



## **GLOBAL PRIVACY NOTICE**

## Introduction

EM Topco Limited and all its subsidiaries (“Element” or “the Group”) are committed to complying with internationally recognized standards of privacy protection and applicable data privacy and security laws in the countries in which we operate. Element’s head office is at 3rd Floor Davidson Building, 5 Southampton Street, London, United Kingdom, WC2E 7HA. In this notice, references to “we”, “us” or “our” are references to Element.

This Global Privacy Notice applies to all personal information we collect, use and process about you when you purchase products from us or use our services.

## Who is collecting Personal Information?

The Group comprises of multiple legal entities acting as separate data controllers, responsible for processing personal information in connection with our business. Please see our [‘Element Legal Entities Processing Personal Information’](#) PDF for further details on the companies within the group processing personal information.

## What Personal Information we may collect

We may collect and process your personal information in connection with our products or services at the start of, and for the duration of, your relationship with us and beyond. We will limit the collection and processing of your personal information to information necessary to achieve one or more legitimate purposes, as identified in this notice.

We will only process sensitive personal information where we’ve obtained your explicit consent or are otherwise lawfully permitted to do so. Where you have provided consent for us to process your sensitive personal information, you can withdraw that consent at any time by contacting us.

We may collect the following categories of personal information about you:

Personal Information Category	Personal Information Collected
Identity information	First name, middle name, last name, alias, username or similar identifier, marital status, title, date of birth, gender, state or national identification number (such as a driver license, national insurance number or social security number), passport number, internet protocol (IP) address, signature
Sensitive information	Racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, sex life or sexual orientation, Social Security number, driver’s license or state ID number, passport number
Demographic information	Age, gender, race, nationality, ethnicity, ethnic origin, citizenship, marital status, income, education, religion, citizenship, physical or mental disability, veteran or military status
Contact information	Home, delivery, or billing address (including street address, city, state, town, postal code / zip code), telephone numbers, email address

Contractual information	Personal information (as outlined in the other categories) collected as part of the products and services we provide to you.
Commercial information	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Financial information	Bank account, payment card details, invoice amounts, payment amount, outstanding balances.
Internet or another similar network activity information	Internet Protocol (IP) address, smart device information, location coordinates, site visits, browsing history, search history, information on an individual's interaction with our websites, time zone setting and location, browser plug-in types and versions, operating system and platform, other unique personal identifier, online identifier, account name, other technology on the devices you use to access our websites and comments or other content you send to us over the internet
Information that we gather through cookies or similar tracking tools when you use our websites	Browser cookies, advertising cookies, targeting cookies, web beacon, pixel tag, mobile ad identifier, or similar technologies may also be used to track your responses to adverts, messages or forms, which helps us to ensure we present you with the most relevant content in the future. When running email campaigns, we may track delivery and monitor when emails are opened. For example, when you open the email a small image file may be downloaded to your web browser or email programme. You can restrict or block this type of technology through your web browser or email programme settings by preventing automatic downloading. Cookies may also be set if you click on a link within the email.
Geolocation Data	Physical location or movements
Sensory Data	Audio, electronic, visual, thermal, olfactory, call recordings, passport copies, identification document copies, CCTV images or similar information
Professional or employment related information	Education, current employment, employment history.
Inferences drawn from other personal information	Profile reflecting a person's household, individuals associated with your account(s), information regarding your relationship with these individuals, or information about your business relations with us.

### Criminal offence data

We may collect and process information about criminal convictions where such processing is necessary to act in accordance with regulatory or other legal obligations or where the processing is necessary to protect the interests of our customers or the public.

