

1. Privacy Notice in respect of personal data held by us

This is the privacy notice of Online Business Applications Limited. In this document, "we", "our", or "us" refer to Online Business Applications Limited.

We are company number 08504449 registered in England and Wales.

Our registered office is at Unit 20, the IO Centre, 69, River Road, Barking, Essex, IG11 0DR.

2. Introduction

2.1. This is a notice to inform you of our policy about all information that we record about you. It sets out the conditions under which we may process any information that we collect from you, or that you provide to us. It covers information that could identify you ("personal information") and information that could not. In the context of the law and this notice, "process" means collect, store, transfer, use or otherwise act on information.

2.2. We take seriously the protection of your privacy and confidentiality. We understand that all individuals dealing with us are entitled to know that their personal data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party.

2.3. We undertake to preserve the confidentiality of all information you provide to us, and hope that you reciprocate.

3. Our privacy policy has been compiled so as to comply with the law of England and Wales, including that required by the EU General Data Protection Regulation

3.1. The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now, by requesting that you read the information provided at www.knowyourprivacyrights.org

3.2. We do not share, or sell, or disclose to a third party, any information that we hold on you, except as explained under Clause 5.

4. The bases on which we process information about you

4.1. The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category. The appropriate base will be determined by the nature of the information we hold on you.

4.2. There are two principal bases which are appropriate in this Notice:-

4.2.1. Where we process personal data because we have a contractual relationship with you, or alternatively

4.2.2. Where we have a legitimate personal commercial interest in doing so, having given careful consideration to whether another permitted base may be more appropriate and the utilisation of this base does not in any way derogate from your legal right to privacy over such personal data

4.3. If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

4.4. If the basis changes then if required by law we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

5. Information we process because there is a contractual obligation between us

5.1. Definition of the contractual relationship between you and us.

5.1.1. If you have requested a free trial of the @spire software application by accessing our website at <http://spire.today> and pursuant to that request have created a dedicated server on which you can host the @spire application, even if you have not subsequently downloaded the SpireAPI utility, you have entered into a contractual relationship with us. Accordingly having recorded certain personal data on our Customer Management panel – 'known as Cpanel' – under the terms of this Privacy Notice you are entitled to have privacy over that data under this legal basis.

5.2. Sharing of your personal data from the above process

5.2.1. Information that you personally provide to us:

5.2.1.1. Account Registration

5.2.1.1.1. When you register for an Account, we may ask for your contact information, including items such as name, company name, address, email address, and telephone number.

5.2.1.2. Payment Information

5.2.1.2.1. When you add your financial account information to your Account, that information is directed to our third-party payment processor. Currently we use the Stripe payment processor service. You can access their Global Privacy Policy – Worldwide at <https://stripe.com/us/privacy> in order to understand how your privacy rights are protected by them. We do not store your financial account information on our systems; however, we have access to, and may retain, subscriber information through our third-party payment processor.

5.2.1.3. Communications.

5.2.1.3.1. If you contact us directly, we may receive information about you such as your name, email address, phone number, and the contents of the message and/or attachments you may send us, and any other information you may choose to provide. We may also receive a confirmation when you open an email from us.

5.2.1.3.2. As the personal data we receive from you is stored on third party servers, we have ensured that the providers of those hosting services have also complied with the requirements of the Regulation. Currently we use the Digital Ocean hosting service. You can access their Privacy Policy at <https://www.digitalocean.com/legal/privacy> to understand how your privacy rights are protected by them. The following points are relevant for your protection:

5.2.1.4. Retention of Data

5.2.1.4.1. In the event that you choose to bring your contractual relationship with us to an end, we shall retain your data for a period of 12 months from the date of notification so that the data can be restored to our system should you wish to re-commence using our system.

