

# Q-TRACK Privacy Policy

Q-TRACK LTD is committed to protect and respect your privacy.

This Privacy Policy & Notice applies to [www.Q-track.co.uk](http://www.Q-track.co.uk) which is owned and operated by Q-TRACK LTD (registration number: 12875400)

By Signing up to an account with us, filling out a survey or visiting our site, you agree to our Privacy Policy & Notice. Specifically, you agree to us processing your personal data as described in this Privacy Policy & Notice. TRACK LTD Furthermore, if you have enabled the use of cookies on your web browser, then you agree to our use of cookies as described in this Privacy Policy & Notice.

This Privacy Policy & Notice does not provide any additional terms and conditions nor warranties whether expressly or implied. All terms and conditions are on the Terms of Use page. This Privacy Policy & Notice provides transparency to our users as how their personal data is collected and used and serves as a privacy notice as required by legislation.

If you have any further queries, please don't hesitate to contact our DPO on:

[support@Q-track.co.uk](mailto:support@Q-track.co.uk)

## **Changes to this policy**

We may change this Privacy Policy & Notice at any time by updating this page, please make sure you frequently visit this page. We will endeavour to provide you with a notice of change of this page if any amendments occur. If you do not agree with the amendments please close your account and discontinue use of our services and site, otherwise, you will be deemed to have consented expressly to any changes.

## **Introduction**

Our Privacy Policy & Notice describes how we capture and use personal data that we collect about visitors to our website.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

Q-TRACK acts as a data controller for all personal data which our account holders and site visitors input, except for any personal data which the account holder's survey respondents fill out. For the personal data which the account holder's survey respondents fill out onto any of the surveys commissioned by the account holder, Q-TRACK acts as a data processor, processing only in accordance to our account holder's instructions; the account holder in such circumstances is the data controller.

We have divided this policy into: Privacy of Account Holders; Privacy of Survey Respondents; Privacy of all Site Visitors.

# Q-TRACK Privacy Policy

## Definitions

An “Account Holder” is anyone who creates surveys, administers surveys or collects surveys using our services.

A “Survey Respondent” is anyone who fills out a survey powered by Q-TRACK.

A “Site Visitor” is anyone who visits our site.

## Privacy of Account Holders

An “Account Holder” is anyone who creates surveys, administers surveys or collects surveys using our services.

The personal data we collect from you

We collect the following personal data from you as data controllers:

- Account and Billing Information: this is the information you put on when opening an account including your name, username, email address etc. Where you pay for using our service, we will also collect information regarding the payment method you have selected (including billing address, card number, expiry date etc).
- Account Settings
- Any other information you share with us including support tickets, emails, queries and testimonials.

We collect the following personal data from you as data processors:

- Survey Questions & Answers
- Address Book: including any email addresses and names you put in.
- File Libraries: Any files you upload on Q-TRACK’s File Library features.

The legal basis for us collecting the above personal data is that it is necessary for us to provide you the services under contract. For personal data that we are a data processor, we follow your instructions regarding how you want to process that data.

## Billing Information

We request information from the user on our order form. A user must provide contact information (such as name, email, and address) and financial information (such as credit card number, expiration date). This information is used for billing purposes and to fill your orders. If we have trouble processing an order, the information is used to contact you.

What we do with the information we collect

We use the information we collect to provide our services to you. This includes:

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- Providing you customer support and help about our services when you contact us.
- Contacting you about your account, billing information, changes to our Terms of Use, changes to other policies, and any other issues regarding our services.
- For trouble shooting and testing of our services to ensure that it is secure, reliable and of high standard.
- Maintain and improve our services.
- To enforce our Terms of Use to ensure you are not carrying out any prohibited activities.
- To prohibit illegal activity using our services.
- To respond to legal requests, court orders or lawful requests from government agencies.
- For providing our services to you as per your request.

## **Marketing and promotional emails**

Where you have consented, we will contact you regarding promotional activities and marketing in order to inform you about offers and helpful tips about our service, you have a right to withdraw that consent at any time by following the simple instruction on the email or emailing [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

telling us you no longer wish to receive promotional emails. Please also see your rights below.