### How we collect your Personal Information

We collect your personal information in a variety of ways, such as:

- **Through interactions with you** when you enquired about or purchased products or services from us, requested information or assistance from us, registered to attend or attended one of our events, used our website or client portal or applied for a job with us
- **Through activity on our website** such as submissions from you via our website or website usage details collected automatically
- **Through interactions with our clients** due to your role in your organisation
- **Through interactions with third parties** such as industry, trade or regulatory bodies
- **From third party service providers** acting on our behalf in connection with the products and services we provide
- **From publicly available sources** including social media (LinkedIn, Facebook, Twitter), your organisation's website, the press, the electoral register, company registers and online search engines
- **From automated technologies or interactions that collect technical data about your equipment, browsing actions and patterns** such as cookies, server logs or other similar technologies

### Purpose of processing your Personal Information

We will only use and share your personal information where it is necessary for us to carry out our lawful business activities. Your personal information may be shared with and processed by other Element group companies. Element collects and processes your personal information for purposes detailed below:

Reason for Processing Personal Information	Purpose of Processing Personal Information
To fulfil our <b>contractual obligations</b>	<ul style="list-style-type: none"> <li>• To provide our products or services to you</li> <li>• For you to provide your products or services to us</li> <li>• To consider and process any application you may make to us, as a candidate for a job</li> </ul>
For our <b>legitimate interest</b> , as a commercial organisation, provided our use is proportionate and respects your privacy rights	<ul style="list-style-type: none"> <li>• To provide you with information on our products or services</li> <li>• To respond to a query, we have received from you</li> <li>• To review and improve our products and services and to help and support you in using our products and services</li> <li>• To confirm, update and improve our customer records.</li> <li>• To review and develop your relationship with us.</li> <li>• To inform you about improvements to our website.</li> <li>• To troubleshoot problems with the Website, or to customise your experience on the Website.</li> </ul>

Reason for Processing Personal Information	Purpose of Processing Personal Information
	<ul style="list-style-type: none"> <li>• To conduct statistical analysis and research.</li> <li>• To keep you informed of other products and services that may be of interest to you via email alerts, event registrations, social media activity, and other notices concerning our products or services, or events or news that may be of interest to you, including through targeted messages and advertisements on or through our websites and apps and through third-party websites and apps.</li> <li>• To enforce our rights arising from any contracts entered between you or the entity you represent and us, including for billing and collections.</li> <li>• To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all our assets, whether as an ongoing concern or as part of bankruptcy, liquidation, or similar proceeding, in which your information held by us is among the assets transferred.</li> <li>• For other reasons in connection with our business operations.</li> </ul>
To comply with a <b>legal obligation</b>	<ul style="list-style-type: none"> <li>• To comply with our legal and regulatory obligations, which may require us to share your information, for example where we are required to report to tax authorities or respond to law enforcement requests.</li> </ul>
You have provided your <b>consent</b> to the processing	<ul style="list-style-type: none"> <li>• You provided your consent for us to process your personal information for a specific purpose.</li> </ul>

If you do not provide us with your personal information when requested, it may prevent us from being able to carry out the tasks listed above.

### Cookies and online tracking

Our websites use cookies to distinguish you from other users and to remember your preferences when you visit our website. Cookies are small files stored on a computer that are designed to hold small amounts of data specific to a user and the websites or applications to help tailor that user's experience.

Our [Cookies policy](#) provides you with further detail about the cookies we use and the purposes for using these cookies. This policy also provides details on how you can change your settings to block or delete cookies, although some features of our website may not function as a result. Please note our websites do not recognise 'Do Not Track' signals sent by your browser. You can personalise your cookies preferences using on-site tools.

