



Privacy and Cookies Policy (Discounts Portal) – Users and Customers

Welcome to Xexec's Privacy and Cookies Policy for our Discounts Portal users and employer / benefits provider customers.

If you are a user or customer of our Recognition Portal, please refer to our Recognition Portal Privacy Policy which governs this separate service. If you are a Recognition Portal user or customer, please reach out to your usual contact or send us an email to obtain a copy of this policy.

At Xexec, we are committed to maintaining the trust and confidence of our Discounts Portal users and customers. In particular, we want you to know that Xexec is not in the business of selling, renting or trading user data with other companies and businesses for marketing purposes or any other reason. In this Policy, you'll find information on how we treat your data and keep it secure.

We ask that you read this Privacy and Cookies Policy carefully as it contains important information about who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

Our website, services and Discounts Portal are not intended for children and we do not knowingly collect data relating to children.

Who we are

We are Xexec Limited. Our full details are:

XEXEC LIMITED, a company registered in England and Wales.

Company number: 04009440

Name or title of data privacy manager: Ben Francis

Email address: info@xexec.com

Registered office: 88 Crawford Street, London, W1H 2EJ, UK

Telephone number: 0208 201 6483

Definitions and our relationship with you

In this Privacy and Cookies Policy, references to 'Xexec', 'we', 'us' or 'our' means Xexec Limited.

'User' means the employee who uses the Discounts Portal and 'customer' means our employer or benefits provider clients.

When we refer to 'you' or 'yours', we mean, you, the data subject (or the individual contact representing our customers).

Xexec collects, uses and in some cases, is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) as well as national data protection laws.

When we are responsible for your personal data, we act as a 'controller' of that personal information for the purposes of those laws. When we process your personal data on behalf of a third party, for example, a user's employer, we act as a 'processor'.

Your Personal Information – What do we collect?

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 (anonymous data).

- From our users:

We may collect, use, store and transfer different kinds of personal data about you which we may collect from your employer or benefit provider in order for us to verify your access.

- From our customers:

Aside from the user data you provide to us pursuant to the commercial contract between us, we may collect, use, store and transfer different kinds of personal data about you which we may collect from you directly, from your company, from your company's website or from publicly available internet resources or networks.

For both our users and our customers, such information may include:

- Identity Data: This may include your first name, last name, your title, job role or position held, username or unique identifier e.g. Employee or Member ID;
- Contact Data: This will include your email address. As a user, if you purchase a voucher or redeem an offer through our website or as a customer contracting with us, Xexec may also collect information about you in order to process your order (which may include professional and/or personal contact details): postal address, telephone numbers (including mobile numbers);
- Financial Data: On occasion we may hold billing address details of our users that our users may supply to us e.g. if users

purchase vouchers from us). Other financial data such as bank details are not held by Xexec but by our provider, SagePay. For our customers, we may hold financial and billing information so that we can invoice you for our service;

- **Transaction Data:** If users purchase a voucher or redeem an offer through our website, Xexec may also collect the following information about our users: details about voucher or offer redemption, purchases and orders made by you, and your billing and delivery addresses. We may also collect similar data from our customers, but this is usually limited to information related to your company;
- **Technical Data:** We use your internet protocol (IP) address to help diagnose problems with our server, and to administer our web website. Your IP address is used to help identify you but does not on its own carry any personal identifier. We may also collect data such as time zone setting and location, operating system and platform and other technology on the devices you use to access this website;
- **Marketing and Communications Data:** If you choose to receive newsletters from us by email or SMS, we will store your preferences in receiving marketing from us and our third parties and your communication preferences. In respect of the tailor-made emails that we send to you as part of our service, which contain the benefits and discounts afforded to you via your employer or benefit provider's scheme with us, we will store your Contact and Identity Data as well as details of your employer. You are able to update your preferences regarding the frequency of these communications or you can ask for your account to be disabled at any time, via the preferences centre.

We do not collect personal information about you when you visit this website unless you choose to register.

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.

Any demographic and personal data collected as listed above is also used to tailor your experience on our website, show you content we think may interest you and display the content according to your preferences.

This list is not exhaustive, and, in specific instances, we may need to collect additional data for the purposes set out in this Policy. Some of the above personal data is collected directly, for example when you set up an online account or send an email to our customer services team. For our users, other personal data is collected indirectly, for example from your employer or benefit provider. If data is collected about you indirectly, we require that those third parties (such as your employer or benefit provider) comply with their data protection obligations and supply us your data in a lawful manner, and we promise that we will only process such data in accordance with their strict instructions.

