

# Xapien Privacy Policy

## Introduction

Xapien is the trading name for Digital Insight Technologies Limited which registered in England under registration number 11241397 with a registered address at St John's Innovation Centre, Cowley Road, Cambridge, United Kingdom, CB4 0WS. Xapien operates the website [www.xapien.com](http://www.xapien.com) and organises its maintenance and the placing of its content.

This privacy notice is provided in accordance with the General Data Protection Regulation 2016/679 (“**GDPR**”), including any EU national laws implementing or supplementing the same, and any other applicable data protection laws (the “**Data Privacy Laws**”).

Xapien is committed to complying with the applicable data privacy and security requirements in the jurisdictions in which it operates. Xapien complies with internationally recognized standards of privacy protection, and with various privacy laws globally including, but not limited to, the GDPR.

Xapien provides due diligence software to clients (collectively “**services**”). In this respect, Xapien may act as data processor or as a separate data controller depending on the service being provided and the amount of control Xapien has over the purpose(s) and means of the data processing.

To the extent that Xapien is deemed to be a data controller under Data Privacy Laws, this notice fulfils our obligation to provide certain information to third parties whose personal data we process in this capacity as required by Article 14 of the GDPR and the notice requirements set out in any other Data Privacy Laws for processing personal data which has been obtained indirectly.

## Data we collect

Xapien collects the following categories of personal data:

**Contact data:** We may collect information about data subjects such as name and contact details (email, phone number, etc.) in order to communicate and facilitate the provision of our services with our customers or potential customers. For example, contact details of individuals who work for or on behalf of the customers, in order to carry out the customer's engagement with Xapien.

**Services data:** Personal data may be provided to us by customers to the extent required to perform the services. Xapien may also acquire personal data from a third party as required to perform services requested by our customer(s).

**Marketing information:** We may collect information to respond to inquiries regarding our products and services or to provide you with information, reports, or updates.

**Website visitor information:** when you visit our website, we may collect information about your visit such as your IP address and the pages you visited and when you use our services, we may collect information on how you use those services. Among the types of Personal Data that our website collects, by itself or through third parties, are: Cookies; Usage Data; email address; phone number; first name; last name; company name; country. Any use of Cookies – or of other tracking tools – by our website or by the owners of third-party services used by this Website serves the purpose of providing the Service required by the User, in addition to any other purposes described in the present document. Our website does not support “Do Not

Track” requests. To determine whether any of the third-party services it uses honour the “Do Not Track” requests, please read their privacy policies. Details on each type of Personal Data collected are provided in the dedicated sections of this privacy policy. Personal Data may be freely provided by the User, or, in case of Usage Data, collected automatically when using our website. Unless specified otherwise, all Data requested by our website is mandatory and failure to provide this Data may make it impossible for our website to provide its services. In cases where our website specifically states that some Data is not mandatory, Users are free not to communicate this Data without consequences to the availability or the functioning of the Service. Users who are uncertain about which Personal Data is mandatory are welcome to contact the Owner.

Clients and other third parties who provide personal information to Xapien must do so in compliance with applicable data privacy regulations.

## Processing of personal data

We collect personal data to offer and administer our services. The data you provide to us will be processed in accordance with the purposes specified in this notice, namely:

- To provide the products or perform the services requested by customers and individuals pursuant to a letter of engagement, statement of work, or similar (where the processing is necessary for our legitimate business interests in conducting and managing our business).
- To provide the products or perform the services requested by customers and individuals using our website or web applications (where the processing is necessary for our legitimate business interests in conducting and managing our business).
- For complying with obligations provided by laws, current regulations and European legislation (e.g. tax regulations), where processing is based on a legal obligation, or legislation in other jurisdictions that may be applicable.
- For legitimate business purposes to advise you through email, phone call, or post, under the terms of our ordinary commercial relationship, about other products or services like the products or services we have provided to you, and that we think will be of interest to you.
- For marketing purposes. For example, we may use your information to further discuss your interest in the services and to send you information regarding Xapien, such as information about promotions, events, products, or services. You can withdraw your consent or opt out of receiving our marketing communications at any time. If you are not located in the EU, you may opt-out of receiving marketing communications and updates at any time. You can opt out by sending a request to [info@xapien.com](mailto:info@xapien.com).
- For advertising purposes. This type of service allows User Data to be utilized for advertising communication purposes displayed in the form of banners and other advertisements on this Website, possibly based on User interests. This does not mean that all Personal Data are used for this purpose. Information and conditions of use are shown below. Some of the services listed below may use Cookies to identify Users or they may use the behavioural retargeting technique, i.e. displaying ads tailored to the User’s interests and behaviour, including those detected outside this Website. For more information, please check the privacy policies of the relevant services. In addition to any opt out offered by any of the services below, the User may opt out of a third-party service's use of cookies by visiting the [Network Advertising Initiative opt-out page](#).

