



Privacy Policy

nFocus Limited

Contents

Dates.....	2
Our contact details	2
The type of personal information we collect.....	2
How we get the personal information and why we have it.....	2
Automated decision making.....	4
Profiling.....	5
Disclosure of your information to other third parties.....	6
How we store your personal information	9
Your data protection rights.....	9
Sensitive personal information	10
Children's privacy.....	10
California 'Do Not Track' disclosures.....	11
Changes to our privacy policy.....	11
How to complain.....	11

nFocus Limited Privacy Policy

Dates

Privacy notice last updated: 01/08/2023.

Our contact details

Name: nFocus Limited

Trading name: nFocus Testing

Address: e-Innovation Centre, Shifnal Road, Priorslee, Telford, Shropshire, TF2 9FT

Phone Number: 0370 242 6235

E-mail: info@nfocus.co.uk

The type of personal information we collect

This Privacy Policy sets out how we, nFocus, collect, store and use information about you when you use or interact with our website, <https://www.nfocus.co.uk/>.

We have also undertaken a legitimate interest assessment to inform our decisions.

We currently collect and process the following:

- To build new business relationships. This means we're capturing corporate subscribers - including name, company, business email address, job title, business phone number, IP address including geographical location, information from cookies, information about how people use our website including device and browser type and LinkedIn URL.
- To recruit new team members. This means you may share with us your name, personal email address, personal phone number, CV, IP address and information from cookies.

How we get the personal information and why we have it

Most of the personal information we process is provided to us directly by you through email, phone or filling out a form on the website for one of the following reasons:

- To make an enquiry about one of our services.
- To learn more about one of our services.
- To request access to a piece of content.
- To let us know you are looking for a job.
- To let us know you would like to receive our monthly newsletter.
- To enter a prize draw or other similar incentive.
- To complete a market research survey.
- As you become one of our clients.

We also receive personal information indirectly, from the following sources in the following scenarios:

- Where you agree to pass on your contact details as part of attending an event or conference. As sponsors or exhibitors at one of those events, we may be one of the organisations that your data will be provided to.
- From analysing our business performance over the past few years, we have identified the kinds of companies and job titles within those companies that have need for our services. We use that information to build relationships with prospective clients. Our team diligently use LinkedIn to identify people who match these criteria and then use a third-party b2b lead generation solution who makes available to us limited b2b data for those identified contacts. We then use this information to introduce nFocus and our services through direct marketing.
- Jobheron who we use to share our job adverts with multiple job boards.
- We use Google Analytics to monitor how users engage with our website and limited information about the users. By accepting our cookie policy, limited information is collected including IP Address.

We use the information that you have given us in order to:

- To respond to your enquiry about one of our services.
- To provide answers to any queries about our services.
- To provide you with access to a piece of content we have created.
- To match you to our open jobs and arrange interviews.
- To include you in our monthly newsletter.
- To enter you into prize draws or other similar incentives.
- To undertake market research and then share the results of this research with you.
- To undertake direct marketing to introduce you to our company and services.
- Deliver services to you as one of our clients. Privacy details are from this point dealt with in our contract with you.
- To make decisions on our website and marketing based on how the website is used.
- To digitally advertise our services.
- To improve our website.

The technology providers we use to conduct our business, and as such where data may be stored, include:

- Microsoft – stored in the EU.
- HubSpot – stored in the USA.
- Jobheron – stored in the UK.
- Google – stored around the world.

For our data stored in HubSpot held in the US, we are using Standard Contractual Clauses (SCCs) as a valid transfer mechanism. Further information is available [here](#). We will continue to monitor the impact of the EU-U.S. Data Privacy Framework and the UK-US 'data bridge' which is under discussion.

For our relationship with Google, we are using Standard Contractual Clauses (SCCs) as a valid transfer mechanism. Further information is available [here](#). We will continue to monitor the impact of the EU-U.S. Data Privacy Framework and the UK-US 'data bridge' which is under discussion.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- For recruitment purposes - Your consent. You are able to remove your consent at any time. You can do this by contacting gary.kingsmill@nfocus.co.uk.
- As our client - we have a contractual obligation.
- For sales and marketing - we have a legitimate interest to be able to market and sell our services to new and existing clients.

Regarding the legitimate interest, we have undertaken a comprehensive legitimate interest assessment.

Transmission of information to us by email

Transmission of information over the internet is not entirely secure, and if you submit any information to us over the internet (whether by email, via our website or any other means), you do so entirely at your own risk. We cannot be responsible for any costs, expenses, loss of profits, harm to reputation, damages, liabilities or any other form of loss or damage suffered by you as a result of your decision to transmit information to us by such means.

Automated decision making

Automated decision making is decision making by technological means (i.e., by a machine) without human involvement. We use automated decision making and profiling including use of web analytics, cookies, analysis tools (profiling) or use targeting cookies to display advertisements to your people who visit your website on other websites around the internet using the Google network. We do not consider that this has any legal effect on you or similarly significantly affects you.

