

Privacy and cookies policy for High Five Leadership LLC

1. Introduction

We are committed to safeguarding the privacy of our website visitors and service users. This privacy notice provides you with details of how we collect and process your personal data.

This policy applies where we are acting as a data controller with respect to the personal data of our website visitors at www.high5leadership.com and service users; in other words, where we determine the purposes and means of the processing of that personal data.

We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and services, we will ask you to consent to our use of cookies when you first visit our website.

In this policy, "we", "us" and "our" refer to High Five Leadership LLC and we are the data controller and are responsible for your personal data. If you need to email us about anything related to this privacy notice you can email us at info@high5leadership.com or you can write to us at the address listed in section 18.

If any of your personal information changes (ie you move, you change your email address, your name changed) – please email us at info@high5leadership.com and let us know what changed. From time to time we may email you to check that the personal data we hold for you is accurate and up to date.

2. What Personal Data we collect about you

We may collect the following data about you:

- Your name
- Your email addresses
- Your address
- Your phone numbers
- Your date of birth
- Your business name
- Your business address
- Your business email
- Your business phone
- Your financial details
- Data about how you use our website
- Any personal data you post on our website
- Any personal data you submit in an online enrollment form as part of becoming a student, including health & wellness information, media and liability waivers.
- Technical data such as your IP address, your login data, details about your browser, length of visit to pages on our website, page views and navigation paths, details about the number of time you use our website, time zone settings and other technology on devices you use to access our website.
- Your marketing and communication preferences
- Any other information that you directly provide to us whether through our contact form, over the phone, by email or otherwise, such as when entering a competition or completing a survey.
- Photographs of you at events.

3. How we use your personal data

We may use your data in order to:

- Process financial transactions to enable you to purchase our products and or services
- Send you customer communication about updates or enhancements to products or services you purchased

- Enable us to process orders and perform a contract with you, respond to inquiries related to the order and address any complaints.
- Reply to any inquiries you make about our products and services
- Send you marketing communications where we are allowed by law to do so.
- Personalize your experience on our website
- Monitor the use of our website and online services
- Ask you to complete surveys or invite you to enter into competitions or drawings for prizes
- Keep records of orders placed and communication related to those orders
- Keep records of communication
- Analyze your use of our website and other online services
- Administer and protect our business and website
- Deliver relevant website content and marketing opportunities to you
- Understand how effective our marketing is
- Bring legal claims against you if you breach a contract or fail to make payment (which of course won't happen)
- Comply with any legal obligations we are subject to or as required by state or federal laws
- Obtain or maintain insurance policies
- Manage our business
- Obtain professional advice

4. Our Lawful Ground of Processing

Under the General Data Protection Regulations, we are only legally able to process your personal data if we have lawful ground for doing so. Our lawful grounds of processing are:

- We may process your customer data that we have obtained in relation to you placing an order with us in order that we can fulfill that contract, inform you of updates to products or services, keep record of the contract. The processing is necessary for the performance of the contract to which you are subject and for our legitimate interests in keeping you updated about your product or service, record keeping and to establish, pursue or defend a legal claim as a responsible business.
- We may process your student data that we have obtained in relation to you attending one of our classes in order that we can provide you with the best service and attend to any specific needs you may have as it specifically relates to the training. The processing is necessary for the performance of the contract to which you are subject and for our legitimate interests in keeping you updated about your product or service, record keeping and to establish, pursue or defend a legal claim as a responsible business.
- We may process your prospect data that we have obtained when you inquired about our products or services (whether that be through our website or otherwise) and that we process in order to reply to your inquiry and keep records of this. The processing is necessary in order for us to take steps at your request and prior to entering into a contract and for our legitimate interests in recording keeping and to establish, pursue or defend a legal claim.
- We may process your prospect data that we have obtained when you signed up for any of our free resources and that we process in order to send you those free resources, reply to your communications about the resources and to keep appropriate records. You have given consent to the processing for the purposes of us sending you the free resource and it is in our legitimate interests to reply to your communication and to keep records for our business.
- We may process your marketing data that we have obtained when you told us about your marketing preferences, when you consented to us sending you details of our products and services, for the purposes of us sending you marketing communications, enabling you to participate in our promotions such as competitions, prize draws and free giveaways, to deliver relevant website content

and marketing to you and measure and understand the effectiveness of that marketing. The processing is necessary for our legitimate interests which are to study how customers and clients use our products and services, to develop them, to grow our business and to determine our marketing approach and strategy.

