

Webgains Academy Privacy Policy

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Introduction

Welcome to the Webgains Academy privacy policy.

Webgains Academy respects your privacy and is committed to protecting your personal data. This privacy policy informs you about how we use and look after your personal data when you visit the Webgains Academy website (regardless of where you visit it from) and use our services, and tells you about your privacy rights and how the law protects you.

This privacy policy is provided in a layered format so you can click through to the specific areas set out below. Please also use the [Glossary](#) to understand the meaning of some of the terms used in this privacy policy.

Your rights are summarised in [section 9](#) below. This includes the right to object to (a) processing of your personal data at any time on grounds relating to your particular situation, where our legal basis for processing is *necessity for our (or a third party's) legitimate interests* and (b) processing of your personal data at any time for direct marketing purposes. See [section 9](#) for further details of your rights.

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1. Important information and who we are

Purpose of this privacy policy

This privacy policy tells you how Webgains Academy collects and processes your personal data through your use of our website and services, including for example any data you may provide when accessing our training, or when you have agreed to receive marketing from us.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy 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 policy supplements other notices and privacy policies and is not intended to override them. In particular, please see the privacy policy available at webgains.com if you are a Webgains affiliate marketing client or if you otherwise use the webgains.com website.

This policy is intended to comply with the EU's General Data Protection Regulation ("GDPR") and the UK's Data Protection Act 2018.

Controller

Webgains Limited (registered in England as company number 05353649, registered office address 21 Farringdon Road, London, England, EC1M 3HA) is the controller and is responsible for your personal data (referred to as "Webgains Academy", "we", "us" or "our" in this privacy policy).

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Email address: data-privacy@webgains.com

Or by post to: Webgains Limited, The Quorum, Bond St South, Bristol BS1 3AE.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority 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.

Changes to the privacy policy and informing us of your changes

We keep our privacy policy under regular review. This version was last updated 03.01.2020.

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

Third-party links

This website may include links to third-party websites, plug-ins and applications. 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. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. The data we collect about 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 (anonymous data).

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

- **Identity Data** includes first name, last name, username or similar identifier, and your title.
- **Contact Data** includes billing address (if required for any paid-for service we may offer), email address and telephone numbers (if required).
- **Financial Data** includes bank account and payment card details if required for any paid-for service we may offer.
- **Transaction Data** includes details about payments made and/or due to and from you and other details of services you purchase from us, if we offer any paid-for service.
- **Technical Data** 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 this website and our services.
- **Profile Data** includes your username and password, joining date, languages, the nature of your business (advertiser, publisher, agency or other) if disclosed to or known by us, whether or not you or your business are a Webgains affiliate marketing client and if so any personal data processed by Webgains Limited in providing such services that may be relevant to Webgains Academy's services to you, and your training and information interests.

- **Usage Data** includes how you use our website, services and courses that you access, including your comments, questions, chosen modules, progress, results and any certificates, awards and other recognition that we provide to you, and your registration for or attendance at our events.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and, if applicable, third parties in the [Ad Pepper group](#) or other specific third parties, and your communication preferences.

We may also collect, use and share **Aggregated Data** such as statistical or demographic 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 your Usage Data to calculate the percentage of users accessing a specific website feature. 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 policy.

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.

If you do not provide required personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you do not provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

3. 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, Contact, Financial, Profile, Marketing and/or Communications Data by filling in forms or selecting options, or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our services;
 - create an account on our website;
 - select or change settings in your account;
 - subscribe to our service or publications;
 - request marketing to be sent to you;
 - register for or attend our events;
 - enter a competition, promotion or survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data, Profile Data and Usage Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs

and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see the [Webgains cookie policy](#) for further details of the website cookies that we process. Webgains Academy does not process tracking cookies.

- **Third parties or publicly available sources.** We may receive personal data about you from various third parties as set out below:
 - Contact, Financial and Transaction Data from providers of technical, payment and delivery services (if applicable);
 - Technical data from analytics providers such as Google Analytics.

4. How we use your personal data

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:

- 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) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

[Click here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data, although we will get your consent before promoting the Webgains affiliate marketing program to you via email or text message. You have the right to withdraw consent to marketing at any time by [contacting us](#).