You have the right to object to our use of automated decision making and profiling described in this section. You can do that by opting-out of cookies and similar technologies. If you do not want us to process your actual IP address (usually the IP address assigned to you by your Internet Service Provider) when you visit our website, you can use a Virtual Private Network (VPN) or a free service such as Tor.

You can find out more about our use of cookies and similar technologies (including the legal basis on which we use them) and how to opt out from them in our cookies policy, which is available on our website.

How automated decision making applies to nFocus' website:

- We automate the display advertisements containing our products and services on other websites you visit, based on the fact that you have visited our website using cookies. For further information on the cookies we use, please see our cookies policy which is available on our website.
- Logic involved: automatically displaying advertisements to individuals who have visited our website results in increased efficiencies and costs savings for us than manually displaying advertisements or displaying advertisements by different means.
- Significance and envisaged consequences: cookies will be used to recognise the fact that you have visited our website in order to display advertisements to you (unless you have blocked such cookies) and will collect information about your online behaviour.
- How to object: you can block these cookies by using the cookies control management tool on our site or for Google DoubleClick, by opting out of seeing personalised ads by following the instructions here: <https://support.google.com/ads/answer/2662922?hl=en-GB>. For further information, please see our cookies policy on our website.

Profiling

Profiling is any form of automated processing of your information to evaluate personal aspects about you, in particular to analyse or predict things like your performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

How profiling applies to nFocus' website:

- Our web analytics service, Google Analytics uses collects information such as your location (based on your IP address) and your behaviour (based on cookies) when you access our website (such as the pages you visit and what you click on). We will only process information from cookies if you have consented to us setting cookies on your computer in accordance with our cookies policy on our website. Information collected about you, once collected is anonymised and stored on an aggregate basis.
- Logic involved: by automatically analysing and categorising information such as the location (based on IP address) as well as the behaviour and devices of visitors to our website (using cookies), we are able to gain a better understanding of what our website visitors want (in terms of the content of our website and our products), how to improve our website and how to advertise and market our services to them.

- Significance and envisaged consequences: cookies will be used to track and store information about your behaviour and device on our website (unless you have opted out from receiving such cookies and your location will be analysed based on your IP address. We may target advertisements based on the level of interest we receive from certain visitors and their behaviour on our website.

Disclosure of your information to other third parties

Google

We disclose your information to other third parties in specific circumstances, as set out below.

Google collects information through our use of Google Analytics on our website. Google uses this information, including IP addresses and information from cookies, for a number of purposes, such as improving its Google Analytics service. Information is shared with Google on an aggregated and anonymised basis. To find out more about what information Google collects, how it uses this information and how to control the information sent to Google, please see the following page: <https://www.google.com/policies/privacy/partners>.

- Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interest(s): meeting our contractual obligations to Google under our Google Analytics Terms of Service (<https://www.google.com/analytics/terms/us.html>)
- You can opt out of Google Analytics by installing the browser plugin here: <https://tools.google.com/dlpage/gaoptout>
- Transfer and storage of your information: Information collected by Google Analytics is stored outside the European Economic Area on Google's servers in the United States of America.

Running our business

Sharing your information with third parties, which are either related to or associated with the running of our business, where it is necessary for us to do so. These third parties include our accountants, advisors and insurers. Further information on each of these third parties is set out below:

- Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interest: running and managing our business efficiently.

Accountants: We share information with our accountants for tax purposes. For example, we share invoices we issue and receive with our accountants for the purpose of completing tax returns and our end of year accounts.

Advisors: Occasionally, we obtain advice from advisors, such as accountants, financial advisors, lawyers and public relations professionals. We will share your information with these third parties only where it is necessary to enable these third parties to be able to provide us with the relevant advice.

Insurers: We will share your information with our insurers where it is necessary to do so, for example in relation to a claim or potential claim we receive or make or under our general disclosure obligations under our insurance contract with them.

Marketing companies: We sometimes provide encrypted data to direct mail companies to send our direct mail out on our behalf. Further information regarding this can be found by contacting us on info@nfocus.co.uk.

[Sale or purchase of the company](#)

Sharing your information with a prospective or actual purchaser or seller in the context of a business or asset sale or acquisition by us, a merger or similar business combination event, whether actual or potential.

- Legal basis for processing: legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interest(s): sharing your information with a prospective purchaser, seller or similar person in order to allow such a transaction to take place.

[Indicating possible criminal acts or threats to public security to a competent authority](#)

If we suspect that criminal or potential criminal conduct has been occurred, we will in certain circumstances need to contact an appropriate authority, such as the police. This could be the case, for instance, if we suspect that a fraud or a cyber-crime has been committed or if we receive threats or malicious communications towards us or third parties.

We will generally only need to process your information for this purpose if you were involved or affected by such an incident in some way.

- Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interests: preventing crime or suspected criminal activity (such as fraud)

In connection with the enforcement or potential enforcement our legal rights

We will use your information in connection with the enforcement or potential enforcement of our legal rights, including, for example, sharing information with debt collection agencies if you do not pay amounts owed to us when you are contractually obliged to do so. Our legal rights may be contractual (where we have entered into a contract with you) or non-contractual (such as legal rights that we have under copyright law or tort law).

- Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interest: enforcing our legal rights and taking steps to enforce our legal rights.

In connection with a legal or potential legal dispute or proceedings

We may need to use your information if we are involved in a dispute with you or a third party for example, either to resolve the dispute or as part of any mediation, arbitration or court resolution or similar process.

- Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).
- Legitimate interest(s): resolving disputes and potential disputes.

For ongoing compliance with laws, regulations and other legal requirements

We will use and process your information in order to comply with legal obligations to which we are subject. For example, we may need to disclose your information pursuant to a court order or subpoena if we receive one or to the National Crime Agency in connection with suspected or potential money laundering matters.

- Legal basis for processing: compliance with a legal obligation (Article 6(1)(c) of the General Data Protection Regulation).
- Legal obligation(s): legal obligations to disclose information which are part of the laws of England and Wales or if they have been integrated into the United Kingdom's legal framework (for example in the form of an international agreement which the United Kingdom has signed).
- Legal basis for processing: our legitimate interests (Article (1)(f) of the General Data Protection Regulation).
- Legitimate interest: where the legal obligations are part of the laws of another country and have not been integrated into the United Kingdom's legal framework, we have a legitimate interest in complying with these obligations.

How we store your personal information

Your information is securely stored.

For sales and marketing, we store your personal information within our CRM System HubSpot. If users do not engage with nFocus (visit our website, open emails etc.) for a period of 18 months then we will delete them permanently from our CRM System. Our research shows buying cycles and needs for ad-hoc software testing services can be up to 18 months and longer from first contact. We have therefore limited retention to 18 months. You can unsubscribe at any point in time before then.

For recruitment, we store your personal data using our Microsoft 365 services. We keep this data for a maximum of 5 years or sooner if you withdraw your consent.

For third party recruitment through Jobheron, Jobheron keep your data in their system for eight months for nFocus' sole use and then permanently delete it.

Your data protection rights.

Under data protection law, you have rights including:

- **Your right of access** - You have the right to ask us for copies of your personal information.
- **Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request, please contact us by email using chris.edge@nfocus.co.uk, by phone on 0370 242 6235 or write to us at:

Chris Edge
nFocus Testing
e-Innovation Centre
Shifnal Road, Priorslee
Telford
Shropshire
TF2 9FT

Sensitive personal information

'Sensitive personal information' is information about an individual that reveals their racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic information, biometric information for the purpose of uniquely identifying an individual, information concerning health or information concerning a natural person's sex life or sexual orientation.

We do not knowingly or intentionally collect sensitive personal information from individuals, and you must not submit sensitive personal information to us.

If, however, you inadvertently or intentionally transmit sensitive personal information to us, you will be considered to have explicitly consented to us processing that sensitive personal information under Article 9(2)(a) of the General Data Protection Regulation. We will use and process your sensitive personal information for the purposes of deleting it.

Children's privacy

Because we care about the safety and privacy of children online, we comply with the Children's Online Privacy Protection Act of 1998 (COPPA). COPPA and its accompanying regulations protect the privacy of children using the internet. We do not knowingly contact or collect information from persons under the age of 18. The website is not intended to solicit information of any kind from persons under the age of 18.

It is possible that we could receive information pertaining to persons under the age of 18 by the fraud or deception of a third party. If we are notified of this, as soon as we verify the information, we will, where required by law to do so, immediately obtain the appropriate parental consent to use that information or, if we are unable to obtain such parental consent, we will delete the information from our servers. If you would like to notify us of our receipt of information about persons under the age of 18, please do so by sending an email to info@nfocus.co.uk.

California 'Do Not Track' disclosures

"Do Not Track" is a privacy preference that users can set in their web browsers. When a user turns on a Do Not Track signal in their browser, the browser sends a message to websites requesting that they do not track the user. For information about Do Not Track, please visit www.allaboutdnt.org.

We respond to Do Not Track browser settings. For information on how to opt out from tracking technologies used on our website, see our cookies policy which is available on our website.

Changes to our privacy policy

We update and amend our Privacy Policy from time to time.

Where we make minor changes to our Privacy Policy, we will update our Privacy Policy with a new effective date stated at the beginning of it. Our processing of your information will be governed by the practices set out in that new version of the Privacy Policy from its effective date onwards.

Where we make major changes to our Privacy Policy or intend to use your information for a new purpose or a different purpose than the purposes for which we originally collected it, we will notify you by email (where possible) or by posting a notice on our website. We will provide you with the information about the change in question and the purpose and any other relevant information before we use your information for that new purpose.

Wherever required, we will obtain your prior consent before using your information for a purpose that is different from the purposes for which we originally collected it.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at chris.edge@nfocus.co.uk.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>