

# Privacy Policy

Cultivating Leadership<sup>1</sup> respects your privacy and is committed to protecting your personal data. This privacy notice informs you how we look after your personal data which you provide to us, or which we obtain when providing services to you, when you use our website [www.cultivatingleadership.com](http://www.cultivatingleadership.com), or when we deal with you in the course of our business.

We may update this privacy policy from time to time – you can find our latest policy on our website at <http://cultivatingleadership.com> or by asking us for a copy.

## 1. IMPORTANT INFORMATION

Cultivating Leadership (collectively referred to as "CL ", "we", "us" or "our" in this privacy notice).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

### Contact details

Our full contact details are as follows:

Data Privacy Manager: Diana Manks  
Email address: [diana@cultivatingleadership.co.nz](mailto:diana@cultivatingleadership.co.nz)  
Address: 17B Sunshine Ave, Paraparaumu, Kapiti Coast, New Zealand,  
5032  
Telephone Number: +64 (0) 220 100 402

### Third-party links

Our website 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. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. THE DATA WE COLLECT AND HOW WE COLLECT IT

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<sup>1</sup> Cultivating Leadership comprises a group of entities: Cultivating Leadership (NZ Partnership); Cultivating Leadership Limited (New Zealand); Cultivating Leadership Pty Ltd (Australia); Cultivating Leadership LLC (USA); Cultivating Leadership Limited (Ireland); Cultivating Leadership Limited (UK); Cultivating Leadership Trading as Growth Edge Coaching; Growth Edge Coaching LLC (USA).

## The data we may collect

We may collect, use, store and transfer some or all of the following:

- **Identity and Contact Data:** personal and identity data, including your names, date of birth, copies of ID, and contact details;
- **Financial Data:** including details of your bank accounts, payment card details; tax information;
- **Transaction Data:** details of services we provide to you;
- **Technical Data:** information collect automatically by our internet service provider when you visit our website or interact with us by email, including your IP address, browser details, and device details;
- **Marketing and Communications Data:** includes your preferences in receiving marketing from us and your communication preferences.

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 our services). 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.

## Where we may collect your data from

We collect your data from different sources:

- We may collect the types data listed above directly from you when you interact with us;
- We may collect Identity and Contact Data from professionals and others providing you with services, and with whom you ask us to interact;
- We may collect Technical Data automatically when you interact with our website or email us or unsubscribe from our mailing list, by using cookies and other similar technologies.

## 3. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data for the lawful reasons for which it was collected.

We have set out below, in a table format, a description of all the ways we may 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.

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 using the

details above 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 table below.

<b>Purpose/Activity</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new client.	Performance of a contract with you.
To provide services to you and carry out your instructions in connection with our services.	Performance of a contract with you.
To share information with your other professional advisors for the purposes of them providing services to you.	(a) Performance of a contract with you. (b) Consent, where you have provided consent to us sharing this information.
To communicate with you for the purpose of providing services to our clients, who may be mutual clients.	Necessary for our legitimate interests (to provide services to our mutual clients in an efficient manner).
To carry out administration in connection with the provision of services to you, including: (a) Managing payments, fees and charges. (b) Collect and recover money owed to us.	(a) Performance of a contract with you. (b) Necessary for our legitimate interests (to recover debts due to us).
To manage queries relating to services we have provided to you historically.	(a) Performance of a contract with you. (b) Necessary for our legitimate interests (to be able to respond to queries about our services).
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy. (b) Asking you to leave a review or take a survey.	(a) Performance of a contract with you. (b) Necessary to comply with a legal obligation. (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services).
To enable you to partake in surveys/research.	(a) Performance of a contract with you. (b) Necessary for our legitimate interests (to study use of our products/services, to develop them, enhance our effectiveness and provide you with validation data).
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and to align

Purpose/Activity	Lawful basis for processing including basis of legitimate interest
and hosting of data).	resources with workload). (b) Necessary to comply with a legal obligation.
To deliver relevant website content including: leadership development and coaching support information; promotions to you; and, to measure or understand the effectiveness of our activities.	Necessary for our legitimate interests (to study the use of our products/services, to develop them, to enhance our business and to inform our development strategy).
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences.	Necessary for our legitimate interests (to help define our products and services, to keep our website updated and relevant, and to develop our business).
To make suggestions and recommendations to you about services that may be of interest to you.	(a) Consent (where you have provided positive consent). (b) Necessary for our legitimate interests (to develop our products/services and develop our business).
To invite you to networking and professional events, and to inform you about developments in our business or the field of leadership, coaching, complexity, assessment and development.	(a) Consent (where you have provided positive consent). (b) Necessary for our legitimate interests (to develop our products/services and develop our business).