- We may process your user data that we have obtained through cookies on our website or other online service for the purposes of operating our website, ensuring relevant content is provided to you, ensuring the security of our website, maintaining back-ups of our website and databases and to enable publication and administration of our website. The processing is necessary for the purposes of our legitimate business interests which are to enable us to properly administer our website and business.
- We may process your technical data (including data about your use of our website and online services such as your IP address, your login data, details about your browser, length of visit to pages on our website, page views and navigation paths, details about how often you use our website, time zone settings and other technology on the devices you use to access our website), we process this data to analyze your use of our website and other online services, to administer and protect our business and website, to deliver relevant website content and marketing to you and to understand the effectiveness of our marketing. Our lawful ground for this processing is our legitimate interests which are to enable us to properly administer our website and our business and to grow our business and to determine our marketing approach and strategy.
- We may process information your notification data that you provide to us for the purpose of subscribing to our email notifications and/or newsletters. The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The processing is necessary in order for us to take steps at your request to deliver the email/newsletter and for our legitimate interests in record keeping.
- We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks and to grow our business.
- In addition to the specific purposes for which we may process your personal data set out in this Section 4, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

Please do not supply any other person's personal data to us, unless we prompt you to do so.

We do not collect any Sensitive Data about you. Sensitive Data refers to data that includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union memberships, information about your genetic and biometric data.

We do not collect any information about criminal convictions or offenses.

We do not carry out automated decision making or any type of automated profiling.

5. How we collect your personal data

We may collect data about you by you providing the data directly to us (filling out a form on our site, sending us an email, giving us data over the phone to complete a transaction). We may automatically collect certain data from you as you use our website by using cookies or similar technologies. Please see Sections 15-17 for our cookie policy.

We may receive data from third parties such as analytics providers such as google, marketing networks such as Facebook, search information providers such as google, providers of technical, payment and delivery services, fraud detection agencies and data brokers.

We may also receive data from publicly available sources.

6. Marketing Communications

Our lawful ground of processing your personal data to send you marketing communications is either your consent or our legitimate interests (namely to grow our business)

Under the Privacy & Electronic Communications Regulations, we may only send you email or text marketing communications if you made a purchase or asked for information from us about our goods or services or you agreed to receive marketing communications and in each case you have not opted out of receiving such communication since. Under these regulations, if you are a limited company, we may send you marketing emails without your consent. However, you can still opt-out of receiving marketing emails from us at any time.

Before we share your personal data with any third party for their own marketing purposes we will get your expressed consent.

You can ask us or third parties to stop sending you marketing messages at any time by emailing us at info@high5leadership.com. We also have unsubscribe buttons on the bottom of all of our emails.

If you opt out of receiving marketing communications this opt-out does not apply to personal data provided as a result of other transactions, such as purchases, warranty registrations, etc.

7. Disclosing your personal data to others

We may have to share your personal data with the parties set out below.

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, accountants, auditors and insurers.
- Government bodies that require us to report processing activities or otherwise disclose your personal data.
- Financial transactions handled by our payment services providers, (*WePay, PayPal*) only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds.
- Market researchers and fraud prevention specialists.
- Third parties to whom we sell, transfer, or merge parts of our business or our assets.

We require all third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions.

8. Retaining and deleting personal data

This Section sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

Personal data that we process for any purpose or purposes will only be kept for as long as is necessary for that purpose or those purposes, including for the purposes of satisfying any legal, accounting or reporting requirements.