If you are an Account Holder, we will process your data for the purpose of sending you marketing or promotional emails as we have a legitimate interest to do so, you may opt out of this at any time by clicking the opt out link provided in each marketing or promotional email, or by contacting [support@Q-track.co.uk](mailto:support@Q-track.co.uk) anytime. Please also see your rights below.

## Sharing & disclosure of your personal data

We use sub-processors to store your personal data safely and securely. All our sub-processors have robust security features to ensure that they have the appropriate technical and organisation measures to keep personal data secure, furthermore, they are contractually bound to not access, modify, disclose or erase the personal data without our instructions.

We also use payment processors to accept card payments. Please check the privacy policies and terms & conditions of those. We use the following payments processors:

- Stripe, their privacy policy can be found at: <https://stripe.com/gb/privacy>

We may disclose account details to the billing contact (if different, and if billing contact demands it).

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We may disclose account details to your organisation, where the registered account belongs to the organisation itself.

We may disclose account or billing details if required by law or to comply with a court order or legal process.

We may disclose account details if there is a change in business ownership in the event of a merger, change in ownership, consolidation amalgamation or other corporate change, you agree that the successor will process that personal data instead of Q-TRACK following a notice of 1 month given to all of Q-TRACK's customers.

Q-TRACK is heavily focused on the privacy of your personal data, it does not sell your survey data without first obtaining your consent and agreement.

Personal data for which we are data controllers may be stored or transferred to outside of the EEA and may be processed by third parties as data processors for the purpose of providing us their services, we need these services to effectively organise our internal functions, allow us to operate efficiently and understand our customers (please see the heading "What we do with the information we collect" above for more information and the section below about cookies). Any third party we use is subject to a data processing agreement which contains all of the necessary requirements as set by the GDPR including those imposed under Article 28 of the GDPR. These organisations are on this page: data processors.

## **Backup policy**

All personal data you hold with us is backed up in a separate physical premises with appropriate technical and organisational measures to keep that data secure. This is to ensure that your personal data is not lost or destroyed should the original be destroyed without your instructions.

## **Rights to your personal data**

If you are an Account Holder, you have the following rights to your personal data (please see below under the Heading "General Statement" for more information):

Right to access: You have the right to access most of the data we hold about you and for you by logging in to your account. From your account you can access all of your account data and the data of your surveys and responses.

The reason why we say "most" of the data in this section is because there may be other information we hold about you that is not in your account. We may store other information about you such as support questions you have submitted to us, therefore, if you would like all of the information we hold about you, please contact our support team on: [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

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You also have the right to access any information we hold about you and your account in a common machine-readable format for free of charge, unless your request is excessive or repetitive.

We will process your request without undue delay and at the latest within 1 month, unless, your request is complex or numerous in which case we may take up to 3 months, but we will inform you within 1 month if this is the case.

Right to rectify: when you log on to your account, you can also rectify or update any information on your account. If you are not able to do so, please contact us at [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

## **Right to erase**

When you log on to your account, you may also erase any data on your account with the exception of data that is required for you to keep your account open (such as your email address, name etc). You may erase any survey questions or responses as you like when you are inside your account. You also have the right erase any other personal data which we hold about you including raising any questions, if you would like to do so please contact us at [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

When you terminate your account, all of your personal data will be erased.

When you delete your data or terminate your account, it may still be stored with us for up to an additional 30 days due to the backups we have. During this time, the data is considered “beyond use”.

## **Right to object**

You have the right to object to us using your data for marketing purposes. If you would like to do so, please contact us at [support@Q-track.co.uk](mailto:support@Q-track.co.uk).

## **Communication from the site**

We send all new members a welcoming email to verify their registration.

Existing members may occasionally receive information on improvements to our service, general service announcements, and a newsletter. Out of respect for the privacy of our users we present the option to not receive these types of communications. Please email [support@Q-track.co.uk](mailto:support@Q-track.co.uk) to Opt-out of receiving such emails.

