

# ExcaliburPass Privacy Policy

## Introduction

This policy together with our end-user licence agreement (EULA) and any additional terms of use incorporated by reference into the EULA, all together our Terms of Use applies to your use of:

- Excalibur mobile application software ("Excalibur App/ App") available on our site and hosted on the Apple App Store and Google Play Store (App Site) once you have downloaded or streamed a copy of the App onto your mobile telephone or handheld device.
- Any of the services accessible through the Excalibur App (Services) that are available on the App Site or other sites of ours (Services Sites), unless the EULA states that a separate privacy policy applies to a particular Service, in which case that privacy policy only applies.

This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. This App is not intended for children under the age of 18 years and we do not knowingly collect data relating to children. If you intend to use the Excalibur lateral flow test and the App for a child you are responsible for, you will also need to accept the Terms of Use on the child's behalf for them to use the Excalibur lateral flow test and the App. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

This policy is provided in a layered format so you can click through to the specific areas set out below.

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## Important information and who we are

EXCALIBUR HEALTHCARE SERVICES LIMITED is the controller and is responsible for your personal data (collectively referred to as "Excalibur", "we", "us" or "our" in this policy).

We have appointed a data privacy officer. If you have any questions about this privacy policy, please contact them using the details set out below.

### Contact details

Our full details are:

- Full name of legal entity: **EXCALIBUR HEALTHCARE SERVICES LIMITED (Company number 12414592)**
- Email address: **help@excaliburhealth.co.uk**
- Postal address: **30 Orange Street, London, United Kingdom, WC2H 7HF**

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 or other competent supervisory authority.

### Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review.

This version was last updated on **16 February 2021**. It may change and if it does, these changes will be posted on this page and App and, where appropriate, notified to you when you next start the App or log onto one of the Services Sites. The new policy may be displayed on-screen and you may be required to read and accept the changes to continue your use of the App or the Services.

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 our relationship with you.

### Third party links

The Excalibur App may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. Please note that these websites and any services that may be accessible through them have their own privacy policies and that we do not accept any responsibility or liability for these policies or for any personal data that may be collected through these websites or services, such as contact and location Data. Please check these policies before you submit any personal data to these websites or use these services

Areas covered within this privacy policy include:

- Personal data processed by Excalibur Healthcare Services
- The data we collect about you
- Purposes and legal basis for processing
- Use of processors
- International transfers
- Data storage
- Retention
- Your rights
- Contact us
- Changes to the Privacy Policy

## The data we collect about you

In order for you to gain access and use of the app and for Excalibur to provide Excalibur App to you, Excalibur App will collect and process certain personal data, including health data. This includes:

- Health Data
- Identity Data
- Contact Data
- Financial Data
- Transaction Data
- Device Data
- Content Data
- Profile Data
- Usage Data
- Marketing and Communications Data
- Location Data
- Cookies
- Aggregated Data.

We explain these categories of data further down in this privacy policy.

We 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 Excalibur App 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 details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, and genetic and biometric data. Nor do we collect any information about criminal convictions and offences.

## How we collect your personal data

- **Information you give us.** This is information (including Identity, Contact, Financial, and Marketing and Communications Data) you consent to giving us about you by filling in forms on the Excalibur App and the Services sites (together Our Sites), or by corresponding with us (for example, by email or chat) or by you creating your profile. However, if you do not, it may limit your use of our Services. It includes information you provide when you register to use the Excalibur App, download or register the Excalibur App, subscribe to any of our Services, make an in-App purchase, share data via the Excalibur App's social media functions, and when you report a problem with an App, our Services, or any of our sites. If you contact us, we will keep a record of that correspondence.
- **Information we collect about you and your device.** Each time you use the Excalibur we will collect personal data including device and usage data. We collect this data using cookies and other similar technologies. Please see our cookie policy: [www.excaliburhealth.co.uk/cookie-policy](http://www.excaliburhealth.co.uk/cookie-policy) for further details.

- **Location Data.** We also use GPS technology, Wifi and Bluetooth technology to determine your current location. We also process your Location Data (including details of your current location disclosed by GPS technology, Wifi and Bluetooth technology so that location-enabled Services are activated). Some of our location-enabled Services require your personal data for the feature to work. If you wish to use the particular feature, you will be asked to consent to your data being used for this purpose. You can withdraw your consent at any time by disabling Location Data in your settings.
- **Information we receive from other sources including third parties and publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
- Device Data from the following parties:
  - Analytics providers such as Google based within the [UK and EU]
  - Advertising networks
  - Search information providers.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services
- Identity and Contact Data from data brokers
- Identity and Contact Data from publicly available sources such as Companies House and the electoral register; and
- **Unique application numbers.** When you want to install or uninstall a Service containing a unique application number or when such a Service searches for automatic updates, that number and information about your installation, for example, the type of operating system, may be sent to us.
- **Cookies.** We use cookies and/or other tracking technologies] to distinguish you from other users of the Excalibur App, the distribution platform (Appstore) and to remember your preferences. This helps us to provide you with a good experience when you use the Excalibur App or browse any of Excalibur online sites and also allows us to improve the Excalibur App and Excalibur online sites. For detailed information on the cookies we use, the purposes for which we use them and how you can exercise your choices regarding our use of your cookies, see our cookie policy <https://excaliburhealth.co.uk/cookie-policy>

## How we use your personal data

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

- Where you have consented before the processing
- Where we need to perform a contract we are about to enter or have entered 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, and
- Where we need to comply with a legal or regulatory obligation.

