

# KUBERNO Limited

---

## Privacy Policy

## 1. Background

Last updated 6 June 2024

- 1.1 This policy (Privacy Policy) tells you how we look after your personal data when you visit our website at Kuberno.com (Website) or use our proprietary software, Kube (Site), where you are a prospective or current customer of our business, or where you are another type of business contact, such as a supplier or service provider to our business.
- 1.2 This policy sets out what information we collect about you, what we use it for and who we share it with. It also explains your rights under data protection laws and what to do if you have any concerns about your personal data.
- 1.3 We may sometimes need to update this Privacy Policy to comply with new business practices or legal requirements. You should check this Privacy Policy regularly to see whether any changes have occurred.

## 2. Who we are and other important information

- 2.1 We are Kuberno Limited. We are a company registered in England and Wales with company number 12391985, whose registered address is at 3rd Floor, 86-90 Paul Street, London, EC2A 4NE. In this privacy policy, we will refer to ourselves as 'we,' 'us' or 'our.'
- 2.2 For all visitors to our Website and users of our proprietary software Kube, we are the data controller of your information (which means we decided what information we collect and how it is used).
- 2.3 We are registered with the Information Commissioner's Office (ICO), the UK regulator for data protection matters, under number ZA817997.

## 3. Contact Details

- 3.1 If you have any questions about this Privacy Policy or the way that we use information, please get in touch using the following details:

[theteam@kuberno.com](mailto:theteam@kuberno.com); or

by writing to us at our registered address

## 4. The information we collect about you

- 4.1 Personal data means any information which does (or could be used to) identify a living person. We have grouped together the types of personal data that we collect, and where we received it from.
- 4.2 Type of personal data:  
Set out below are the general categories and details of retention periods in relation to those categories and in each case the types of personal information that we collect, use, and hold about you:

General Category	Types of Personal Data	Retention Periods
Identity information	This is information relating to your identity such as your name (including any previous names and any titles that you use), gender, marital status, and date of birth.	12 months
Contact information	This is information relating to your contact details such as email address, addresses, telephone numbers	12 months
Account information	This is information relating to your account with us (including username and password)	12 months
Payment information	This is information relating to the methods by which you provide payment to us such as [bank account details, credit, or debit card details] and details of any payments (including amounts and dates) that are made between us	12 months
Transaction information	This is information relating to transactions between us such as details of the goods, services and/or digital content provided to you and any returns details	12 months
Survey information	This is information that we have collected from you or that you have provided to us in respect of surveys and feedback	12 months
Marketing information	This is information relating to your marketing and communications preferences	12 months
Website, Device and Technical Information	This is information about your use of our website and technical data which we collect (including your IP address, the type of browser you are using and the version, the operating system you are using, details about the time zone and location settings on the device and other information we receive about your device)	12 months

## 5. How we use your information

- 5.1 We are required to identify a legal justification (also known as a lawful basis) for collecting and using your personal data. There are six legal justifications which organisations can rely on. The most relevant of these to us are where we use your personal data to:
- Pursue **our legitimate interests** (our justifiable business aims) but only if those interests are not outweighed by your other rights and freedoms (e.g. your right to privacy);

- Do something for which you have given your **consent**;
- Fulfil out **contractual obligation** to you; and
- Fulfil our **legal obligation**

5.2 Below is set out the lawful basis we rely on when we use your personal data. If we intend to use your personal data for a new reason that is not listed below, we will update our Privacy Policy.

#### **5.2.1 Legitimate Interests**

Where using your information is necessary to pursue our legitimate interests to:

- a. Improve and optimise our Website/Site;
- b. Monitor and make improvements to our Website/Site to enhance security and prevent fraud;
- c. Provide our services to you and ensure proper functioning of our Website/Site; and
- d. Protect our business and defend ourselves against legal claims

Where we use your information for our legitimate interests, we have assessed whether such use is necessary and that such use will not infringe on your other rights and freedoms.

#### **5.2.2 Consent**

Where you have provided your consent to providing us with information or allowing us to use or share your information

Where you have consented to receive marketing material from us

#### **5.2.3 Contract Reasons**

This is in order to perform our obligations to you under a contract we have entered into with you.

