

Privacy Policy – Calven Pty Limited

Introduction

In this Privacy Policy, 'us' 'we' or 'our' means Calven Pty Limited (ACN 646 990 472) ("Calven"). We are committed to respecting your privacy. Our Privacy Policy sets out how we collect, use, store and disclose your personal information on our website (<https://calven.com>), our app and in any related web sites or apps (our "Site").

We collect, use and are responsible for certain personal data about you. When we do so we are subject to various data protection laws and regulations relating to privacy or the use or processing of personal data relating to natural persons. Including, but not limited to, the Privacy Act 1988 and the Spam Act 2003. We are also subject to the UK General Data Protection Regulation ("UK GDPR") and EU General Data Protection Regulation ("EU GDPR") in relation to services we offer to individuals in the United Kingdom and the European Economic Area ("EEA") (together "Data Protection Laws").

If you have any questions about this document please email us at privacy@calven.com.

By providing personal information to us, you consent to our collection, use and disclosure of your personal information in accordance with this Privacy Policy and any other arrangements that apply between us. We may change our Privacy Policy from time to time by publishing changes to it on our website and notifying you when these changes are made. We encourage you to check our website periodically to ensure that you are aware of our current Privacy Policy.

WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION

We are the data controller of your personal information that we collect when you use our Site, purchase Calven products on behalf of your organisation or manage your organisation's company account via our service. This means we are responsible for treating this personal information safely, in accordance with applicable data protection and privacy laws. This Notice sets out how we use that personal information.

If your organisation uses our service, you or your organisation may provide us with information about you as part of their use of the service. Except where this Notice explains otherwise, your organisation is the controller, and we are a data processor in respect of this personal information.

This means we hold this information on your organisation's behalf and they tell us why and how to use it. You should refer to your organisation's privacy policy for further information about how this personal information will be used.

Please contact your organisation if you have any questions about their use of your personal information.

Information we collect

Information you provide us with

When you interact with us (for example, registering on our Site, or sending us an e-mail), we collect the following **categories** of personal information:

- **Contact:** including first and last name, geographic location, company email address, job title, and phone number(s). We may also collect any social media handle used to connect with our customer service team.
- **Communications:** any correspondence and communications with us, including any queries you submit or feedback you provide to us. This covers information we learn about you from:
 - emails;
 - web chat;
 - forms;
 - telephone/video calls and
 - face-to-face conversations you have with us.

- **Business Development:** information about events to which you are invited, preferences related to managing those events, and information that you give us or we otherwise obtain when you visit us.
- **Marketing:** you may also provide us with your personal marketing preferences in relation to direct email marketing.
- **Company Account:** information used to administer your company account, including information regarding payments you make in relation to the Service.

It is important that the personal information we hold about you is accurate and current. Please let us know if you need to update your information.

Information other parties may provide us with

- **Engagement:** We may post content on social media websites, such as LinkedIn. If you engage with this content, we may see your profile information and any comments. We may also see aggregated engagement statistics; these do not contain any personal information.

We will inform you via this Notice (or at the time) if and when we receive information about you from any other third parties, and explain how and why we intend to use that information (including when combining it with information we already hold).

Information we automatically collect

We **automatically collect** the following personal information regarding how you access and use the Service:

- Technical information; and
- Information about your visit.
- **Technical information** may include:
 - Internet Protocol (IP) address;
 - login information;
 - browser type and version;
 - browser plug-in types and versions;

- o device IDs;
- o Google ID/email address;
- o time zone setting;
- o operating system and platform;
- o hardware version;
- o device settings (e.g. language and time zone); and
- o information relating to your mobile operator or Internet Service Provider (ISP).
- **Information about your visit** may include:
 - o full Uniform Resource Locators (URLs);
 - o page response times & download errors;
 - o page interaction data (including data relating to scrolling, clicks, length and frequency of visits, type of content engaged with, and mouse-overs); and
 - o methods used to browse away from a page.