We will only use your personal data for the purposes for which we collected it.

In addition, when required by law we may process your personal data without your knowledge or consent.

### **Business development**

We may use your personal data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

You may receive communications from us in respect of our business and our services if you have requested information from us or purchased services from us and, in each case, you have not opted out of receiving these messages.

You can ask us or third parties to stop sending you business development messages at any time by following the unsubscribe links on any message sent to you, or by contacting us using the details above at any time.

### **Cookies when using our websites**

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 our websites may become inaccessible or not function properly. For more information about the cookies we use, please see [www.cultivatingleadership.co.nz/cookie-policy/](http://www.cultivatingleadership.co.nz/cookie-policy/).

## **4. DISCLOSURES OF YOUR PERSONAL INFORMATION**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 3 above:

- **Third parties who we interact with on your behalf** including providers of diagnostic assessments, and your employees and staff.
- **Our consultants** and support team.
- **Service providers** based within the UK, wider EEA or outside the EEA who provide IT and system administration services.
- **Event Partners** who assist us with organising events and marketing those events, based in Ireland, the UK, wider EEA or outside the EEA.
- **Our professional advisers** including lawyers, bankers, auditors and insurers based in Ireland, the UK, wider EEA or outside the EEA who provide consultancy, banking, legal, insurance and accounting services.
- **Revenue & Customs** regulators and other authorities based in Ireland, the UK, wider EEA or outside the EEA who require reporting of our processing activities in certain circumstances.
- **Third parties** If a change happens to our business (in the case of merger or acquisition), then your personal data will be used in the same way as set out in this privacy notice.

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.

## **5. INTERNATIONAL TRANSFERS**

We may transfer your personal data to third parties providing services to us who are based outside of the European Economic Area (**EEA**). This includes parties providing IT administration services and hosting services (including Dropbox), and parties providing

services with managing our marketing databases (including Mailchimp and Constant Contact).

Whenever we transfer your personal data outside 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:

- transferring data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission;
- using specific contracts approved by the European Commission which give personal data the same protection it has in Europe; or
- for providers based in the US, we may transfer data to them if they are part of the Privacy Shield.

## 6. DATA RETENTION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 requirements.

We will retain your personal data for the following periods:

Category of Personal Data	Retention Period
<b><i>If you are a client of CL</i></b>	
Identity and Contact Data, Financial Data and Transaction Data	7 years after you cease to be a client of CL, except that we will keep a record of some of your Contact Data for the purpose of identifying you as a client.
Marketing, Communications and Technical Data	24 months after your last acceptance of the cookie policy on the CL website or a period of 14 days after you elect to opt-out of receiving marketing communications.
<b><i>If you are a prospective client of CL</i></b>	
Identity, Contact Data, Technical Data, Marketing and Communications Data	For a period of 12 months after our last contact or 24 months after your last acceptance of the cookie policy on the CL website or 14 days after you elect to opt-out

	of receiving marketing communications.
<b><i>If you are a professional contact</i></b>	
Contact Data, Technical Data, Marketing and Communications data	24 months after your last acceptance of the cookie policy on the CL website or a period of 14 days after you elect to opt-out of receiving marketing communications.

## 7. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are set out below. If you wish to exercise any of the rights set out above, please contact our Data Privacy Manager.

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 may refuse to comply with your request in these circumstances.

### Complaint to the ICO

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues in the EU ([www.ico.org.uk](http://www.ico.org.uk)), or to the relevant data protection regulator in your region. We would, however, appreciate the chance to deal with your concerns before you approach the ICO or regulator for your region, so please contact us in the first instance. **Your legal rights**

### Your legal rights are as follows:

- **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.
- **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.
- **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: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) 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. 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.