### How we share your Personal Information

To help us provide our products and services to you and to run our website we may share your personal information when necessary for us to lawfully carry out our business activities. We may share your information with the following categories of third parties:

- **Other group companies** where it is necessary to do so, and where we have a legal basis to share the information

- **Our third-party service providers and advisors** with whom we have contracted to perform services on our behalf and who process information on our behalf to provide our Services or run internal business operations including email distribution, IT services, business support and customer services
- **Independent debt recovery agencies, service providers, solicitors, or other agents** in the event of non-payment for Products or Services and where a debt remains outstanding after a specified timeframe for payment, no payment plan is in place or an agreed payment plan is not being adhered to, we may initiate formal proceedings to recover the full amount of the unpaid debt. We may share your information with litigation and recovery specialists to undertake recovery action through the courts
- **Law enforcement authorities, regulatory bodies or government agencies** as in some circumstances we are legally obliged to share information with law enforcement bodies, for example to comply with a court order or legal obligation. We will satisfy ourselves that we have a lawful basis on which to share the information and document our decision making
- **With a successor entity** in the event of a merger, acquisition, or similar transaction

### No Sale of Personal Information

We do not sell any personal information.

### How we transfer your Personal Information

We operate globally and we may transfer your personal information between Element group companies to help us operate our business efficiently and to provide you with our products and services. Third party service providers may process your personal information in connection with a service, they provide to us. When we share your personal information between Element group companies or with third parties, they may be located outside of the jurisdiction in which your personal information was collected. This means personal information collected in one jurisdiction may be transferred, stored, and processed outside the country of origin and where privacy laws differ. We only make these arrangements or transfers where we are satisfied that adequate levels of protection are in place to protect your personal information. For these transfers, we have the relevant legal safeguards in place, including contractual arrangements based on standard contractual clauses pre-approved by the European Commission (or otherwise consistent with the requirements of the relevant jurisdiction) to ensure adequate protection, or in certain circumstances we may rely on one of the exceptions to the rules that allows us to perform these transfers.

### How we protect your Personal Information

We place great importance on the security of all information associated with our customers. We invest appropriate resources and use reasonable technical and organization measures, in compliance with applicable laws, to protect your personal information from unauthorized access, unlawful processing and

against accidental loss, destruction or damage. Our security and privacy policies are periodically reviewed and enhanced as necessary and only authorized personnel have access to your personal information.

Our website uses secure server software (SSL) to encrypt financial information you input before it is sent to us. We will do our best to protect your personal information, however we cannot guarantee the security of your data sent over the internet or by email. We cannot be held responsible for unauthorized or unintended access that is beyond our control.

### **Retention of your Personal Information**

We will retain your personal information for as long as necessary to fulfil the purpose for which it was collected, such as providing our products or services, or as required by applicable laws or regulations. Our retention periods are driven by legislation and / or business need. If there is no legally defined retention period for personal information, we will determine an appropriate retention period. We will take reasonable steps to destroy personal information we hold if it is no longer needed. Retention may extend beyond the termination of our relationship with you.

### **CCTV**

Closed-circuit television (CCTV) may be used for security purposes to monitor the exterior of our buildings, both the main entrance and secondary exits at certain sites. CCTV signs are prominently displayed at the entrance of the surveillance zone to alert individuals that their image may be recorded. We ensure that live feeds from cameras and recorded images are only viewed by approved Element employees whose role requires them to have access to such data. Data recorded by the CCTV system will be stored. Data from CCTV cameras will not be retained indefinitely but will be permanently deleted once there is no reason to retain the recorded information. CCTV footage will normally be erased after 3 months unless required for longer periods for crime prevention or other reasons. At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste. Some of our CCTV operations are not operated by us, so we are not the controller. It will be under the control of the relevant building landlord.

### **Links to other websites**

Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We do not control the content, the security, or the use of your personal information by any third-party websites. We accept no responsibility or liability for other websites not under our control. No links are intended to be, nor should be construed as, an endorsement of any kind by us of that other website. We encourage you to read the privacy notices on the other websites you visit.

You may not create a link to any of our websites from another website or document without our prior written permission.

## Changes to this Privacy Notice

We keep our privacy notice under regular review to make sure it is up to date and accurate. Please refer to this privacy notice regularly to review any amendments. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

## Marketing

We may send you information about our products and services that we believe may be of interest to you or your business. You may receive this information by letter, telephone, or email. If you no longer wish to receive these updates, please let us know by contacting us at [tactical.marketing@element.com](mailto:tactical.marketing@element.com) or by following the unsubscribe link provided in every marketing email.