How and why we use your information

We use your personal information for different purposes, each in reliance on a different legal basis (or legal bases). We explain how we collect and use the **categories** of personal information, and what legal basis (or bases) permit this use, below.

If you do not provide personal data we ask for, it may delay or prevent us from providing our services to you.

Information you provide us with:

Type of personal information	How we collect this information	How we use this information	Our legal bases for processing
Contact	When you register on our website or app.	We use this information to provide our site to you, including controlling how our site is displayed to you.	This processing is necessary for our legitimate interest; specifically controlling how the site appears to you so that it is more relevant. It is also necessary for the performance of our contract with you and your organisation.
Contact	When you register on our website or app.	We use this information to set up and authenticate the account you create when you sign up to the service on behalf of your organisation.	This processing is necessary for the legitimate interest of both ourselves and your organisation in order to provide our service to your organisation. It is also necessary for the performance of our contract with you and your organisation.
Contact	When you communicate with us through correspondence, chats, email, or when you share information with us from other social applications, services or websites.	We use this information to respond to you when you request information about our service.	This processing is necessary for our legitimate interest; namely responding to your request for information about our service. It is also necessary for the performance of our contract with you and your organisation.
Contact	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We use this information to communicate with your organisation in relation to the service including, but not limited to, responding to queries and sending	This processing is necessary for the legitimate interest of both ourselves and your organisation to allow administration of the service and support of your organisation. It is also necessary for the

Type of personal information	How we collect this information	How we use this information	Our legal bases for processing
		service-related communications.	performance of our contract with you and your organisation.
Contact	When you communicate with us through correspondence or interact with our sites, services, content and advertising	We use this information to send marketing materials to you where you have indicated that you wish to receive such materials	Your personal information is only used in this way to the extent that you have given consent for us to do so.
Communications	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We use this information to communicate with your organisation, to respond to any queries or complaints you may submit to us, and to send service-related communications.	The processing is necessary for our legitimate interests, namely administering the service, and providing customer service and support to your organisation. It is also necessary for the performance of our contract with you and your organisation.
Communications	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We may, with your explicit consent during the call, record audio and video calls. We may also take notes during calls and in face-to-face meetings. We use this information to understand your requirements and improve our service.	We will only use your personal information in this way to the extent you have given us consent to do so.

Type of personal information	How we collect this information	How we use this information	Our legal bases for processing
Communications	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We may take notes during calls and in face-to-face meetings. We use this information to understand your requirements and improve our service.	The processing is necessary for our legitimate interests, namely administering the service, and providing customer service and support to your organisation. It is also necessary for the performance of our contract with you and your organisation.
Business Development	When you communicate with us through correspondence, chats, email, or when you share information with us from other social applications, services or websites.	We use this information to organise and host events to which you are invited.	The processing is necessary for our legitimate interests, namely in organising and hosting events for the benefit of our customers. It is also necessary for the performance of our contract with you and your organisation.
Business Development	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We use this information to record your preferences in relation to our events.	The processing is necessary for our legitimate interests, namely in ensuring that our events accommodate your preferences (to the extent possible) for your benefit. It is also necessary for the performance of our contract with you and your organisation.
Marketing	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We use this information to provide notifications, send news, alerts and marketing communications and provide the Service in accordance with your choices.	The processing is necessary for our legitimate interest, namely ensuring the user receives the correct marketing and other communications, and that this is displayed in accordance with the user's preferences.

Type of personal information	How we collect this information	How we use this information	Our legal bases for processing
Marketing	When you communicate with us through correspondence or interact with our sites, services, content and advertising.	We use this information to ensure that we comply with our legal obligation to send only those marketing communications to which you have consented.	The processing is necessary for compliance with a legal obligation to which we are subject.
Company account	When you register on our website or app.	We use this information to administer your organisation's account.	The processing is necessary for our legitimate interest and that of your organisation, namely in providing assistance and support in relation your organisation's account. It is also necessary for the performance of our contract with you and your organisation.
Engagement	When you communicate with us through correspondence or interact with our sites, services, content and advertising	We use this information to monitor engagement and collect information regarding interaction with our posts of social media.	The processing is necessary for our legitimate interest, namely in evaluating the impact and effectiveness of our social media posts.