Generally, we do not carry out any automated decision-making about you (also known as profiling) but if we do, we will seek your consent where appropriate, and in some instances, you will also be permitted to obtain further details about any automated profiling or have any decision reviewed manually.

How do we use your data?

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.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- To provide goods and services to you;
- To make a tailored website available to you;
- To manage any registered account that you hold with us;
- To verify your identity;
- With your agreement, to contact you electronically about promotional offers and products and services;
- To enable Xexec to manage customer service interactions with you; and
- Where we have a legal right or duty to disclose your information (for example in relation to an investigation by a public authority or in a legal dispute).

Legal Bases

Data protection legislation obliges us to process your personal data in accordance with strict legal bases in order for such processing to be lawful. We therefore process our users' and customers' personal data on the following bases:

- Where we need to perform the contract we are about to enter into or have entered into with our users or with our customers;
- Where we need to comply with a legal or regulatory obligation;
- Where it is necessary for our legitimate interests (or our user and/or customer legitimate interests) and your individual interests and fundamental rights do not override those interests.

We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data on the basis of legitimate interests.

We believe that our mutual legitimate interests align – we have an interest in supplying benefits services to you and giving you the best and most secure experience.

We consider that our users have an interest in benefiting from offers as part of their employment benefits package and as a subscribed Xexec user, and our customers (as our users' employer or benefit provider) have an interest in providing its employees with rewards offered by Xexec as part of their employment, incentives and compensation rewards.

We will never use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third

party direct marketing communications to you via email or text message. You have the right to withdraw or modify your marketing consent preferences at any time by amending your settings in our preferences portal.

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 at: conciierge@xexec.com
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.

Sharing

We may share aggregated demographic information with our partners, clients and advertisers. This is not linked to any personal information that can identify any individual person.

We may partner with another party to provide specific services. When you sign up for these services, we will share names or other contact information that is necessary for the third party to provide these services.

These parties are not allowed to use personally identifiable information except for the purpose of providing these services. We may also use such aggregated information and statistics for monitoring the website usage in order to help us develop the website and our services and may provide such aggregate information to third parties.

Where necessary, we will ensure that your personal data is encrypted or anonymised to ensure your privacy rights, and take other measures to protect your personal data, such as via contractual processing instructions, guarantees and by conducting audits on the reliability of our partners.

Please note that should users purchase vouchers through our website, payments are made through SagePay, a PCI DSS Level 1 compliant secure payment portal.

A list of our other partners and advertisers is available on request.

International Transfers

We do not transfer your personal data outside of the European Economic Area (EEA) as all of our IT partners, cloud storage, email services or data centres are based within the EEA.

If we do ever transfer your data outside of the EEA, then we will let you know by updating this Policy. Please therefore ensure that you check this Policy periodically for any changes.

Cookies

A cookie is a piece of data stored on your hard drive of your computer (or other electronic device) containing information about you. Once you close your browser, the cookie simply terminates.

How do we use cookies?

We use cookies and other online tracking devices such as specify, e.g. web beacons, action tags, Local Shared Objects ('Flash cookies'), single-pixel gifs on this website to:

- save your password (this speeds up your access to the website as you do not have to log in each time);
- track and target your interests deliver content specific to you and to enhance your experience of the website;
- obtain information about your preferences, online movements and use of our site only (we never use such technology to track your Internet usage generally, outside of our online environment);
- carry out research and statistical analysis to help improve our content and services and to help us better understand our user requirements and interests; and
- make your online experience more efficient and enjoyable.

A list of all of our cookies and other similar technologies is available on request.

What information do we collect via cookies?

Usage of a cookie is in no way linked to any personally identifiable information while on the website, and although we may obtain information about your computer or other electronic device such as your IP address, your browser and/or other internet log information, this will not usually identify you personally. In certain circumstances we may collect personal information about you—but only where you voluntarily provide it (e.g. by completing an online form or via your preferences portal or personal account).

Third-party Cookies

We do not actively enable third party cookies on our website. On occasion, third parties (such as social media providers) can place cookies on websites to track their subscribed users. This is not something that we authorise.

In any case, third-party suppliers are responsible for the cookies they set on our website. If you want further information, please go to the website for the relevant third party.