Google Ad Manager (Google Inc.)

Google Ad Manager is an advertising service provided by Google LLC that allows the Owner to run advertising campaigns in conjunction with external advertising networks that the Owner, unless otherwise specified in this document, has no direct relationship with. In order to opt out from being tracked by various advertising networks, Users may make use of Your online choices. In order to understand Google's use of data, consult Google's [partner policy](#). This service uses the “DoubleClick” Cookie, which tracks use of this Website and User behaviour concerning ads, products and services offered. Users may decide to disable all the DoubleClick Cookies by clicking on: [www.google.com/settings/ads/onweb/optout?hl=en](http://www.google.com/settings/ads/onweb/optout?hl=en). Personal Data processed: Cookies; Usage Data. Place of processing: United States – [Privacy Policy](#).

- For improving Xapien’s communications with you. Emails sent to you by Xapien may include standard tracking, including open and click activities. Xapien may collect information about your activity as you interact with our email messages and content.
- For operating and improving Xapien’s website and your customer experience. For example, we may collect and analyse data on your use of our website and process it for the purpose of improving our online experience.
- For security purposes. For example, we may use your data to protect Xapien and its third parties against security breaches and to prevent fraud and violation of Xapien’s applicable agreements where the processing is necessary for our legitimate business interests.
- For analytical purposes. The services below enable the Owner to monitor and analyse web traffic and can be used to keep track of User behaviour.

HubSpot Analytics (HubSpot, Inc.): HubSpot Analytics is an analytics service provided by HubSpot, Inc. Personal Data processed: Cookies; Usage Data. Place of processing: United States – [Privacy Policy](#) – Opt Out at [privacy@hubspot.com](mailto:privacy@hubspot.com).

Google Analytics (Google Inc.): Google Analytics is a web analysis service provided by Google Inc. (“Google”). Google utilizes the Data collected to track and examine the use of this Website, to prepare reports on its activities and share them with other Google services. Google may use the Data collected to contextualize and personalize the ads of its own advertising network. Personal Data processed: Cookies; Usage Data. Place of processing: United States – [Privacy Policy – Opt Out](#).

- Managing contacts and sending messages. This type of service makes it possible to manage a database of email contacts, phone contacts or any other contact information to communicate with the User. These services may also collect data concerning the date and time when the message was viewed by the User, as well as when the User interacted with it, such as by clicking on links included in the message.

HubSpot Email (HubSpot, Inc.): HubSpot Email is an email address management and message sending service provided by HubSpot, Inc. Personal Data processed: email address; Usage Data. Place of processing: United States – [Privacy Policy](#).

- Remarketing and behavioural targeting. This type of service allows our website and its partners to inform, optimize and serve advertising based on past use of our website by the User. This activity is facilitated by tracking Usage Data and by using Trackers to collect information which is then transferred to the partners that manage the remarketing and behavioural targeting activity. Some services offer a remarketing option based on email address lists. In addition to any opt-out feature

provided by any of the services below, Users may opt out by visiting the [Network Advertising Initiative opt-out page](#).

Users may also opt-out of certain advertising features through applicable device settings, such as the device advertising settings for mobile phones or ads settings in general.

LinkedIn Website Retargeting (LinkedIn Corporation): LinkedIn Website Retargeting is a remarketing and behavioural targeting service provided by LinkedIn Corporation that connects the activity of our website with the LinkedIn advertising network. Personal Data processed: Cookies; Usage Data. Place of processing: United States – [Privacy Policy – Opt Out](#).

- User database management. This type of service allows the Owner to build user profiles by starting from an email address, a personal name, or other information that the User provides to our website, as well as to track User activities through analytics features. This Personal Data may also be matched with publicly available information about the User (such as social networks' profiles) and used to build private profiles that the Owner can display and use for improving this Website. Some of these services may also enable the sending of timed messages to the User, such as emails based on specific actions performed on our website.

HubSpot CRM (HubSpot, Inc.): HubSpot CRM is a User database management service provided by HubSpot, Inc. Personal Data processed: email address; phone number; various types of Data as specified in the privacy policy of the service. Place of processing: United States – [Privacy Policy](#).

HubSpot Lead Management (HubSpot, Inc.): HubSpot Lead Management is a User database management service provided by HubSpot, Inc. Personal Data processed: various types of Data as specified in the privacy policy of the service. Place of processing: United States – [Privacy Policy](#).

- Tag Management. This type of service helps the Owner to manage the tags or scripts needed on this Website in a centralized fashion. This results in the Users' Data flowing through these services, potentially resulting in the retention of this Data.

Google Tag Manager (Google Ireland Limited): Google Tag Manager is a tag management service provided by Google Ireland Limited. Personal Data processed: Usage Data. Place of processing: Ireland – [Privacy Policy](#).