Please read the definition of **Lawful Basis** below in the Glossary to find out more about the types of lawful basis that we will rely on to process your personal data.

We will only send you direct marketing communications by email or text if we have your consent. You have the right to withdraw that consent at any time by contacting us.

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

**Purposes for which we will use your personal data**

| <b>Purpose/activity</b>  | <b>Type of data</b>   | <b>Lawful basis for processing</b>   |
|--|---|--|
| To install the App and register you as a new App user  | Identity<br>Contact<br>Financial<br>Device  | Your consent   |
| To process in-App purchases and deliver Services including managing payments and collecting money owed to us | Identity<br>Contact<br>Financial<br>Transaction<br>Device<br>Marketing and Communications<br>Location | Your consent<br>Performance of a contract with you<br>Necessary for our legitimate interests (to recover debts due to us)  |
| To manage our relationship with you including notifying you of changes to the App or any Services            | Identity<br>Contact<br>Financial<br>Marketing and Communications                                      | Your consent<br>Performance of a contract with you<br>Necessary for our legitimate interests (to keep records updated and to analyse how customers use our products/ Services)<br>Necessary to comply with legal obligations (to |

|  |  |  |
|--|--|--|
|  |  | inform you of any changes to our terms and conditions)   |
| <p>To inform you of your test result</p> <p>To enable us to inform Public Health England and the National Health Service if your test result is positive</p> <p>To enable us to inform the relevant authorities that carry out the function of “<i>track and trace</i>” in relation to the coronavirus pandemic</p> <p>To enable us to send a certificate to the App to enable you to enter an organisation and/or event</p> | <p>Identity</p> <p>Contact</p> <p>Location</p> | <p>Your consent</p> <p>Performance of a contract with you</p> <p>Necessary for our legitimate interests (to keep records updated and to comply with all applicable laws in relation to the provision of our Services)</p> <p>Necessary to comply with legal obligations (to inform you of any changes to our terms and conditions and to inform the relevant national and local government authorities)</p> <p>Because of the stringent regulatory requirements placed on us, we need your consent to process data about your health, which means that if you do not consent (or withdraw your consent), we cannot allow you to use the App.</p> |
| <p>To administer and protect our business and this App including troubleshooting, data analysis and system testing</p>   | <p>Identity</p> <p>Contact</p> <p>Device</p>   | <p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security)</p>  |

|   |                                       |  |
|---|---------------------------------------|--|
| To deliver content and advertisements to you                                  | Identity                              |  |
| To make recommendations to you about goods or services which may interest you | Contact<br>Device<br>Content          |  |
| To measure and analyse the effectiveness of the advertising we serve you      | Usage<br>Marketing and Communications |  |
| To monitor trends so we can improve the App                                   | Location                              |  |

## Disclosures of your personal data

When you consent to providing us with your personal data, we will also ask you for your consent to share your personal data with the third parties set out below for the purposes set out in the table and to conduct research and further develop our Services in order to provide you with better and more personalised experience:

- External Third Parties
  - Professional advisers and suppliers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide software development, consultancy, banking, legal, insurance and accounting services.

Sensyne Health is one such data processor who is acting our instructions and providing software development and hosting services to us.

- HM Revenue and Customs, regulators and other authorities acting as processors or joint controllers based in the UK who require reporting of processing activities in certain circumstances
- 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
- Regulatory bodies in case of adverse events reporting.

## International transfers

Excalibur Healthcare Services stores your personal data in the United Kingdom. We do not transfer your personal data outside the United Kingdom.

## Data storage and security

Sensyne Health, our data processor will store personal data from the Excalibur App on behalf of Excalibur Healthcare Services. We will collect and store personal data on your Device using application data caches and browser web storage (including HTML5) and other technology.

Any payment transactions carried out by us or our chosen third-party provider of payment processing services will be encrypted using Secured Sockets Layer technology. Where we have given you (or where you have chosen) a password that enables you to access the App, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator when we are legally required to do so.

## Data retention

Details of our retention periods for different aspects of your personal data are available in our or our supplier of service retention policy which you can request by contacting us.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

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.

## Your legal rights

Under certain circumstances you have the following rights under data protection laws in relation to your personal data.

You also have the right to ask us not to continue to process your personal data for marketing purposes.

You can exercise any of these rights at any time by contacting us at 30 Orange Street, London, United Kingdom, WC2H 7HF or emailing [help@excaliburhealth.co.uk](mailto:help@excaliburhealth.co.uk).

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 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. 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:
  - 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 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.
- **Withdraw consent at any time** where 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.

## Description of categories of personal data

- **Health Data:** lateral flow test result.
- **Identity Data:** first name, last name, username or similar identifier, title, date of birth, gender.
- **Contact Data:** billing address, delivery address, email address and telephone numbers.
- **Financial Data:** bank account and payment card details.
- **Transaction Data:** includes details about payments to and from you and details of in-App purchases.
- **Device Data:** includes the type of mobile device you use, a unique device identifier (for example, your Device's IMEI number, the MAC address of the Device's wireless network

interface, or the mobile phone number used by the Device), mobile network information, your mobile operating system, the type of mobile browser you use and time zone setting.

- **Usage Data:** includes details of your use of any of our Apps or your visits to any of Our Sites including, but not limited to, traffic data and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.
- **Marketing and Communications Data:** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Location Data:** includes your current location disclosed by GPS technology, Wifi and Bluetooth technology.