On some occasions it is necessary to send out a strictly service-related announcement. For instance, if our service is temporarily suspended for maintenance, we might send users an email. Generally, users may not opt-out of these communications; however, these communications are not promotional in nature.

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We communicate with users on a regular basis to provide requested services and in regards to issues relating to their account we reply via email or phone, in accordance with the user's wishes.

## **Retention Periods**

We will retain your personal data for as long as necessary to carry out the service to you and in order to meet minimum legal retention periods and our legal obligations. If you wish to cancel your account, you may do so by emailing [support@Q-Track.co.uk](mailto:support@Q-Track.co.uk). Alternatively, you may request that we no longer use your information to provide you our services then please contact us at: [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

## **Privacy of Survey Respondents**

A "Survey Respondent" is anyone who fills out a survey powered by Q-TRACK.

The information Q-TRACK collects about Survey Respondents

## **Survey responses**

On the instructions of the Account Holder, we collect your survey responses on their behalf. We then store those survey responses for the Account Holder. If you would like your survey responses erased, rectified, accessed or for any other queries about your responses, please contact the Account Holder directly.

Please bear in mind that not all surveys are anonymous and some Account Holders may ask you to put in your personal data.

## **Information which the Account Holder has shared with us for the purposes of administering the survey**

Sometimes Account Holders list their Survey Respondents to ensure that certain data is not duplicated by the same Survey Respondent. Because of this you may find that the Account Holder has shared your email address or has allowed for your IP address to be recorded and linked to your survey responses when you complete the survey responses. Please contact the Account Holder for further help on this issue.

## **Q-TRACK'S Use of the information we collect about you**

We do not use your survey responses other than carrying out the service for the Account Holder. Your survey responses are owned and managed by the Account Holder who will have its own policy on data handling and would decide on whether your survey responses are kept private, disclosed to third parties, or provided to the public.

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We do however employ a high standard of security, so if the Account Holder keeps your survey responses private, it will be stored in a highly secured environment – for more information please see our security section below and our security policy.

We do not sell your survey data to other parties nor do we store it to contact you for a purpose other than under the direction of Account Holder.

We only share your data with third parties if necessary to carry out the service(s) that the Account Holder has requested and as mentioned in this Privacy Policy & Notice.

Your rights to the personal data we process on behalf of the Account Holder

If you want to access your personal data, rectify your personal data, erase your personal data, object to the processing of your personal data, or for any other enquiries regarding the handling of your personal data, please contact the Account Holder directly. The Account Holder is able to amend, erase and access all the survey data and responses from its account.

If you believe that the Account Holder is not complying with its legal obligation(s) regarding your personal data, please contact our team for a resolution: [support@q-track.co.uk](mailto:support@q-track.co.uk)

You can opt out of receiving survey requests by contacting the Account Holder directly. Alternatively, you can also click on the link supplied in an invitation email to opt out of receiving survey requests.

## **Data Retention**

Please note that as the Account Holders control their own survey data, if you are a Survey Respondent to an Account Holder's survey you will need to contact them directly to amend or delete anything in your survey responses.

## **Privacy of All Site Visitors**

A "Site Visitor" is anyone who visits our site.

## **Cookies**

We use both session ID cookies and persistent cookies. For the session ID cookie, once users close the browser, the cookie simply terminates. A persistent cookie is a small text file stored on the Site Visitor's hard drive for an extended period of time. Persistent cookies can be removed by following Internet browser help file directions (see below). With session cookies we are able to ensure that only people who have entered in correct login details are able to use password-protected areas, and only areas that they are authorised to use. Persistent cookies enable us to track and target the interests of our users to enhance the experience on our site.

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When you visit our site, we use cookies to store data on your device. This is so that we can:

- Distinguish you from other users of our website.>
- Helps us to improve our website's performance and your experience of using our website.
- Make it easier and more convenient for you to log in to our site, by storing the username and password on your device.
- For ensuring secure login.
- In certain surveys under the Account Holder's direction, to ensure that a survey respondent can't retake the same survey more than once.
- To track referral data and see how you got to our site.
- To measure your usage of our services.