#### **5.2.4 Legal Obligation**

This is where we have to use your personal information, in order to perform a legal obligation by which we are bound.

5.3 Where we need to collect your personal data (for example, in order to fulfil a contract, we have with you), failure to provide us with your personal data may mean that we are not able to provide you with the services. Where we do not have the information required about you to fulfil a service, we may have to cancel the service ordered.

5.4 Please see below additional explanation about the different purposes for which we use your personal information, and, in each case, the legal reason(s) allowing us to use your personal information.

5.4.1 If we use the Legitimate Interests Reason as the legal reason for which we can use your personal information, we have also explained what that legitimate interest is; and

5.4.2 For some of the purposes, we may have listed more than one legal reason on which we can use your personal information, because the legal reason may be different in different circumstances. If you need confirmation of the specific legal reason that we are relying on to use your personal data for that purpose, please contact us using the contact details set out at the start of this privacy policy.

Purpose	Legal Reason(s) for using the personal information
To enrol you as a customer	Contract Reason, Legitimate Interests Reason (in order to offer you other goods, services and/or digital content which helps us to develop our business)
To process your order, which includes taking payment from you, advising you of any updates in relation to your order or any enforcement action against you to recover payment	Contract Reason, Legitimate Interests Reason (in order to recover money that you owe us)
To manage our contract with you and to notify you of any changes	Contract Reason, Legal Obligation Reason
To comply with audit and accounting matters	Legal Obligation Reason
For record keeping, including in relation to any guarantees or warranties provided as part of the sale of goods, services, and/or digital content	Contract Reason, Legal Obligation Reason
To improve the goods, services, and/or digital content that we supply	Legitimate Interests Reason (in order to improve the goods, services, and/or digital content for future customers and to grow our business)
To recommend and send communications to you about goods, services, and/or digital content that you may be interested in.	Legitimate Interests Reason (in order to grow our business), Consent Reason
To ensure the smooth running and correct operation of our website	Legitimate Interests Reason (to ensure our website runs correctly)
To understand how customers and visitors to our website use the website and interact with it via data analysis	Legitimate Interests Reason (to improve and grow our business, including our website, and to understand our customer's needs, desires, and requirements)

## 6. Who we share your information with

- 6.1 We share (or may share) your personal data with:
- Our personnel: our employees (or other types of workers) who have contracts containing confidentiality and data protection obligations;
  - Our supply chain: other organisations that help us provide our services. We ensure these organisations only have access to the information required to provide the support we use them and have a contract with them that contains confidentiality and data protection obligations.
- 6.2 If we were asked to provide personal data in response to a court order or legal request (e.g. from the police), we would seek legal advice before disclosing any information and carefully consider the impact on your rights when providing a response.
- 6.3 We do not sell or trade any of the personal information that you have provided to us.

## 7. Where your information is located or transferred to

- 7.1 We store your personal data on our servers in the UK/EEA
- 7.2 We will only transfer information outside of the UK/EEA where we have a valid legal mechanism in place (to make sure that your personal data is guaranteed a level of protection, regardless of where in the world it is located, e.g. by using contracts approved by the ICO or the UK Secretary of State).
- 7.3 If you access our Website/Site whilst outside of the UK/EEA then your personal data may be stored on servers located in the same country as you or your organisation.

## 8. Automated decision making

- 8.1 'Automated decision making' is where a decision is automatically made without any human involvement. Under data protection laws, this includes profiling. '**Profiling**' is the automated processing of personal data to evaluate or analyse certain personal aspects of a person (such as their behaviour, characteristics, interests, and preferences).
- 8.2 Data protection laws place restrictions upon us if we carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you
- 8.3 We do not carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you. If we do decide to do this then we will notify you and we will inform you of the legal reason we are able to do this.

