

It's a Penalty – Privacy Policy

Last updated: 4 January 2023

It's a Penalty (“we”, “our”, “us”) is committed to protecting and respecting your privacy. We are a registered charity established in the United Kingdom with a registered office at Leatherhead Institute, 67 High Street, Leatherhead, KT22 8AH and registered charity number 1161848, and for the purpose of applicable data protection laws, we are the data controller.

This Privacy Policy sets out the basis on which we will process any personal data or usage information we collect from you, or that you provide to us, in connection with your use of our website at <https://itsapenalty.org/> (our “Website”).

Please read this Privacy Policy carefully so that you understand your rights in relation to your personal data, and how we will collect, use and process your personal data. This Privacy Policy supplements any other privacy related notices and policies we may provide to you from time to time, and is not intended to override them. If you do not agree with this Privacy Policy in general or any part of it, you should not access our Website or otherwise provide your information to us.

Our Website is not intended for children, and we do not knowingly collect data relating to children. Children must not use our Website, except where their parent or guardian has provided consent, if this option is available in your location.

We change our Privacy Policy from time to time. Updates to our Privacy Policy will apply only to information collected after the date of the change. We will note on our Website when our Privacy Policy has been updated. Please check our Website regularly for notices of changes to our Privacy Policy.

1. THE INFORMATION WE COLLECT

Information you give to us

You may provide some or all of the following personal data to us by contacting us, filling out a form to be a student ambassador, providing donations via our Website, contacting us via telephone, text/SMS, email, social media, or signing up for our newsletters or alerts:

- information that you provide on our Website. You give us information by filling in forms or applications on our Website or by corresponding with us by telephone, email or otherwise. This includes information you provide when you make a donation via our Website, when you register or sign up for events, newsletters or publications on our Website, when you post content or communicate via our Website, when you report a problem with our Website and/or when you provide us with feedback on our services or complete surveys. This information includes: your first and last name, date of birth, job title, address, e-mail address, phone number, username, password, personal description, gender, preferred pronouns, ethnicity and financial information. You must, at all times, ensure that the information you provide to us is accurate and complete, and that all registration details (where applicable) contain your real name, address and other requested details. You will notify us of any changes to these as soon as you are able so that we can update our records.

Information we collect automatically

When you visit our Website we automatically collect the information sent to us by your computer, mobile phone or other device. This information includes:

- technical information we collect about your computer, including the type of device you use and a unique device identifier. This may also include your internet protocol (IP) address, login information, operating system and browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and
- details of your visits to our Website including, but not limited to, the full Uniform Resource Locators (URL) clickstream to, through and from our Website (including date and time); products you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), cookies and methods used to browse away from the page.

2. HOW DO WE USE YOUR INFORMATION?

We obtain your consent to process your personal data for the following reasons:

- to sign you up for our newsletters or alerts;
- to collect optional information relating to your race and ethnicity as part of your online application to become a student ambassador;
- to personalise our services for you; and
- if you opted into marketing, to communicate with you about products, services, marketing, promotions, events and other news and information we think will be of interest to you.

In order to be responsive to you, to provide effective services to you, and to maintain our business relationship, as a matter of our legitimate interests, we will use your personal data to:

- administer our Website and for internal operations, in order to conduct troubleshooting, data analysis, testing, research, statistical and survey analysis;
- maintain the safety and security of our users and our Website;
- send you announcements in relation to security, privacy or administrative related communications (these communications are not marketing orientated, and we do not rely on consent, so you may not opt out);
- personalize our Website to ensure content is presented in the most effective manner for you and your device;
- monitor and analyse trends, usage and activity in connection with our Website and services to improve our Website; and
- measure and understand the effectiveness of the content we serve to you and others.

In addition, we will use some or all of the above information to comply with any applicable legal obligations, to enforce any applicable terms and conditions and/ or terms of service, and to protect or defend our rights, the rights of our users, or others.

3. COOKIES

We use cookies and other similar technologies to collect information about your browsing activities over time and across different websites following your use of our Website. Cookies allow us to recognize and count the number of users and to see how users move around our Website when they are using it. This helps us to improve the way our Website works. You can find more information about cookies and how to manage them [here](#).

For more information, please refer to our Cookies Policy [[insert link](#)].