Your Cookie Preferences

In most cases we will need your consent in order to use cookies on this website. The exception is where the cookie is essential in order for us to provide you with a specific service or to enable our website to function. You can set your cookie preferences via the preferences portal.

Generally, if you do not want to accept cookies, you can change your browser settings so that cookies are not accepted. If you do this, please be aware that some websites (including ours) may not function properly when cookies are deactivated. For example, if you reject cookies, you may not be able to use every function of the website and your overall experience may be less enjoyable.

For further information about cookies and how to disable them please go to the Information Commissioner's webpage on cookies: <https://ico.org.uk/for-the-public/online/cookies/>.

Email Newsletter

As part of the registration process, you may have been asked if you would like to receive our e-newsletter. We don't rent or trade email lists with other organisations and businesses.

We use a third-party provider, Emarsys, to deliver our newsletter. We gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve our e-newsletter. For more information, see Emarsys' privacy policy.

You can unsubscribe to general mailings at any time of the day or night by clicking the unsubscribe link at the bottom of any of our emails or by emailing info@xexec.com or by managing your preferences via our preference centre.

However, please note that as part of our services, we also supply bespoke service-related emails to you. These emails contain the discounts and benefits that you are entitled to, pursuant to your employer or benefit provider's agreement with us. As these emails are fully inherent to our service (i.e., supplying you with employment-related benefits), you will be able to manage your preferences on how to receive these service and functional emails via our preferences centre.

Links to Third-Party Web websites

This privacy notice does not cover the links, plug-ins or applications within this website linking to other web websites. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. Those websites are not governed by this Policy, and if you have any questions about how a third-party website uses your information, you'll need to check that website's privacy statement.

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. This includes using industry-standard SSL authentication to protect the confidentiality and privacy of online transactions conducted at our website. SSL authentication and encryption (scrambling) ensures that your online transaction and credit card information are safe from third-party interception.

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 also 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 in accordance with ISO certified policies.

How long do we keep your data?

We will not retain your data for longer than necessary for the purposes set out in this Policy and for the provision of our services. 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 requirements. We will keep your personal data as long as your account is live.

Therefore, because of the required fulfilment time for some cashback offers, we will keep user accounts open for an additional period of 12 months after you or your employer request your account to be deactivated, in order to allow you to withdraw the cashback once it clears.

During this period, your information will be moved to a separate encrypted database for inactive users. We also keep data related to users whose employers have sent us their details, but who have not activated their account with us on the inactive users' database, until we receive instructions from your employer or benefits provider that your details may be deleted or archived.

After this 12-month period, we will move your data from the inactive users' database to a separate encrypted archive database where we need to keep personal data by law or for legal business reasons, or in accordance with legal limitation periods (currently 6 years after the end of the service). Where possible, we will remove any personal data about you and will only keep data that is strictly necessary. We also keep our customer data on an encrypted archive database for the same reasons and retention periods which run following the termination of our services or contract or following our last meaningful contact with each of our customers.

In some circumstances we may 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.

Your Legal Rights in respect of your Personal Data

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are as follows:

- 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. If you need to correct, update, or change any of your personal information, it is your responsibility to advise us of the required amendments.

- 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. For example, if you tell us directly that you no longer desire our service, we will correct, update or remove your personal data as quickly as possible and within 30 days of notification. Should you have cashback pending, we will keep your account open and move your information to an encrypted database for inactive users.

- 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. Please remember that you are always able to modify your email preferences via our preferences portal. 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: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) 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 or to provide you with services.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner’s Office (ICO) on individuals’ rights under the General Data Protection Regulation.

If you wish to exercise any of these rights, please contact us.

No Fee Usually Required

You will not usually 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 may refuse to comply with your request in these circumstances.

Further Information We May Need

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 may therefore request the following information from you in order to process your request: enough information to identify you; proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and the information to which your request relates.

Time Limit to Respond

We try to respond to all legitimate and fully completed requests within one month. Occasionally it may 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.

Changes to this Privacy and Cookies Policy

The data protection law in the UK changed on 25 May 2018. Although this Policy sets out your rights under the new laws, we might update the Policy from time to time to take new guidance, rules, regulations and best practice into account. This Privacy Policy was last updated in May 2018.

How to Complain

We hope that we can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data

protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or by telephone: 0303 123 1113.

Updated 24/05/2018