

# Draftworx Cloud

## Privacy Policy

### 1 Introduction

1.1 **Draftworx Cloud respects your privacy and is committed to processing and protecting your Data in a lawful, fair and transparent manner.**

1.2 By using the Website and accessing our Services, you agree to be bound by this Privacy Policy and consent to the processing of your Data as set forth herein. If you do not agree to and accept this Privacy Policy, you should not use the Website or access our Services.

1.3 This Privacy Policy relates solely to the Website and the Services. The Website may contain links to websites operated by third parties. Draftworx Cloud is not responsible for the content provided in respect of such websites and/or the privacy policies of such websites and it is recommended that you refer directly to these third parties regarding their privacy policies before supplying any information to them.

1.4 The terms defined in Draftworx Cloud's Terms of Use shall have the same meanings in this Privacy Policy.

### 2 What Is Data?

2.1 Data refers to Personal Information, in the case of United Kingdom Users, Personal Data as defined in the Data Protection Act 2018 and/or, in the case of European Users, Personal Data as defined in the General Data Protection Regulation (EU) 2016/679 and/or, in the case of South African Users, Personal Data as defined in the the Electronic Communications and Transactions Act, 25 of 2002 and/or in the Protection of Personal Information Act, 4 of 2013 and/or third party information provided by you pursuant to your use of the Cloud Services.

2.2 Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

### 3 What information is collected?

3.1 In order to use the Services, you will be required to:

3.1.1 register an Account, which entails the disclosure to Draftworx Cloud of certain Data such as your first and last names, telephone numbers, physical, postal and e-mail addresses, banking and/or credit card details, login in credentials for other cloud software and passwords; and

3.1.2 allow Draftworx Cloud to access Data from your and your Users' accounts on Third Party Apps.

3.2 In addition, the Services entail the collection of Data from you such as accounting and financial information, registration numbers and tax numbers and the storage of that Data. This Data may contain information about you but may also include someone else's Data provided by you. If you use the Services to collect a third party's Data:

3.2.1 you must ensure that such third party is aware of the disclosure of the Data to Draftworx Cloud and the provisions of this Privacy Policy;

3.2.2 you warrant that such third party has consented to the disclosure of the Data to Draftworx Cloud and this Privacy Policy; and

3.2.3 you agree that you will be responsible for any such Data disclosed to Draftworx Cloud and will, upon request, assist Draftworx Cloud with responding to any requests from such third party, including but not limited to requests to access, delete or otherwise change their Data.

- 3.3 Data is also collected in the form of error logs stored by Draftworx Cloud from time to time. These error logs are retained for a period of 30 days, whereafter they are deleted.
- 3.4 The Website may use Cookies from time to time to monitor usage of the Website and to create a personal record of when you visit the Website and what pages you view so that we may serve you more effectively. Draftworx Cloud's web servers may also send Cookies to your browser to track navigation history. Cookies do not identify you personally, but they may link back to a database record about you.

#### 4 **How is my information used?**

By accessing the Services and using the Website, you hereby acknowledge and agree that:

- 4.1 Your Data is stored and collected for purposes of providing the Services, registration and verification, communicating with you, understanding how you use the Services, marketing and advertising, aggregation of your and your Users' accounting and financial information, to assist with technical support or otherwise as may be required by law.
- 4.2 Draftworx Cloud may access, aggregate and use your and your Users' non-personalised Data in order to improve the Services, provide Draftworx Cloud's users with better information regarding the Services, generate KPI reports and to allow Draftworx Cloud's users to compare their business' performance.
- 4.3 Draftworx Cloud will use your Data to contact you about promotions, news, updates and other information relating to the Services, and shall be entitled to send you communications regarding the operation of the Website as well as your continued use of the Services. Should you wish to opt out of certain communications received from Draftworx Cloud, you may do so by changing your preferences in relation to your Account.
- 4.4 Draftworx Cloud will process your Data in accordance with its obligations in terms of the relevant laws, including:
- 4.4.1 in the case of UK Users, the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (the "UK GDPR"), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 as amended, and any successor legislation;
- 4.4.2 in the case of European Users, the General Data Protection Regulation (EU) 2016/67;
- 4.4.3 in the case of US Users, the National Institute of Standards and Technology (NIST) 800-171 Revision 1 (2016),
- 4.4.4 in the case of South African Users, the Protection of Personal Information Act, 4 of 2013,

and in doing so, Draftworx Cloud undertakes not request unnecessary Data, process your Data outside the legitimate purpose for which it was collected, share, rent or sell your Data disclosed to it with third parties except when you have consented or directed Draftworx Cloud to share the Data with service providers, affiliates and partners who perform services on Draftworx Cloud's behalf, in the event that Draftworx Cloud is involved in a merger, acquisition or the sale of all or a part of its assets, or as may be required by law or when, in the sole opinion of Draftworx Cloud, it is necessary to do so to protect its rights or your safety or the safety of others, or to investigate and/or prevent fraud or a breach of security.