Information we collect automatically

Type of personal information	How we collect this information	How we use this information	Our legal bases for processing
Technical information	When you interact with our sites, services, content and advertising.	We use this information to provide our site to you, including controlling how our site is displayed to you.	This processing is necessary for our legitimate interest; specifically controlling how the site appears to you so that it is more relevant.
Technical information	When you interact with our sites, services, content and advertising.	We use this information to monitor and improve the service and business, resolve issues and to inform the development of new products and services.	The processing is necessary for our legitimate interests, namely to monitor and resolve issues with the Service and to improve the Service generally.
Technical information	When you interact with our sites, services, content and advertising.	We use this information to detect fraud or suspicious activity in relation to your account.	The processing is necessary for our legitimate interests, namely to protect our business and your account from fraud and other illegal activities.
Information about your visit	When you interact with our sites, services, content and advertising	We use information about how you use and connect to the service to present the service to you on your device	The processing is necessary for our legitimate interests, namely presenting the service to the user in an appropriate form.
Information about your visit	When you interact with our sites, services, content and advertising.	We use this information to monitor and improve the service and business, resolve issues and to inform the development of new products and services.	The processing is necessary for our legitimate interests, namely to monitor and resolve issues with the service and to improve the service generally.

Our promotional updates and communications

With your prior consent or where we have a legitimate interest, we will use your personal information for marketing analysis and to provide you with promotional update communications about our services, by email or by calls, SMS, mail or other forms of communication, in accordance with Data Protection Laws. This means we do not usually need your consent to send you marketing information. If we change our marketing approach in the future so that consent is needed, we will ask for this separately and clearly.

You have the right to opt-out of further marketing at any time by selecting the "unsubscribe" link at the end of all our marketing and promotional update communications to you, or by sending us an email at privacy@calven.com.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you would like an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at privacy@calven.com. If we process your personal information for any new purpose, we will notify you (via updating this Notice, and letting you know we have updated it) and we will explain the legal basis which allows us to do so.

Legal bases explained

We rely on the following lawful bases for processing your personal information, as set out in detail in the tables above. Please contact us if you would like further details about the specific legal basis we are relying on to process your personal information.

Consent: We may rely on consent to process your personal information if you submit a query to us, for example if you submit a request to book a demo of Calven. We'll use your personal information for promotional or marketing purposes. For more information, please refer to Our Promotional Updates and Communication section.

You can opt-out of further marketing at any time by selecting the "unsubscribe" link at the end of all our marketing and promotional communications to you or by sending us an email at privacy@calven.com.

Contract: We collect, store and process your personal information where it is necessary for performing a contract you have with us (such as our Terms of Service), or where you have asked us to take specific steps before entering into that contract.

Legal Obligation: We may need to process your personal information to comply with applicable legal obligations and statutory obligations and regulatory rules and guidance, including under applicable Australian and local laws (including privacy and data protection laws), and/or any court orders.

Legitimate interests: as indicated in the tables above, processing your personal information is sometimes necessary for our own interests, or sometimes the interests of a third party. These legitimate interests are only valid if they are not outweighed by your rights and interests.

If you would like further information about how we assess our legitimate interests, please contact us at privacy@calven.com.

WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We may share your personal information with:

- Our **employees or related bodies corporate**;
- **Appropriate third parties** including:
 - Our **business partners, suppliers or sub-contractors** which support the performance of any contract we enter into or other dealings we have in the normal course of business with you.
 - Our service providers, who process your personal information on our behalf and in accordance with our instructions, and applicable privacy and data protection laws. This includes:
 - technology providers who support the services we offer to you, for example, by hosting websites, storing data, or providing IT support services;
 - payment services providers; and
 - companies that help us distribute any communications we send, update marketing lists, facilitate feedback on our services and/or the electronic signing of documents.