## Your Rights

Depending on jurisdiction, and subject to certain exceptions, you may have specific rights regarding your personal information, as detailed below:

Your Rights	Description of Rights
Right to know	You may have the right to know what personal information we process about you including: <ul style="list-style-type: none"><li>• what personal information processed</li><li>• the categories of personal information being processed</li><li>• the categories of sources from which the personal information was collected</li><li>• the purpose for processing the personal information</li><li>• the categories of third parties who the personal information is disclosed to</li></ul>
Right to access	You may have the right to access categories and specific pieces of personal information that we collect, use, and disclose about you
Right of rectification	You may have the right to ask us to rectify information you think is inaccurate or incomplete
Right to erasure	You may have the right to ask us to erase your personal information in certain circumstance
Right to restriction of processing	You may have the right to restrict the processing of your personal information in certain circumstances
Right to object to processing	You may have the right to object to the processing of your personal information in certain circumstances
Right to data portability	You may have the right to ask that we transfer any personal information you gave us from one organisation to another or give it to you. We will provide the personal information in a structured, commonly used or in machine-readable format, and transmit it directly you or the required entity



Your right to opt out of sale of personal information	This right does not apply as Element does not sell personal information
Your right to non-discrimination	You may have the right to non-discrimination for exercising your rights. We cannot deny goods or services, charge you a different price, or provide a different level or quality of goods or services just because you exercised your rights

### How to exercise your rights

Please contact [privacy@element.com](mailto:privacy@element.com) to exercise a right in relation to your personal information. Subject to legal considerations and some exemptions, we may not always be able to action your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way. Please note that we cannot facilitate the exercise of your rights without proper verification of your identity.

### How to complain

If you would like to complain about how we have handled your personal information, please contact us at [privacy@element.com](mailto:privacy@element.com). If you are unhappy with our response, you have the right to lodge a complaint with the relevant data protection supervisory authority:

- In the UK the supervisory authority is The Information Commissioners Office (ICO). To raise a complaint please visit their website <https://ico.org.uk/make-a-complaint/>
- In the EU details of the national data protection supervisory authorities can be found on the European Data Protection Board website at [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en). Contact information for the supervisory authorities may be found here: [EU Data Protection Authorities](#)
- In the United States the Federal Trade Commission (FTC) has authority to enforce privacy laws and take actions to protect consumers. You can report fraud, scams, and bad business practice on the federal government's website at <https://reportfraud.ftc.gov/>. Many US states also have their own data privacy and security laws, and state attorney general offices are responsible for overseeing these laws. State attorney general office contact details can be found at <https://www.usa.gov/state-attorney-general>.

### Contact us

If you would like to speak to us about data protection you can do so by post or email using the details below:

Email: [privacy@element.com](mailto:privacy@element.com)

Postal address: FAO Privacy Manager

For general queries please contact us via the '[contact us](#)' section of our website.

### Contact us – United States

If you are based in the United States, we also have a toll-free number you can call on 1-866-843-1820.

### Contact us - Germany

If you are based in Germany and would like to speak to our German Data Protection Officer, you can do so by post, email, phone, web, and video conferencing, using the details below. The German version of Element's privacy statement can be found [here](#).

Postal address:

Datenbeschützerin Regina Stoiber GmbH  
Unterer Sand 9, 94209 Regen, Germany

Email: [regina@datenbeschuetzerin.de](mailto:regina@datenbeschuetzerin.de)

Phone: +49 9921 9062719

Web: [www.datenbeschuetzerin.de](http://www.datenbeschuetzerin.de)

Video call: [conf.datenbeschuetzerin.de](https://conf.datenbeschuetzerin.de)



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[www.element.com](http://www.element.com)