## 9. How we keep your information safe

- 9.1 These measures include:
  - Access controls and user authentication (including multi-factor authentication);
  - Internal IT and network security;
  - Regular testing and review of our security measures;
  - Staff policies and training;
  - Incident and breach reporting processes;
  - Business continuity and disaster recovery processes
- 9.2 If there is an incident which has affected your personal data and we are the controller, we will notify the regulator and keep you informed (where required under data protection law). Where we act as the processor for the affected personal data, we notify the controller and support them with investigating and responding to the incident.
- 9.3 If you notice any unusual activity on the Website, please contact us [theteam@kuberno.com](mailto:theteam@kuberno.com)

## 10. How long we keep your information

- 10.1 Where we act as the controller, we will only retain your personal data for as long as necessary to fulfil the purposes we collected it for. Please see retention periods table in Section 4.
- 10.2 To decide how long to keep personal data (also known as its retention period), we consider the volume, nature, sensitivity of the personal data, the potential risk of

- harm to you if an incident were to happen, whether we require the personal data to achieve the purposes we have identified or whether we can achieve those purposes through other means (e.g. by using aggregated data instead), and any applicable legal requirements (e.g. minimum accounting records for HM Revenue & Customs).
- 10.3 We may keep Identity Data, Contact Data, and certain other data (specifically, any exchanges between us by email or any other means) for us to seven years after the end of our contractual relationship with you.
- 10.4 If you browse our Website, we keep personal data collected, through our analytics tools for only as long as necessary to fulfil the purposes we collected it for.
- 10.5 If you have asked for information from us or you have subscribed to our mailing list, we keep your details until you ask us to stop contacting you

## 11. Your legal rights

- 11.1 You have specific legal rights in relation to your persona data.
- 11.2 We can decide not to take any action in relation to a request where we have been unable to confirm your identity (this is one of our security processes to make sure we keep information safe) or if we feel the request is unfounded or excessive. If this happens, we will always inform you in writing.
- 11.3 We will respond to your legal rights request without undue delay, but within one month of us receiving your request or confirming your identity (whichever is later). We may extend this deadline by two months if your request is complex, or we have received multiple requests at once. If we need to extend the deadline, we will let you know and explain why we need the extension.
- 11.4 We do not respond directly to requests which relate to personal data for which we act as the processor. In this situation, we forward your request to the relevant controller and await their instruction before we take any action.
- 11.5 If you wish to make any of the right requests listed below, you can reach us at [theteam@kuberno.com](mailto:theteam@kuberno.com)

**Access:** You must be told if your persona data is being used and you can ask for a copy of your personal data as well as information about how we are using it to make sure we are abiding by the law.

**Correction:** You can ask to correct your personal data if it is inaccurate or incomplete. We might need to verify the new information before we make any changes.

**Deletion:** You can ask us to delete or remove your personal data if there is no good reason for us to continue holding it or if you have asked us to stop using it (see below). If we think there is a good reason for us to keep using the information you have asked us to delete (e.g. to comply with regulatory requirements), we will let you know and explain our decision.

**Restriction:** You can object to us using your personal data if you want us to stop using it. If we think there is a good reason for us to keep using the information, we will let you know and explain our decision.

**Portability:** You can ask us to send you or another organisation an electronic copy of your personal data.

**Complaints:** If you are unhappy with the way we collect and use your personal data, you can complaint to the ICO or another relevant supervisory body, but we hope that we can respond to your concerns before it reaches that stage. Please contact us at [theteam@kuberno.com](mailto:theteam@kuberno.com).

## 12. When we send you marketing messages

- 12.1 We market to prospective and existing business customers; this is known as Business-to-Business Marketing (B2B Marketing). We may send marketing communications to their staff via work contact details. If you are a member of staff and do not wish to receive B2B Marketing, please click the unsubscribe/opt out link in the email we sent you. To change your marketing preferences and/or to request we stop processing your personal information for marketing purposes, please let us know at [theteam@kuberno.com](mailto:theteam@kuberno.com)
- 12.2 Option out of marketing will not affect our processing of your personal data in relation to any order you have with us and where we are required to use your personal data to fulfil that order or provide you with certain information.
- 12.3 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 Prospect Global Ltd (trading as Sopro) Reg. UK Co. 09648733.

## 13. Third-party websites

Our website may contain links to third-party websites. If you click and follow those links, then these will take you to the third-party website. Those third-party websites may collect personal information from you and you will need to check their privacy notices to understand how your personal information is collected and used by them.