## Third Party cookies

If you would like to restrict any cookies, you may do so from your browser settings by following the instructions below, depending on the browser you use:

Google Chrome: [https://support.google.com/chrome/bin/answer.py?hl=en-GB&answer=95647&p=cpn\\_cookies](https://support.google.com/chrome/bin/answer.py?hl=en-GB&answer=95647&p=cpn_cookies)

Microsoft Internet Explorer: <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies>

Microsoft Edge: <https://support.microsoft.com/en-gb/help/4468242/microsoft-edge-browsing-data-and-privacy-microsoft-privacy>

Mozilla Firefox: <http://support.mozilla.org/en-US/kb/Blocking%20cookies>

How to control cookies from your web browser

Web browsers general accept cookies. You can however change your setting to decline cookies. To learn more about this, please visit this link: <https://www.aboutcookies.org/how-to-control-cookies/>

Do note that changing the setting on your browser to reject cookies means that you may not have access to important features on our site.

As the legal basis of using cookies, it is necessary for the purposes of the legitimate interests pursued by Q-TRACK and other parties as applicable (including Google). Our legitimate interests are:

- Distinguish you from other users of our website.
- Helps us to improve our website's performance and your experience of using our website.



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- Make it easier and more convenient for you to log in to our site, by storing the username and password on your device.
- For ensuring secure login.
- In certain surveys under the Account Holder's direction, to ensure that a survey respondent can't retake the same survey more than once.
- To track referral data and see how you got to our site.
- To measure your usage of our services.

However, if you believe that such interests are overridden by the interests or fundamental rights and freedoms of you as the data subject and that those require protection of your personal data, please contact us at [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

We will block access to your personal data or give you the means to quickly do so, while we make a decision as to your request.

## **Source Data**

Q-TRACK records the source of how you got to our site, including for example from another website or from a link to our website.

## **Log Files**

We collect information about you when you visit our site including which webpages you visit, when you have visited them etc. We may also keep log files which contain details about the device you're using, the IP address, internet service provider, operating system, timestamps and files you view from our site.

## **IP Addresses**

By visiting our site, your IP address will be recorded by our servers and stored in log files. These log files are used for record keeping, tracking referring websites, inferring your general location, and for security purposes to avoid SPAM, abuse and DDOS attacks.

## **Device Data**

We collect data about the device and system you use to access our site. In particular, we collection your IP address, operating system, device type, browser type and your general location of accessing the site.

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## **Security**

Q-TRACK has active security measures to ensure that we are compliant with all data we process in accordance to data privacy legislation as applicable to the UK. Our technical and organisational security measures mean that we comply with our obligations to ensure that data stored with us is stored safely and securely.

Our website takes every precaution to protect our users' information. When users browse or submit information via the website, their information is protected both online and off-line. Our website is encrypted and is protected by HTTPS. The lock icon displayed on your web browser signifies that HTTPS protection is active, as opposed to un-locked (or open). While we use HTTPS encryption to our website, we also do everything in our power to protect user information offline. All of our users' information is restricted. Only employees who need the information to perform a specific job are granted access to personally identifiable information. Furthermore, all employees are kept up-to-date on our security and privacy practices. Any time new policies are added, our employees are notified and/or reminded about the importance we place on privacy, and what they can do to ensure our users' information is protected. Finally, the servers that store personally identifiable information are in a secure environment, in a locked facility.

Regarding our accounts, HTTPS and SSL encryption for surveys is available for all accounts and surveys administered by those accounts.

If you have any further queries about security, please contact [support@Q-track.co.uk](mailto:support@Q-track.co.uk)

## **Right to complain**

If you feel that we have mistreated the handling of your data, you have the right to complain to us in which case we will rush to resolve the matter as quickly as possible and prevent any further mishandling.

You also have the right to complain to the Information Commissioner's Office.