These organisations (which may include third party suppliers, agents, sub-contractors and/or other companies in our group) will only use your information to the extent necessary to perform their support functions. We only allow those organisations to handle your personal data if we are satisfied they take appropriate measures to protect your personal data.

We or the third parties mentioned above occasionally also share personal data with:

- Our regulators, law enforcement and other parties for legal reasons as required by law or if we reasonably believe that such action is necessary to (i) comply with the law and the reasonable requests of law enforcement; (ii) detect and investigate illegal activities and breaches of agreements, including our Terms of Service; and/or (iii) exercise or protect the rights, property, or personal safety of Calven, its users or others.
- Purchasers and third parties in connection with a business transaction, such as a merger, sale of assets or shares, reorganisation, financing, change of control or acquisition of all or a portion of our business.

- Analytics and search engine providers that assist us in the improvement and optimisation of our service, subject to the Cookie section of this Notice.
- Our auditors, legal advisors, and other professional advisors.
- Anyone who you give us your prior explicit permission to share it with.

When you use the free tier of the Calven app, we and/or our carefully selected business partners may send you direct marketing communications and information about your account, our service and products. This may take the form of emails, SMS, mail or other forms of communication, in accordance with the Spam Act and the Privacy Act. You may opt-out of receiving marketing materials from us by contacting us using the details set out below or by using the opt-out facilities provided (eg an unsubscribe link).

WHERE WE STORE YOUR INFORMATION & INTERNATIONAL TRANSFERS

Calven is based in Australia. The servers used to process your personal information collected from this website are located in Australia, but we collect information from wherever users are situated. The information that we collect may therefore be transferred to Australia from any other country in which you may be located.

We may transfer your personal information to one or more countries outside of Australia or the jurisdiction you are in, where we and our third-party service providers have operations, for example the United States of America. Your personal information may therefore be processed outside of Australia, the UK or EEA.

We will, however, take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with Data Protection Laws.

In circumstances where you are located in a jurisdiction such as the UK or EEA and we transfer your personal information to a country such as Australia, these international transfers of your personal information will be made pursuant to appropriate safeguards, including:

- ensuring that recipients or the country in which they are located are deemed by the UK government or the European Commission to provide adequate protection for personal information; or
- ensuring that transfers are subject to standard contractual clauses approved by the UK government or the European Commission for the transfer of personal information; or
- there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you; or
- a specific exception applies under relevant data protection law

Where we transfer your personal data outside the UK or EEA we do so on the basis of an adequacy decision or (where this is not available legally-approved standard data protection clauses issued further to Article 46(2) of the UK GDPR and EU GDPR. In the event we cannot or choose not to continue to rely on either of those mechanisms at any time we will not transfer your personal data outside the UK or EEA unless we can do so on the basis of an alternative mechanism or exception provided by applicable data protection law and reflected in an update to this policy. If you wish to enquire further about these safeguards used, please contact us using the details set out at the end of this Notice.

Why do we transfer it?

We may transfer your personal information outside of Australia, the UK or EEA:

- in order to **store** it;
- in order to enable us to **provide our Service** to you and fulfil our contract with you;
- where we are **legally required** to do so; and
- in order to **facilitate the operation of our group of businesses**, where it is in our legitimate interests and we have concluded these are not overridden by your rights.

