



## Calero Privacy Policy

Welcome to the Calero privacy policy. We respect your privacy and are committed to protecting your personal data. We have created this privacy policy to explain what personal data we collect, how we use and look after that personal data, and tells you about your privacy rights and how the law protects you.

This privacy policy is provided in a layered format so you can click through to the specific areas set out below.

- 1. IMPORTANT INFORMATION AND WHO WE ARE**
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### 1. Important information and who we are

#### Purpose of this privacy policy

This privacy policy aims to give you information on how we collect and process your personal data through your use of our website and suite of Internet-based products, solutions and services including any data you may provide through them.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Our website, solutions, products and services are not intended for children and we do not knowingly collect personal data relating to children. If you become aware that a child has provided us with personal data, please contact us at [privacy.officer@calero.com](mailto:privacy.officer@calero.com). If we become aware that a child has provided us with personal data, we will take steps to delete that information.

#### Calero as Controller and Calero as Processor

Calero is made up of different legal entities, details of which can be found here. This privacy policy is issued on behalf of the Calero Group so when we mention "Calero", "we", "us" or "our" in this privacy policy, we are referring to the relevant company in the Calero Group responsible

for processing your data. We will let you know which entity will be the responsible for your data when you purchase a product, solution or service from us. Telesoft, LLC (dba Calero MDSL) is the controller and responsible for this website.

We have appointed a data protection officer (DPO) who is responsible for our compliance with and enforcement of this privacy policy and overseeing questions that may arise in relation to this privacy policy. We train our employees that have access to your personal data in relation to compliance with this privacy policy and applicable data protection laws. If you have any questions about this privacy policy or any privacy-related issue, including any requests to exercise your legal rights, please contact the DPO using the details set out at the end of this privacy policy.

**Please note that we do not own or control the personal data that we process as a data processor on behalf of our customers or their users and we do not have a direct relationship with the users whose personal data may be processed in connection with providing services to our customers. Each customer is in control of what information, including any personal data, it collects from its users, how that information is used and disclosed and how that information can be changed. Such users should contact their customer administrator with any request for information or questions about their personal data or if they wish to exercise their legal rights in respect of such personal data, including requests about access to or correction of personal data contained in the electronic data uploaded to our suite of Internet-based products by or for a customer.**

## Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review and may amend this privacy policy at any time. When this privacy policy is amended, the revised version will be posted on our website. If required by applicable law, we will notify you of any material changes to the policy, and we will provide such notification by means of posting a notice on our website prior to the changes taking effect. This version was last updated on 17 November 2020. Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Third-party links

This website and our hosted webpages may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third party websites and are not responsible for their privacy statements. We encourage you to read the privacy policy of every website you visit to understand their policies before disclosing your personal data.

## 2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we group together as follows:

- **Identity Data** includes first name, last name, username or similar identifier (including employee ID), title, and department.
- **Contact Data** includes email address, telephone numbers, company name and mailing address and customer representative contact information.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website, solutions, products and services.
- **Profile Data** includes your username and password, your preferences, and responses to specific enquiries.
- **Usage Data** includes information about how you use our website, solutions, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We collect, use and share **Aggregated Data** such as demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services) and it may limit our ability to communicate with you or fulfil your requests. In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

### 3. How is your personal data collected?

We collect data in various formats, including electronic, paper or verbal, and we use different methods to collect such data from and about you including through:

- **Direct interactions.** You may give us your personal data by filling in forms or by corresponding with us by post, phone, service desk, email or otherwise. This includes personal data you provide when you:
  - register on and use our website, including our corporate websites;
  - apply for a demonstration of our products or services;
  - use our suite of Internet-based products including hosted software applications, web pages, web applications and databases;
  - subscribe to and use our services (including subscription services, managed services, professional services, support services, training and certification) or our blog;
  - request marketing to be sent to you; or o give us feedback, respond to a survey, raise a service desk ticket or contact us in connection with the services.
- **Automated technologies or interactions.** As you interact with our website, solutions, products and services, we will automatically collect Technical Data about your equipment, browsing actions and patterns, including click-through behaviour. We collect this personal data by using cookies and other similar technologies. Please see our Cookie Notice for further information.
- **Third parties.** We will receive personal data about you from various third parties as set out below:
  - from our customers and our customers' vendors through carrier portals that we are authorized to access in order to process customer invoices and call detail records;
  - from our business partners in connection with our customers' and users' use of our services or in connection with services provided by our business partners on their behalf, including configuration of our services;
  - from providers of technical, payment and delivery services; and o from analytics providers and advertising networks.

### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- **Legitimate Interest:** where it is necessary for the legitimate interests (or those of a third party) in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience and your interests and fundamental rights do not override those interests. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal

data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

- **Performance of Contract:** where we need to process your data where it is necessary to perform the contract we are about to enter into or have entered into with you.
- **Legal obligation:** where we need to process your data where it is necessary to comply with a legal obligation that we are subject to.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

## Purposes for which we will use your personal data

We have set out below a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the description below.

- **Contractual obligations.** We may process your personal data to carry out our obligations arising from any contracts entered into between you and us (or proposed to be entered into) in relation to the supply of solutions, products and services including to process transactions, to ship wireless devices and other products to customers, to communicate with end-users to streamline procurement, categorise and charge back expenses, and delegate authority for invoice payment to appropriate managers and, for billing and contracting purposes. **Legal basis: necessary for the performance of a contract.**
- **Service provision.** We may process your personal data to provide our solutions, products and services including updating, enhancing, securing and maintaining the services. **Legal basis: necessary for the performance of a contract and/or for our legitimate interests (for running our business).**
- **Relationship management.** We may process your personal data to provide you with customer services and to manage our relationship with customers including to register you as a customer, to notify you about any material changes to our terms or policies, to ask you to leave a review, to analyse our records and identify potential customers, to respond to requests and enquiries from customers and potential customers and send information about our company, products, solutions and services on request, to update and expand our records with new information. **Legal basis: necessary for the performance of a contract, to comply with a legal obligation and/or for our legitimate interests (to keep our records updated and study how customers use our products/services).**

- **Data analytics.** We may process your personal data to administer and improve our website, solutions, products and services, to help diagnose technical problems, to track and evaluate user movement including the frequency, duration, patterns and trends of usage of our website, solutions, products and services, to analyse volume statistical information from customers and end-users (in individual and aggregate form), to improve the quality of our website, solutions, products, services, customer relationships and user experiences and to ensure that the content from them is presented in the most effective manner. **Legal basis: necessary for our legitimate interests (to define the types of customers for our products and services, to keep our website updated and relevant and improve your experience, to develop our business and to inform our marketing strategy).**
- **Business requirements.** We may process your personal data to administer and protect our business, website, solutions, products and services (including troubleshooting, data analysis, data hosting, testing, support, system maintenance and reporting) and to resolve problems and support issues. **Legal basis: necessary for our legitimate interests (running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring) and/or to comply with a legal obligation.**
- **Compliance.** We may process your personal data to ensure you are complying with our terms and policies (and to deal with any suspected violation of our terms and policies) and to comply with applicable laws and our statutory and regulatory obligations in order to protect our legal rights, for example, in connection with legal claims, compliance, regulatory, or investigative purposes. **Legal basis: necessary to comply with a legal obligation.**
- **Promotions.** We may process your personal data to enable you to partake in a promotion or contest or event or complete a survey. **Legal basis: necessary for the performance of a contract and/or for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).**
- **Advertising.** We may process your personal data to deliver relevant website content and advertisements to you, to measure or understand the effectiveness of the advertising we serve and to send you marketing information and other communications by email. **Legal basis: necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business and inform our marketing strategy).**

## Marketing

### *Promotional offers from us*

You will receive marketing communications from us if you have requested information from us or purchased products or services from us and you have not opted out of receiving that marketing. We use that information to decide which products, services and offers may be relevant for you. We do this on the basis of our legitimate interests (to develop our products/services and grow our business).

### *Third-party marketing*

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### *Opting out*

You can ask us to stop sending you marketing messages at any time by following the opt-out links or unsubscribe functionalities in any communications sent to you.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, product/service experience or other transactions.

If you have received an unwanted, unsolicited email sent from us or purporting to be sent from us, please forward the email with your comments to [privacy.officer@calero.com](mailto:privacy.officer@calero.com) for our review.

### *Cookies*

Like many Internet companies, we may also receive information through cookies, clear GIFs, pixel tags, and other similar technologies that we use on some of our web-hosted products and services. A cookie is a small piece of data that is stored on an end-user's hard drive. Cookies enhance your experience by saving you the effort of providing specific information each time you revisit our hosted webpages and by customising content based on your preferences. The information stored in cookies often does not reveal your identity directly; however, in some countries, including the European Economic Area, it is considered personal data.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies and similar technologies we use, please see our Cookie Notice.