5.2.2. Personal data that is collected from your use of the @spire system

5.2.2.1. This can be done in a number of ways as follows:-

5.2.2.1.1. Cookies and other data collection technologies

5.2.2.1.1.1. We gather certain information automatically and store it in log files, both in the CPanel where your information is stored, and in your @spire instance. In addition, when you use the @spire system, we may collect certain information automatically from your device. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, clickstream data, landing page, and referring URL.

5.2.2.1.1.2. To collect this information, a cookie may be set on your computer or device when you visit our system. Cookies contain a small amount of information that allows the dedicated server on which your application is hosted to recognize you.

5.2.2.1.1.3. We also automatically collect information about your use of features of our system, about its functionality, your frequency of visits, and other information related to your interactions with the system.

5.2.2.2. Internal utilisation of the @spire system

5.2.2.2.1. When you use the @spire system, we also use cookies to collect information about your engagement with and utilisation of our system using the Matomo (formerly "Piwik") software utility which is incorporated in the @spire system. Data such as processor and memory usage, storage capacity, navigation of our Services, and system-level metrics is used to monitor the utilisation of the system, maintain and improve its performance and utilisation, develop new features, protect the security and safety of our system and our customers, and provide customer support. We also use this data to develop aggregate analysis and business intelligence that enable us to operate, protect, make informed decisions, and report on the performance of our business.

5.2.3. Information we may receive from Third Parties.

5.2.3.1. Third party links to other systems

5.2.3.1.1. If you choose to link our system to a third-party service – which may become available in the future - we may receive information about that account, such as your authentication token from the third-party account, to authorize linking. If you wish to limit the information available to us, you should visit the privacy settings of your third-party accounts to learn about your options.

5.2.3.2. Third-Party Partners.

5.2.3.2.1. We may also receive publicly available information about you from future third-party partners and combine it with data that we have about you.

5.3. We use the information we collect in various ways, including to:

5.3.1. Provide, operate, and maintain our system,

5.3.2. Improve, personalize, and expand our system,

5.3.3. Understand and analyse how you use our system,

5.3.4. Develop new products, services, features, and functionality,

5.3.5. Communicate with you, either directly or through one of our partners, including for customer service, to provide you with updates and other information relating to the system, and for marketing and promotional purposes,

5.3.6. Process your transactions,

5.3.7. Send you text messages and push notifications,

5.3.8. Find and prevent fraud and

5.3.9. For compliance purposes, including enforcing our Terms of Service, or other legal rights, or as may be required by applicable laws and regulations or requested by any judicial process or governmental agency.

6. Information we process with your consent

6.1. At present we do not hold any of your 'personal data' under this defined base.

7. Information we process for the purposes of legitimate commercial interest

7.1. Where you have not entered into a contractual relationship with us, then the GDPR regulation requires us to identify an alternative basis which defines the legal basis under which we hold personal data on you.

7.2. Unlike those individuals who have entered into a contractual relationship with us, you do not have a personal login to our systems and so we are unable to verify that you have consented personally to the retention of your personal data by us. Accordingly, the basis on which we consider it the appropriate legal basis under which we hold your personal data is that there is a legitimate commercial interest in in our doing so.

7.3. The scope of your personal data we hold is as follows:-

7.3.1. Your designation

7.3.2. Your given name

7.3.3. Your family name

7.3.4. Your position within your organisation

7.3.5. Your office telephone number

7.3.6. Your mobile telephone number

7.3.7. Your contact email address within your organisation

7.3.8. Any other email addresses we hold for you that you that has been provided either by you or a third party.

7.3.9. All of the above data falls within the definition of 'personal data' over which you are entitled to privacy.

7.3.10. We may hold all or any of the above data under this defined base.

7.4. Where we process your information on this basis, we do so after having given careful consideration to:

7.4.1. the processing is not required by law but is of a clear benefit to you or others,

7.4.2. there's a limited impact on your privacy,

7.4.3. you should reasonably expect us to use your data in that way and

7.4.4. we do not wish to bother you with disruptive consent requests when you are unlikely to object to the use of your data given the commercial purposes for which your personal data is held.