Whenever we process your personal data for our legitimate interests, we make sure to consider and balance any potential impact on you and your rights under data protection laws. Our legitimate business interests do not automatically override your interests and we will not use your personal data for activities where our interests are overridden by the impact on you, unless we have your explicit consent, or we are permitted or required to by law. You have the right to object to this processing if you wish.

In addition to the Owner, in some cases, the Data may be accessible to certain types of persons in charge, involved with the operation of our website (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors by the Owner. The updated list of these parties may be requested from the Owner at any time.

## Data processed during the provision of services

Our customers use our software to help them mitigate risk, for example to conduct due diligence on a potential partner, client or donor. In many cases, the customer's engagement of Xapien is to fulfil a

requirement of EU or member state law or regulation, e.g. the EU Anti-Money Laundering Regulations and the UK Bribery Act 2010 or for our customer's legitimate interests to ensure they do not take actions that lead to legal liability, reputational damage or other adverse outcomes. Xapien has a legitimate interest in processing data to support its customers in these objectives provided that the privacy rights of any affected individuals are not unduly affected.

The personal data we process in the performance of services for and on behalf of our customers includes but is not limited to any information relating to a living individual in which the individual is identified or identifiable, for example, the individual's name, contact information, education information, work history, directorships, financial information, as well as, where necessary, data concerning criminal convictions and offences and some special categories of information as defined by article 9 of the GDPR.

In connection with our services we collect various types of personal data from a variety of different sources, including from:

- Our customers
- Public sources such as public records and registers, news media and the internet
- Other third-party commercial sources such as corporate registries

Our platform compiles this publicly available data into due diligence reports for our clients.

The publicly-available data we collect relates to areas that our customers would find useful in pursuing a business relationship. The information we provide may include name, age, business contact information, biography, professional and family affiliations, and significant litigation involvement. We may also provide reputational background information drawn from publicly available sources.

We may collect Special Categories of Data under Article 9 of the GDPR such as religion, nationality, and political affiliations because this information is directly useful for some of our customers, such as non-profit organisations. We work with each of our clients to ensure data provided is proportional and required for the legitimate purpose being undertaken.

Reports are generated by our customers who have a signed software contract with Xapien. Customers are required to consent that they a) use the reports for lawful purpose; b) use the reports for their internal business purpose only; and c) maintain the confidentiality of the reports.

Accordingly, we do not broadly publish or disseminate the reports to the public nor do we seek to use the information to embarrass you or harm any reputation. Our goal is to respectfully provide limited access of the reports to our customers who have a legitimate purpose for requesting them.

As part of our obligation under the GDPR, we have performed a comprehensive review of our data processing activities pursuant to a privacy impact assessment and believe that our processing is justified based on the legitimate interests of our customers and our business. Further that such interests are not overridden by your rights and freedoms when balanced against the restricted and respectful, narrowly-tailored use we make of your data and the legitimate requirements to fulfil a requirement of EU or member state law or regulation.

Once a report has been exported by the customer, Xapien deletes all data associated with the subject of the report. We do not store any data on individuals once the customer has exported the report.

## Your rights

You have the following rights concerning your data processed by Xapien:

- **Access:** You have the right to access personal information that Xapien holds about you.
- **Rectification:** You have the right to ask us to rectify information Xapien holds about you if it is inaccurate or not complete.
- **Erasure:** You can request that Xapien erase your personal data. We will keep basic data to identify you and retain it solely for preventing further unwanted processing.
- **Restrict Processing:** You have the right to ask Xapien to restrict how we process your data. This means we are permitted to store the data but not further process it. We keep just enough data to make sure we respect your request in the future.
- **Portability:** Where processing is based on consent or performance of a contract, you have the right to data portability. Xapien must allow you to obtain and reuse your personal data for your own purposes in a safe and secure way without this effecting the usability of your data. This right only applies to personal data that you have provided to Xapien as the Data Controller.
- **Consent:** You have the right to withdraw your consent where you have previously given your consent to the processing of their Personal Data.
- **Lodge a complaint:** you have the right to bring a claim before their competent data protection authority.

Please contact [info@xapien.com](mailto:info@xapien.com) to request access, rectification, or erasure, or to restrict processing, to object to processing, to request data portability.

## Automated decision making

Automated decisions are defined as decisions about individuals that are based solely on the automated processing of data and that produce legal effects that significantly affect the individuals involved.

Xapien does not make automated decisions using personal data.

## Contact us

Please contact Xapien with questions, concerns or complaints:

Xapien  
St John's Innovation Centre,  
Cowley Road  
Cambridge, CB4 0WS  
[info@xapien.com](mailto:info@xapien.com)

For data subjects located in the EU: if we are not able to satisfactorily resolve your questions, concerns, or complaints, or if you believe that the processing of your personal data infringes on your rights under applicable data protection laws, you have the right, without prejudice to any other administrative or judicial remedies, to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged

infringement. Contact information for the supervisory authorities may be found here: EU Data Protection Authorities

[http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)