You may give us your Identity and Contact Data when we meet you in person, by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - ask about our services;
 - create an account on our dashboard;
 - subscribe to our publications;
 - request marketing to be sent to you;
 - give us feedback; or
 - contact us.
- **Head office.** The company you work for may give us your Identity and Contact Data when you have been signed up for a workshop.
- **Workshops.** When you participate in our workshops or other sessions, we will collect Identity Data and Contact Data from you.
- **Competency Tool and surveys.** When you take part in our Competency Tool evaluations or in our surveys, we will collect Identity Data and Contact Data as well as Capability Data and Survey Data from you.
- **Automated technologies or interactions.** As you interact with our website, we will

automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookies section below.

- **Third parties or publicly available sources.** We will receive Technical Data about you from analytics providers such as Google.

Cookies

On our website, you can set your browser to refuse all or some browser cookies or to alert you when websites set or access cookies.

We only use analytical or performance cookies on our website. These allow to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily, and to personalise the experience.

5. How we use your personal data

We will only use your personal data when the law allows us to (that is a legal basis for processing). Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract we are about to enter into or have entered into with you.
- where it is necessary for our legitimate interests or those of a third party. A legitimate interest is when we have a business or commercial reason to use your personal data, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.
- where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

We may process your personal data for more than one legal basis depending on the specific purpose for which we are using your data. The table below explains what we use your personal data for and why.

What we use your personal data for	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To register you as a new business partner	(a) Identity (b) Contact	Performance of a contract with you
To send you workshop and	(a) Identity	Performance of a contract

programme information when you participate in one of our workshops	(b) Contact	with you
To provide services to you	(a) Identity (b) Contact (c) Capability (d) Survey	Performance of a contract
To manage payments, fees and charges, including collecting and recovering monies owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include notifying you about changes to our terms or privacy and cookie policy	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To use data analytics to improve our website, services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you	(a) Identity	Necessary for our legitimate interests (to develop our

about goods or services that may be of interest to you	(b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	products/services and grow our business)
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Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

We may use your Identity, Contact, Technical and Usage Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

You will receive marketing communications from us if you have requested information from us or purchased services from us and you have not opted out of receiving that marketing.

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you.

6. Disclosures of your personal data

We routinely share your personal data with different categories of third parties, as set out below for the purposes set out in the table above.

- Third parties we use to help deliver our services to you, e.g. freelancers, consultants and data hosting providers.
- Third parties we use to help us run our business, e.g. marketing agencies, IT support, cloud and internet services, CRM and Project Management Tool providers, website and apps hosts and designers.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance

with our instructions.

We or the third parties mentioned above occasionally also share personal data with:

- our and their external auditors, e.g. in relation to the audit of our or their accounts, in which case the recipient of the information will be bound by confidentiality obligations;
- our and their professional advisors (such as lawyers and other advisors), in which case the recipient of the information will be bound by confidentiality obligations;
- law enforcement agencies, courts, tribunals and regulatory bodies to comply with our legal and regulatory obligations;
- other parties that have or may acquire control or ownership of our business (and our or their professional advisers) in connection with a significant corporate transaction or restructuring, including a merger, acquisition, asset sale, initial public offering or in the event of our insolvency—usually, information will be anonymised but this may not always be possible. The recipient of any of your personal data will be bound by confidentiality obligations.

7. International transfers

Some of our external third parties (for example, our data hosting partners) are based outside the UK so their processing of your personal data will involve a transfer of data outside the UK.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring that we use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

8. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We will generally keep your data for a period of 6 years. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and

sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity and Financial Data) for six years after they cease being customers for tax purposes. In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

When we aggregate data that does not directly or indirectly reveal your identity (as set out in section 6), we may use this information indefinitely without further notice to you.

10. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.

- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. Complaints

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues (www.ico.org.uk).

We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance at the details set out in section 2.