We may transfer your personal information as follows:

Company	Country	Purpose of transfer	Transfer safeguard
Google LLC	USA, Australia	Provision of the Calven service	Standard Contractual Clauses approved for the international transfer of personal data
Algolia	USA	Indexing of data for the search function within Calven	Standard Contractual Clauses approved for the international transfer of personal data
Customer.io	USA	Facilitate the delivery of push notifications in the Calven app	Standard Contractual Clauses approved for the international transfer of personal data
Mixpanel	USA	Analytics on the performance and use of our app to enable product improvement	Standard Contractual Clauses approved for the international transfer of personal data
Segment.io, Inc	USA	Analytics on the use of our app to enable product improvement	Standard Contractual Clauses approved for the international transfer of personal data
Nylas Inc	Ireland, USA, Canada	Access to user calendar data to provide calendar related functions in the Calven service	Standard Contractual Clauses approved for the international transfer of personal data
Sentry.io from Functional Software, Inc	USA	Application performance monitoring and logging	Standard Contractual Clauses approved for the international transfer of personal data

HOW WE PROTECT YOUR INFORMATION

Unfortunately, the transmission of information via the internet is not completely secure. We do our best to protect your personal information, but we cannot guarantee the security of your personal information transmitted to our service; any transmission is at your own risk. Once we have received your information, we use strict procedures and security features to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure and we use a number of physical, administrative, personnel and technical measures to protect your personal information. For example, we anonymise certain data and store it on secure servers. Data is encrypted both during transmission and when stored. We limit access to your personal data to those who have a genuine business need to access it. Those processing your personal data will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. We will never send you unsolicited emails or contact you by phone requesting your account ID, password, credit or debit card information or national identification numbers. If you have a Calven account, we recommend using a strong, unique password for your account and making sure you keep your password confidential.

COOKIES

A cookie is a small text file which is placed onto your device (e.g. computer, smartphone or other electronic device) when you use our Site. We use cookies on our Site.

While we do not use browsing information to identify you personally, we may record certain information about your use of our website, such as which pages you visit, the time and date of your visit and the internet protocol address assigned to your computer. We may also use 'cookies' or other similar tracking technologies on our website that help us track your website usage and remember your preferences. This information helps us to keep your settings across visits to our web site, offer chat and support functionality and customise your experience on our website.

We will ask for your consent to place cookies or other similar technologies on your device, except where they are essential for us to provide you with a service that you have requested (e.g. tracking your authentication state when you log in to our service).

You can withdraw any consent to the use of cookies or manage any other cookie preferences by updating your settings in your browser. Most browsers allow you to manage how cookies are set and used as you're browsing, and to clear cookies and browsing data. Also, your browser may have settings allowing you to manage cookies on a site-by-site basis. For example, Google Chrome's settings allow you to delete existing cookies, allow or block all cookies, and set cookie preferences for websites, or you may use Google Chrome's Incognito mode when browsing.

The cookies we use are:

The cookies we use	Name	Purpose	Whether cookie is essential for us to provide you with a service that you have requested and whether we will seek your consent before we place the cookie
Google Analytics (Google)	_ga	This is a Google product that helps site and app owners understand how people engage with a service, using a set of cookies to collect information and report site usage statistics without personally identifying individual visitors to Google. This web analytics service provided by Google uses cookies to enable a service to distinguish one user from another and lasts for 2 years. Read How Google uses cookies – Privacy & Terms – Google for how Google uses the cookies.	No; we will therefore request your consent before placing this cookie.

If you do not want to accept any cookies, you may be able to change your browser settings so that cookies (including those which are essential to the services requested) are not accepted. If you do this, please be aware that you may lose some of the functionality of our website.

If you are in the UK and would like further information on cookies generally, including how to control and manage them, visit the [guidance on cookies](https://www.aboutcookies.org/) published by the UK Information Commissioner's Office or <https://www.aboutcookies.org/>.

EXTERNAL SITES

Our Service may, from time to time, contain links to websites operated by third parties. Those links are provided for convenience and may not remain current or be maintained. Unless expressly stated otherwise, we are not responsible or liable for the privacy practices of, or any content on, those linked websites, and have no control over or rights in those linked websites. The privacy policies that apply to those other websites may differ substantially from our Privacy Policy, so we encourage individuals to read them before using those websites.