7.4.5. We may process your data on this basis for the purposes of:

7.4.5.1. advising and reporting new products and their process available from us,

7.4.5.2. responding to any communication from you relating to any subject matter that relates to the technical operation of the @spire software application to which we believe you would expect a response

7.4.5.3. protecting and asserting the legal rights of any party

7.4.5.4. protecting your interests where we believe we have a duty to do so

7.4.5.5. facilitating the commercial liaison between your employer and us more efficient and effective

7.4.6. Sharing of your personal data

7.4.6.1. We do not share your personal data with any third party outside our organisation.

7.4.6.2. Your personal data may be shared with other individuals within our organisation purely for the purpose of achieving the purposes set out above in 7.4

8. Information we process because we have a legal obligation

8.1. We are subject to the law. Accordingly we must process your information in order to comply with our statutory obligations. Accordingly, we must provide your personal data, limited to the definition contained in clause 7.4 above where we receive a request from an appropriate competent authority.

9. Information provided on the understanding that it will be shared with a third party

9.1. We do not share your personal data with any third party, apart from where required under clause 7.4.6 and 8 above.

10. Ancillary Provisions relevant to both bases

10.1. Control over your personal data

10.1.1. You are legally entitled to view, add to, reduce and delete any of the personal data we hold. If you wish to contact us in order to do any of the above please contact our Data Controller at gdpr@spire.today

11. Complaining

11.1. When we receive a complaint, we record the information you have given to us.

11.2. We use that information to resolve your complaint.

11.3. If your complaint reasonably requires us to contact some other person, we may decide to give to that other person some of the information contained in your complaint. We do this as infrequently as possible, but it is a matter for our sole discretion as to whether we do give information, and if we do, what that information is.

11.4. We may also compile statistics showing information obtained from this source to assess the level of service we provide, but not in a way that could identify you or any other person.

12.Information we obtain from third parties

12.1. Although we do not disclose your personal information to any third party (except as set out in this notice) if we receive any data that may unintentionally and indirectly include your personal information from third parties whose services we use, we shall treat it as information that we hold in respect of our personal data in the same way as all your personal data in accordance with this Privacy Notice.

13.Access to your personal information

13.1. At any time you may review personally identifiable information that we hold about you by contacting us at gdpr@spire.today.

13.2. After receiving the request, we will tell you when we expect to provide you with the information, and whether we require any fee for providing it to you

14.Removal of your information

14.1. If you wish us to remove personally identifiable information from our website, you may contact us at gdpr@spire.today

14.2. This may limit the service we can provide to you.

15.Verification of your information

15.1. When we receive any request to access, edit or delete personal identifiable information we shall first take reasonable steps to verify your identity before granting you access or otherwise taking any action. This is important to safeguard your information.

16.How you can complain

16.1. If you are not happy with our Privacy Policy please contact our Data Controller at gdpr@spire.today , specifying your concerns and setting out how you wish us to respond to your concerns.

16.2. If you are in any way dissatisfied about how we process your personal information, you have a right to lodge a complaint with the Information Commissioner's Office. This can be done at <https://ico.org.uk/concerns/>

17.Retention period for personal data

17.1. Except as otherwise mentioned in this privacy notice, we keep your personal information only for as long as required by us:

17.1.1. to provide you with the services you have requested;

17.1.2. to comply with other law, including for the period demanded by our tax authorities;

17.1.3. to support a claim or defence in court.

18.Compliance with the law

18.1. Our privacy policy has been compiled so as to comply with the law of England and Wales.

19.Review of this privacy policy

19.1. We may update this privacy notice from time to time as necessary. The terms that apply to you are those posted here on our website on the day you use our website. We advise you to print a copy for your records.

19.2. If you have any question regarding our privacy policy, please our Data Controller at gdpr@spire.today

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