Purposes for which we will use your personal data

We have set out, in the table below, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so under the GDPR. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need further details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new user	(a) Identity (b) Contact (c) Financial (if applicable) (d) Profile	Necessary for performance of our contract with you in accordance with our Terms of Service
To process your requests for services and deliver our services	(a) Identity	(a) Necessary for performance of a contract with you in accordance with our

<p>to you, including:</p> <p>(a) Offering and processing training choices, sending prompts and tips about our training, recording and assessing progress, checking and scoring your performance, providing and receiving feedback and issuing certificates, managing your registration for and attendance at our events;</p> <p>(b) Managing payments, fees and charges (if applicable)</p> <p>(c) Collecting and recovering money owed to us (if applicable)</p>	<p>(b) Contact</p> <p>(c) Financial (if applicable)</p> <p>(d) Technical</p> <p>(e) Transaction (if applicable)</p> <p>(f) Profile</p> <p>(g) Usage</p> <p>(h) Marketing and Communications</p>	<p>Terms of Service</p> <p>(b) Necessary for our legitimate interests (to recover debts due to us if applicable)</p>
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to provide a review or take a survey</p> <p>(c) Handling any complaint you make</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>(a) Necessary for performance of a contract with you in accordance with our Terms of Service</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</p>
<p>To enable you to partake in a prize draw, competition or complete a survey</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, integration and security, technical support, technical reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Technical</p> <p>(f) Profile</p> <p>(g) Usage</p>	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud or in the context of a business reorganisation or group restructuring exercise)</p>
<p>To deliver relevant website content and marketing to you and measure or understand the effectiveness of the marketing. This includes engaging third-</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to promote and grow our business and to</p>

<p>party email marketing platforms, such as Constant Contact (Endurance International Group), to send marketing emails on our behalf.</p>	<p>(d) Profile (e) Usage (f) Marketing and Communications</p>	<p>inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p>	<p>(a) Technical (b) Usage</p>	<p>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)</p>
<p>To make suggestions and recommendations to you about our services, or those of applicable third parties including other members of the <i>Ad Pepper group</i>, that may be of interest to you, including the Webgains affiliate marketing program, <u>as further detailed below</u></p> <p>This includes engaging third-party email marketing platforms, such as Constant Contact (Endurance International Group), to send marketing emails on our behalf.</p>	<p>(a) Identity (b) Contact (c) Transactional (d) Technical (e) Profile (f) Usage (g) Marketing and Communications</p>	<p>Necessary for our legitimate interests (to develop our products/services and promote and grow our business and those of related companies)</p>
<p>To maintain records after you cease to use our services</p>	<p>(a) Identity (b) Contact (c) Financial (if applicable) (d) Transaction (if applicable) (e) Technical (f) Profile (g) Usage (h) Marketing and Communications</p>	<p>(a) Necessary to comply with a legal obligations (b) Necessary for our legitimate interests (to satisfy our legal, regulatory, tax, accounting or reporting requirements to keep our records archived for a reasonable or statutory period)</p>

Marketing

We strive to provide you with choices regarding use of personal data for marketing.

Promotional offers from us

We may use your Identity, Contact, Transactional, Technical, Profile 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 services and offers may be relevant for you.

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

Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences, or by following the opt-out links on any marketing message sent to you, or by [contacting us](#) at any time.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see the [Webgains cookie policy](#). Webgains Academy does not process tracking cookies.

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 receive 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, where this is required or permitted by law.

5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table [Purposes for which we will use your personal data](#) and only in accordance with the marketing policies stated above.

- External Third Parties and the Ad Pepper group, as set out in the [Glossary](#).

- Specific third parties listed in the table *Purposes for which we will use your personal data* above.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

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 we only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

Data is hosted on servers located in the Republic of Ireland.

If we transfer your personal data out of the EEA, we will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

Please contact us if you want further information on the specific mechanism used by us if we transfer your personal data out of the EEA.

7. Data security

We have put in place appropriate security measures intended 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.

8. 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 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 concerning 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.

In some circumstances you can ask us to delete your data: see [your legal rights](#) below for further information.

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.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please **click on the links below** to find out more about these rights:

- [Request access to your personal data.](#)
- [Request correction of your personal data.](#)
- [Request erasure of your personal data.](#)
- [Object to processing of your personal data.](#)
- [Request restriction of processing your personal data.](#)
- [Request transfer of your personal data.](#)
- [Right to withdraw consent.](#)

If you wish to exercise any of the rights set out above, please [contact us](#).

No fee usually required

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.

What we may need from you

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.

Time limit to respond

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.

10. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to perform our services to you and others, offer you additional services, and strive to offer the best and most secure experience. 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 for our legitimate interests. We do not 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 by law). You can ask for further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities and circumstances, by [contacting us](#).

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

THIRD PARTIES

Ad Pepper group means our ultimate parent company, Ad Pepper Media International N.V., and other companies in the same ownership. For further information please [click here](#).

External Third Parties

- Service providers acting as processors, including Amazon Web Services based in Ireland, who provide data hosting services.

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the European Union or United Kingdom who provide consultancy, legal, banking, accounting and insurance services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the European Union or United Kingdom who may require reporting of processing activities in certain circumstances.

YOUR LEGAL RIGHTS

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. 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 interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

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 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 if 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.