When deciding on the appropriate time to keep the data we look at its amount, nature and sensitivity, potential risk of harm from unauthorized use or disclosure, the processing purposes, if these can be achieved by other means and legal requirements.

For tax purposes the law requires us to keep basic information about our customers (including contact, identity, financial and transaction date) a minimum of 7 years after they stop being a customer.

In some circumstances we may anonymize your personal data for research and statistical purposes in which case we may use this information indefinitely without further notice to you.

9. Security of personal data

We will take appropriate technical and organizational precautions to secure your personal data and to prevent the loss, misuse or alteration of your personal data.

We will store all your personal data on secure servers, personal computers and mobile devices, and in secure manual record-keeping systems.

The following personal data will be stored by us in encrypted form: your cardholder data.

Data relating to your inquiries and financial transactions that is sent from your web browser to our web server, or from our web server to your web browser, will be protected using encryption technology.

We only allow access to your personal data to employees and partners who have a business need to know such data. They will only process your data on our instructions and they are required to keep it confidential.

We have procedures in place to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach if we are legally required to.

10. Amendments

We may update this policy from time to time by publishing a new version on our website.

You should check this page occasionally to ensure you are happy with any changes to this policy.

We will notify you of significant changes to this policy by email or through the private messaging system on our website.

11. Your rights

In this Section 9, we have summarized the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

Your principal rights under data protection law are:

- (a) the right to access;

- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data for free. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive or refuse to comply with your request in these circumstances.

You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defense of legal claims.

In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful, but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defense of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defense of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defense of legal claims.

You have the right to object to our processing of your personal data for direct marketing purposes. If you make such an objection, we will cease to process your personal data for this purpose.

To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

You may exercise any of your rights in relation to your personal data by written notice to us.

12. Third party websites

Our website includes hyperlinks to, and details of, third party websites.

We have no control over, and are not responsible for, the privacy policies and practices of third parties.

13. Personal data of children

Our services are targeted at persons over the age of 13.

If we have reason to believe that we hold personal data of a person under that age in our databases, we will delete that personal data.

14. Updating information

Please let us know if the personal information that we hold about you needs to be corrected or updated.

15. About cookies

A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

16. How do we use cookies

We use cookies for the following purposes:

- We use cookies to track your use of our website. This enables us to understand how you use the site and track any patterns with regards to how you are using our website. This helps us develop and improve our website as well as products and services in response to what you might want or need.
- Cookies are either:
 - Session cookies: these are only stored on your computer during your web session and are automatically deleted when you close your browser. They usually store an anonymous session ID allowing you to browse a website without having to log in to each page but they do not collect any personal data from your computer

Or

- Persistent cookies: these are stored as a file on your computer and it remains there when you close your web browser. The cookie can be read by the website that create it when you visit that website again. We use persistent cookies for Google Analytics. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>

Cookies can also be categorized as follows:

- Strictly necessary cookies: these cookies are essential to enable you to use the website effectively, such as when buying a product or service, and therefore cannot be turned off. Without these cookies, the services available to you on our website cannot be provided. These cookies do not gather information about you.
- Performance cookies: these cookies enable us to monitor and improve the performance of our website. E.g. they allow us to count visits, identify traffic sources and see which parts of the site get the most hits.
- Functionality cookies: these cookies allow our website to remember choices you make and provide enhanced features. For instance, we may be able to provide you with news and updates relevant to the services you use. They may also be used to provide service you requested like viewing a video or leaving a comment on a blog. The information these cookies collect is usually anonymized.

17. Managing cookies

Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

Blocking all cookies will have a negative impact upon the usability of many websites.

If you block cookies, you will not be able to use all the features on our website.

18. Our details

Our principal place of business is at *2114 Ebers St, San Diego, CA 92107*.

You can contact us:

- (a) by mail, to address given above;
- (b) by email, at info@high5leadership.com

19. Data protection officer

Our data protection officer's contact details are chad@high5leadership.com.