### *Change of purpose*

We will only use your personal data 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 wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Disclosures of your personal data**

We do not sell, trade, distribute or rent personal data to third parties; however we may use third party contractors to supplement our workforce activities. We may share your personal data with the parties set out below.

- **Internal Third Parties**



- Other companies in the Calero Group including the staff of those companies who are based in the USA, England, Scotland, Hong Kong, the Netherlands, Japan, Latvia, Austria, France, Germany, and South Africa.
- **External Third Parties**
  - Contractors, business partners and service providers acting as processors who provide: hosting services including The Bunker Ultra Secure Hosting, Pulsant Business Unlimited, AWS, OCI and Microsoft Azure based in the USA, the UK, Ireland, the EU and Canada; IT and administration support and helpdesk services and functions including: (i) Digital Mobile Innovations, LLC based in the USA, Canada, Spain, India, the UK, and Cambodia; (ii) The TOTAN Information Technology Co., Ltd based in Japan; (iii) IRIS Software, Inc. based in the USA, Canada and India; (iv) TelCon based in the USA; and (v) Regus Group Companies based worldwide.
  - Professional advisers including lawyers, bankers, auditors and insurers based worldwide who provide consultancy, banking, legal, insurance and accounting services.
  - HM Revenue & Customs, regulators and other authorities based worldwide who require reporting of processing activities in certain circumstances.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets (including in the event of a merger, acquisition, joint venture, reorganisation, dissolution or liquidation). Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to enter into a data processing agreement with us which requires them to respect the security of your personal data, to safeguard it and treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

We share your personal data within the Calero Group. This will involve transferring your data outside the United Kingdom and the European Economic Area (**EEA**). We ensure your personal data is protected by requiring all our group companies to follow the same rules when processing your personal data. These rules are called "binding corporate rules". For further details, see European Commission: Binding corporate rules.

Many of our external third parties are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA. Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For



further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.

- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

Please contact us if you want further details on the specific mechanism used by us when transferring your personal data.

## 7. Data security

We have put in place appropriate administrative, organisational, technical, security measures and physical safeguards to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Our hosted solutions maintain personal data on secure servers located in secure data centres with live personnel monitoring 24 hours a day, 7 days a week. Personal data stored on these servers is protected by various measures, including encryption, firewalls restricting access and unique login IDs and passwords.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know with limited access to perform only such functions as they are authorised to perform. They will only process your personal data on our instructions and they are made aware of their responsibilities to protect the security, confidentiality, and integrity of that data and will have been provided training and instruction on how to do so. We require our partners to use appropriate security measures.

Data security is paramount, and we are constantly re-evaluating and deploying, where appropriate, the latest technologies, including Secure Socket Layer encryption and firewalls, to enhance our security and the confidentiality of personal data. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

In some circumstances you can ask us to delete your data: see your legal rights below for further information.

## 9. Your legal rights

In certain circumstances, you have rights under data protection law in relation to your personal data including the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (i) if you want us to establish the data's accuracy; (ii) where our use of the data is unlawful but you do not want us to erase it; (iii) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; (iv) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent nor will it prevent us from retaining your personal data where we have a legal requirement to do so. If you withdraw your consent, we may not be able to provide certain

products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact our DPO at the contact details set out below.

## No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## Time limit to respond

We try to respond to all legitimate requests within 1 month. Occasionally it could take us longer than 1 month if your request is complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## Contact details

If you have any questions about this privacy policy or our privacy practices, or if you need to update, change or remove your information, please contact our DPO in the following ways:

USA	UK and EU
Full name: Telesoft, LLC (dba Calero)	Full name: Calero Software Ltd (dba Calero)
Address: Attn: Privacy, 5343 N 16th St., Suite 300, Phoenix, AZ, 85016, USA	Address: Attn: Privacy, Fourth Floor, 40 Torphichen Street, Edinburgh EH3 8JB, United Kingdom
Email: <a href="mailto:privacy.officer@calero.com">privacy.officer@calero.com</a>	Email: <a href="mailto:privacy.officer@calero.com">privacy.officer@calero.com</a>

If you are not satisfied with how we handle such requests or how we otherwise process your personal data, you have the right to make a complaint at any time to our lead supervisory authority, the Irish Data Protection Commissioner ([www.dataprotection.ie](http://www.dataprotection.ie)), or to your local supervisory authority for data protection issues, which, in the UK, is the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach a supervisory authority so please contact us in the first instance