#### 5 **Where is my information stored?**

Your Data is stored on servers hosted by Amazon Web Services Inc. and/or Xneelo (Pty) Ltd on servers located in the United Kingdom, Republic of Ireland, United States and/or South Africa. The hosting provider is bound by a privacy agreement entered into with Draftworx Cloud and your Data is stored securely, privately and is accessed using encrypted channels. In case of fire or damage to these servers, a backup solution exists to ensure no single point of failure.

Draftworx Cloud will only store or transfer your Data in or to countries that are deemed to provide an adequate level of protection for personal data. For further information about adequacy decisions and adequacy regulations, please refer to the [Information Commissioner's Office](#).

## 6 Is my information secure?

- 6.1 Draftworx Cloud uses reasonable technical and organisational measures to secure the integrity of the Data under its control and to prevent the loss of, damage to or unauthorised destruction of your Data and unlawful access to or processing of your Data.
- 6.2 All Data is stored in a secure database which is protected behind firewalls and is hosted in such a way that the database itself is not accessible to the outside world. However, the transmission of Data via the internet is at your own risk and Draftworx Cloud accepts no responsibility or liability for any security breach or in the event your Data is damaged, loss disclosed, copied or modified in any unauthorised manner.
- 6.3 The Website retrieves your Data and presents it to you through a secure encrypted channel that cannot be viewed by anyone but yourself or Users authorised by you.
- 6.4 Draftworx Cloud is also committed to protecting your Data offline by ensuring that all of your Data, and not just sensitive information, is restricted to only those employees of Draftworx Cloud who need it to perform a specific task. For example, an administration officer may need access to your bank details to verify a direct debit authority or a customer service representative may need to identify you to inform you of an upgrade.
- 6.5 When a significant change in the procession of Data is introduced, Draftworx Cloud will undertake a data protection impact assessment prior to implementing such change.
- 6.6 Draftworx Cloud maintains a personal data breach register under the control of its data protection officer and ensures that its employees remain aware of their responsibilities with regard to the protection of Data breaches. Based on the severity thereof, you and any relevant regulator will be informed of any breaches of your Data within 72 hours of identifying the breach.

## 7 How long is my information retained for?

Your Data will be stored, processed and used by Draftworx Cloud at its operating offices only for so long as your Account is active and as may be necessary to provide the Services, comply with any applicable laws, resolve disputes and to enforce its agreements.

## 8 What are my rights?

- 8.1 You have the following rights, which Draftworx Cloud will always work to uphold:
- 8.1.1 the right to be informed about our collection and use of your Data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions;
- 8.1.2 the right to access your Data that we hold;
- 8.1.3 the right to have your Data rectified if any of your Data held by Draftworx Cloud is inaccurate or incomplete;
- 8.1.4 the right to be forgotten, i.e. the right to ask Draftworx Cloud to delete or otherwise dispose of any of your Data that we hold;
- 8.1.5 the right to restrict (i.e. prevent) the processing of your Data;
- 8.1.6 the right to object to Draftworx Cloud using your Data for a particular purpose or purposes;

- 8.1.7 the right to withdraw consent at any time if Draftworx Cloud is relying on your consent as the legal basis for using your Data;
  - 8.1.8 the right to data portability (re-use your Data with another service or business) where you have provided Data to Draftworx Cloud directly, Draftworx Cloud is using it with your consent or for the performance of a contract, and that data is processed using automated means; and
  - 8.1.9 rights relating to automated decision-making and profiling.
- 8.2 Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.
- 8.3 If you have any cause for complaint about Draftworx Cloud's use of your Data, you have the right to lodge a complaint with the Information Commissioner's Office. Draftworx Cloud would welcome the opportunity to resolve your concerns ourselves, so please contact us first, using the details in **clause 8.4**.
- 8.4 Any request pursuant to this **clause 8** must be addressed to Draftworx Cloud in writing by way of e-mail to e-mail address specified in clause 10.

## 9 **Children**

The Services are for purchase by adults, although they may be used by children. If you are under the age of 18, you may only use the Website and Services with the involvement of a parent or guardian. Draftworx Cloud does not knowingly store or process personal data from persons under the age of 18.

## 10 **How Do I Contact Draftworx Cloud?**

To contact Draftworx Cloud about anything to do with your Data and Data protection, including to make a subject access request, please contact us at [info@draftworx.com](mailto:info@draftworx.com).

## 11 **Amendment of this Policy**

Draftworx Cloud reserves the right to amend this Privacy Policy, from time to time. Such amendments shall be effected by way of publication thereof on the Website, and you waive any right you may have to receive specific notice of such amendments.

**Last Updated: 05 June 2023**