

# Privacy Notice

*Updated and effective as of 19th Oct 2023*

## INTRODUCTION

At Inagene we are committed to respecting your privacy and the privacy of your patients. This Privacy Notice explains how we collect, use and disclose personal information that we receive when you use our Personalized Insights™ service on behalf of the NHS Trust for which you work in connection with NHS patients (“**Service**”).

It is important that you read this Privacy Notice so that you are fully aware of how and why we are using your data.

The Service is provided by Inagene Diagnostics Inc (“**we**”, “**us**”, “**our**” or “**Inagene**”), a company registered in Canada with company number 72546-6882 and registered offices at 802 – 2345 Yonge St, Toronto Ontario M4P 2E5.

Inagene [Inagene Diagnostics UK Ltd] is registered as a data controller with the Information Commissioner’s Office under data protection registration number ZB101003.

## CONTACT US

If you have any questions about our Privacy Notice or your information, or wish to exercise any of your rights as described in this Privacy Notice or under data protection laws, you can contact us:

### **By post at:**

5th Floor

10 Finsbury Square

London

EC2A 1AF

**By email at:** [privacy@inagene.com](mailto:privacy@inagene.com)

## SCOPE

This Privacy Notice refers to data collected by Inagene in the course of provision of its services to the NHS. Inagene’s practices and policies surrounding this data are governed by an agreement (“**Agreement**”) between the Trust for which you work and Inagene.

Under the Agreement, the Trust is the “controller” (i.e. decision-maker) of your personal data and the personal data of your patients, while Inagene is the “processor” of such personal data when providing its services to the Trust.

However, we may also act as a “controller” of your personal data in limited situations in connection with your use of the Service. This is the case where we are processing your personal data for our own purposes outside the context of providing services to the Trust

under the Agreement (e.g. to improve your experience of the Service as accessed through our website or portal).

## **INAGENE AS PROCESSOR**

Where we are acting as a processor, we process your personal data on behalf of and in accordance with the instructions of your employer, the relevant NHS Trust. We are not responsible for the NHS' policies and practices surrounding data privacy and security.

The NHS Trust in question retains full responsibility for responding to requests regarding personal data processed through the Service. We encourage you to refer to your employer's staff privacy policy.

## **INAGENE AS CONTROLLER**

In the limited situations where we act as a controller of your personal data, we are directly responsible to you in respect of our handling of your data. We have set out below details of the types of your personal data we collect as a controller and the purposes for this (among other matters).

### ***Personal Information We Collect***

We collect the following limited information regarding your use of the Service as a controller:

- **Technical Data:** including the Internet protocol (IP) address, browser type, internet service provider, device identifier, your login information, time zone setting, browser plug-in types and versions, preferred language, activities, operating system and platform, and geographical location; and
- **Usage Data:** including the full Uniform Resource Locators (URL), clickstream to, through and from the Platform, pages you viewed and searched for, page response times, length of visits to certain pages, referral source/exit pages, page interaction information (such as scrolling, clicks and mouse-overs), date and time pages are accessed, website navigation and search terms used, and whether you have opened our marketing newsletters.

We may also collect, use and share "**Aggregated Data**" such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal information but is anonymised and is not considered personal information as it will **not** directly or indirectly reveal your identity.

### ***What We Do with Your Personal Information***

When acting as a data controller, we will only use your personal information if we have a legal basis for doing so. The purposes for which we use and process your information and the legal basis on which we carry out each type of processing is explained below:

- To administer the Service (including the website and portal), including resolving technical issues, troubleshooting, data analysis, testing, research, statistical and survey purposes.

**Lawful basis:** It is in our legitimate interests to ensure that the Service functions properly and to resolve issues with it where required.

- To improve the Platform to ensure that content is presented in the most effective manner for you and your computer, mobile device or other item of hardware through which you access the Platform.

**Lawful basis:** Your consent.

- To anonymise and aggregate the data we collect through the website or portal in the course of providing the Service to the NHS for statistical and research purposes.

**Lawful basis:** It is in our legitimate interests to anonymise the personal data we collect in the course of providing our Service in order that we can carry out research, prepare reports and promote our services.

### ***Disclosure of Your Personal Information to Third Parties***

We may share your personal information with third party vendors and other service providers that perform services for us or on our behalf as required to achieve the purposes described above, which may include providing web hosting or analytics services.

### ***International transfers***

We do not transfer your personal data outside the UK.

### ***Security of Your Personal Information***

We use appropriate technical and organisational security measures (including encryption) to protect personal information from unauthorised use, loss, alteration or destruction. Where data processing is carried out on our behalf by a third party, we take steps to ensure that appropriate security measures are in place to prevent unauthorised disclosure of personal information.

Despite these precautions, however, we cannot guarantee the security of information transmitted over the Internet or that unauthorised persons will not obtain access to personal information.

### ***How Long We Keep Your Personal Information***

We will only retain your personal information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or regulatory requirements. We may retain your personal information 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.

### ***Your Rights***

In accordance with applicable privacy law, you have the following rights in respect of your personal information that we hold:

- **Right of access.** You have the right to obtain access to your personal information.
- **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 data to another person.
- **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 to object.** You have a right to object to any processing based on our legitimate interests in certain circumstances.
- **Right to withdraw consent.** If you have provided consent to any processing of your personal information, you have a right to withdraw that consent but without affecting the lawfulness of processing based on consent before its withdrawal.

Please note that not all of the above rights are absolute and we may be entitled to refuse requests, wholly or partly, where exceptions under the applicable law apply.

You can exercise any of your rights as described in this Privacy Notice and under data protection laws by contacting us as provided in the [Contact Us](#) section above.

### ***Cookies and Other Tracking Technologies***

We use cookies and similar technologies on the website and portal for various purposes, including improving your experience of the website and portal. For more information about cookies and why we use these, please refer to our [Cookies Policy](#).

### ***Complaints***

If you have any questions or concerns regarding our Privacy Notice or practices, please contact us as provided in the [Contacting Us](#) section above. You also have the right to complain to the UK Information Commissioner's Office (<https://ico.org.uk/>). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## **CHANGES TO OUR PRIVACY POLICY**

We reserve the right to change this Privacy Notice from time to time. Any changes will be posted on the website and portal with an updated revision date. If we make any material changes to this Privacy Notice, we may notify you by email or by means of a prominent notice on the website and portal prior to the change becoming effective.

Legal Review: Job-bag ING-UK-2023-00019