## **Necessary Disclosure by law**

Though we make every effort to preserve user privacy, we may need to disclose personal information when required by law wherein we have a good-faith belief that such action is necessary to comply with a current judicial proceeding, a court order or legal process served on our website.

## **Links**

This website may contain links to other sites. Please be aware that we, Q-TRACK, are not responsible for the privacy practices of such other site. We encourage our users to be aware when they leave our site and to read the privacy statements of each and every website that

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collects personally identifiable information. This privacy statement applies solely to information collected by this website.

## **General Statement**

For this section, the following definitions apply:

### **Controller**

The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

### **Personal data**

Any information relating to an identified or identifiable natural person (“Data Subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### **Data subject**

Any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

### **Processor**

A natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

### **Recipient**

A natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

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## **Third Party**

A natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

## **Restriction of processing**

The marking of stored personal data with the aim of limiting their processing in the future.

## **Processing**

Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **Profiling**

Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

## **Consent**

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **Legal Basis**

In addition to the legal basis mentioned above, we may also possess the following legal basis for processing the data subject's personal data where:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;

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- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or,
- processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

## Data Subject Rights

Certain regulations afford EU Data Subjects with rights. These rights are summarised below. In order to assert any of these rights please contact our DPO or another Q-TRACK employee at any time.

- **Right to Confirmation** Each data subject has the right to obtain from Q-TRACK (acting as controller) confirmation as to whether or not his or her personal data is being processed. This includes the right to confirm whether his or her personal data is transferred to a third country or to an international organisation as well as the appropriate safeguards relating to the transfer.
- **Right to Access** Each data subject has right to obtain from Q-TRACK (acting as controller), free information about his or her personal data stored at any time and a copy of this information, however, Q-TRACK reserves the right to charge a 'reasonable fee' when a request is manifestly unfounded or excessive, particularly if it is repetitive.
- **Right to Rectification** Each data subject has the right to rectify inaccurate personal data concerning him or her that is being processed by Q-TRACK (acting as controller) without undue delay. Furthermore, the data subject has the right to complete any incomplete personal data and to provide supplementary statements to rectify that personal data.
- **Right to Erasure** Each data subject has right to erase any personal data concerning him or her which is being processed by Q-TRACK (acting as controller) without undue delay. Q-TRACK may refuse to grant you this right if a statutory exemption applies.
- **Right of Restriction of Processing** Each data subject has the right to restrict the processing of personal data from Q-TRACK (acting as controller) where a statutory ground applies.
- **Right to Data Portability** Each data subject has the right to receive the personal data concerning him or her, which was provided to Q-TRACK (acting as controller), in a commonly used machine-readable format.
- **Right to Object** Each data subject has the right to object to Q-TRACK (acting as controller) to the processing of his or her personal data if a statutory basis exists.
- **Right not to be subject to automated individual decision-making, including profiling** Each data subject has the right not to be subject to a decision based solely on automated processing, including profiling.

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- **Right to Withdraw Consent** Where consent forms the basis for processing by Q-TRACK (acting as controller), the data subject has the right to withdraw his or her consent to the processing of his or her personal data at any time. Data Subjects can contact Q-TRACK's Data Protection Officer or any other employee to withdraw consent at any time.

## Security of processing

Q-TRACK has implemented technical and organisational measures to ensure personal data processed remains secure, however, absolute security cannot be guaranteed. Please contact our DPO [support@q-track.co.uk](mailto:support@q-track.co.uk) for further details.

## Law & jurisdiction

This Privacy Policy & Notice is governed by and interpreted according to the law of England and Wales. All disputes arising out of this Privacy Policy & Notice will be subject to the exclusive jurisdiction of the English and Welsh courts.

## Transfer of Rights

You may not transfer any of your rights under this Privacy Policy & Notice to any other person. We may transfer our rights under this privacy notice where we reasonably believe your rights will not be affected.

## Invalid provisions

If any court or competent authority finds that any provision of this Privacy Policy & Notice (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this Privacy Policy & Notice will not be affected.