HOW LONG WE KEEP YOUR INFORMATION

If you have an account with us, we will hold your personal information for so long as you use our Service and/or have your account with us in order to meet our contractual obligations to you, and for 6 years after that to identify any issues and resolve any legal proceedings. (We may retain your personal information for a longer period in the event of a complaint, if we reasonably believe there is a prospect of legal proceedings in respect of our relationship with you, or we are aware of pending or ongoing legal proceedings with you.)

We otherwise process personal information only for so long as is necessary to fulfil the purposes we collected it for, including for the purposes of our legitimate business interests and satisfying any legal or reporting requirements, after

which it will be deleted or archived. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and the applicable legal requirements.

In some circumstances we will anonymise your personal information (so that it can no longer be associated with you and you cannot be re-identified). This anonymised data (for example, aggregated statistics) is no longer personal information, and we may keep and use this anonymised information indefinitely without further notice to you, to help us provide, develop and improve our services.

ACCESSING OR CORRECTING YOUR PERSONAL INFORMATION

You can access the personal information we hold about you by contacting us using the information set out below. Sometimes, we may not be able to provide you with access to all of your personal information and, where this is the case, we will tell you why. We may also need to verify your identity when you request your personal information.

If you think that any personal information we hold about you is inaccurate, please contact us and we will take reasonable steps to ensure that it is corrected.

YOUR RIGHTS

If you are in the UK or the EEA you have the following rights under Data Protection Laws, in certain circumstances:

- **Right of access.** You have the right to be provided with a copy of your personal information held by us;
- **Right to rectification.** You have the right to obtain rectification of any inaccurate or incomplete personal information we hold about you without undue delay.
- **Right to erasure.** You have the right, in some circumstances, to require us to erase your personal information without undue delay if the continued processing of that personal information is not justified.

- **Right to restriction.** You have the right, in some circumstances, to require us to limit the purposes for which we process your personal information if the continued processing of the personal information in this way is not justified, such as where the accuracy of the personal information is contested by you.
- **Right of portability.** You have the right, in certain circumstances, to receive a copy of the personal information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal information to another person.
- **Right to withdraw consent.** If you have provided consent for the processing of your personal information, you have the right to withdraw your consent, including to withdraw consent to marketing.
- **Right to object.** You also have the right to object to any processing based on our legitimate interests where there are grounds relating to your particular situation. There may be compelling reasons for continuing to process your personal information, and we will assess and inform you if that is the case.

How to exercise your rights

If you have any questions about how we handle your personal information or wish to exercise any of your legal rights you can contact us by writing to us at privacy@calven.com. If our processing of your personal information is based on consent, you have the right to withdraw that consent without detriment at any time.

If you think we have breached any Data Protection Law, or you wish to make a complaint about the way we have handled your personal information, you can contact us at privacy@calven.com. Please include your name, email address and/or telephone number and clearly describe your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period of time. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

The Office of The Australian Information Commissioner's Office (OAIC) is Australia's data protection supervisory authority, and can provide further information about your rights and our obligations in relation to your personal information, and deal with any complaints you may have about our processing of your personal information (please

visit their website at <http://www.oaic.gov.au>). We would appreciate the chance to deal with your concerns before you approach a supervisory authority, so please do contact us by writing to us at privacy@calven.com.

If you are in the UK or EEA, you also have the right to lodge a complaint with the relevant supervisory authority e.g. the Information Commissioner in the UK. The UK's Information Commissioner may be contacted using the details at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113. For a list of EEA data protection supervisory authorities and their contact details see [here](#).

CHANGES TO THIS NOTICE

This Notice was last updated in August 2022. If we make any changes to this Privacy Policy, we may notify you by e-mail, website pop-ups or in-app notifications within this page or the service.

CONTACT US

For further information about our Privacy Policy or practices, or to access or correct your personal information, or make a complaint, please contact us using the email address: privacy@calven.com

Individuals in the UK and EEA

You can contact us directly by email at the above address if you have any questions about this privacy policy or the information we hold about you, to exercise a right under data protection law or to make a complaint.

Please email us at privacy@calven.com for details regarding our data protection representative within the UK and EEA.