4. HOW WE SHARE YOUR INFORMATION

We do not use or share your personal data with others except as described in this Privacy Policy. In certain circumstances, we will share your information with third parties with your consent, as necessary, or as otherwise required or permitted by law. Specifically, we share your personal data:

- ***With service providers and vendors for business purposes in our legitimate interests, or to perform a contract with you.*** Such third parties include: (i) data analytics vendors; (ii) security vendors; and (iii) website hosting vendors. These service providers assist us with many different functions and tasks, such as providing data storage and disaster recovery services and communicating with you.
- ***When you request us to share certain information with third parties, with consent or to perform a contract with you.*** With your permission or upon your discretion, we will disclose your personal data to relevant third parties.
- ***With professional advisors, in our legitimate interests or as required by law.*** As necessary, we will share your personal data with professional advisors functioning as service providers such as auditors, law firms, or accounting firms.
- ***For legal and security reasons and to protect our business, in our legitimate interests or as required by law.*** We will share your personal data with regulators, law enforcement agencies, public authorities, or any other relevant organisations: (i) in response to a legal obligation; (ii) if we have determined that it is necessary to share your personal data to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries; (iii) to protect the interests of, and ensure the safety and security, of us, our users, a third party or the public; (iv) to exercise or defend legal claims; and (v) to enforce our terms and conditions, other applicable terms of service, or other agreements.
- ***With our affiliates, in our legitimate interests.*** We may share your personal data with other entities within our corporate family.
- ***In connection with an asset sale or purchase, a share sale, purchase or merger, bankruptcy, or other business transaction or re-organisation, in our legitimate interests.*** We will share your personal data with a prospective buyer, seller, new owner, or other relevant third party as necessary while negotiating or in relation to a change of corporate control such as a restructuring, merger, or sale of our assets.

5. WHERE WE STORE YOUR INFORMATION

The personal data that we collect from you will not be transferred to, or stored at/processed in countries outside the European Economic Area (“EEA”) and the United Kingdom (“UK”).

6. HOW LONG DO WE STORE YOUR PERSONAL DATA?

We will retain your personal data as follows:

- if you contact us, we will keep your personal data for 24 months after you contact us;
- your technical usage information is retained for 24 months;
- data on your use of our Website is retained for 24 months; and

- if you choose to sign up to our newsletter on our Website, we will retain your personal data for as long as you choose to stay subscribed to our newsletter. You can decide to unsubscribe at any time by clicking the unsubscribe hyperlink at the footer of each email.

We will also retain and use your personal data to the extent necessary to comply with our legal obligations, resolve disputes and enforce our terms and conditions, other applicable terms of service, and our policies. If you stop using our services, we will store your information in an aggregated and anonymised format; we may use this information indefinitely without further notice to you.

7. SECURITY

Although we do our best to protect your personal data, we cannot guarantee the security of your information transmitted through our Website or over email, or text/SMS; any transmission is at your own risk.

8. YOUR RIGHTS

If you are located in the EEA or the UK, You have certain rights in relation to your personal data:

- **Access:** You have the right to access personal data we hold about you, how we use it, and who we share it with.
- **Portability:** You have the right to receive a copy of the personal data we hold about you and to request that we transfer it to a third party, in certain circumstances and with certain exceptions.
- **Correction:** You have the right to correct any of your personal data we hold that is inaccurate.
- **Erasure:** In certain circumstance, you have the right to delete the personal data we hold about you.
- **Restriction of processing to storage only:** You have the right to require us to stop processing the personal data we hold about you, other than for storage purposes, in certain circumstances.
- **Objection:** You have the right to object to our processing of your personal data.
- **Objection to marketing:** You can object to marketing at any time by opting-out using the unsubscribe function displayed in our communications to you.
- **Withdrawal of consent:** Where we rely on consent to process your personal data, you have the right to withdraw this consent at any time by emailing us at [hello@itsapenalty.org].

Please note that a number of these rights only apply in certain circumstances, and all of these rights may be limited by law. For example, where fulfilling your request would adversely affect other individuals or our trade secrets or intellectual property, where there are overriding public interests or where we are required by law to retain your personal data.

To exercise any of these rights, you can contact [hello@itsapenalty.org]. We will respond to requests to exercise these rights without undue delay and at least within one month (though this may be extended by a further two months in certain circumstances).

9. THIRD PARTY LINKS

Our Website may contain links to other online platforms, plug-ins or other applications operated by third parties. We do not control such other sites or applications, and are not responsible for their content, their privacy policies, or their use of your information. Information you provide on public or semi-public venues, including information you share on third-party social networking platforms, may also be viewable by other users of our Website and/or users of those third-party online platforms without limitation as to its use by us or by a third party. Our inclusion of such links does not, by itself, imply any endorsement of the content on such platforms or of their owners or operators except as

disclosed on our Website. We expressly disclaim any and all liability for the actions of third parties, including but without limitation to actions relating to the use and/or disclosure of personal data by third parties. Any information submitted by you directly to these third parties is subject to that third party's privacy policy.

10. COMPLAINTS

If you have complaints about how we process your personal data, please contact us at hello@itsapenalty.org and we will respond to your request as soon as possible.

If you think we have infringed data protection laws, you can file a claim with the data protection supervisory authority in the EEA country in which you live or work or where you think we have infringed data protection laws, or with the UK Information Commissioner's Office, as applicable to you.

11. CONTACT

We welcome your questions, comments, and concerns about this Privacy Policy or your personal data. Please send us any feedback to hello@itsapenalty.org.

12. LANGUAGE

Except as otherwise prescribed by applicable law, in the event of any inconsistency between the English language version and local language version of this Privacy Policy, the English language version will prevail.