

Engagement Dynamics (Pty) Ltd Privacy Policy

Engagement Dynamics (Pty) Ltd cares deeply about the privacy of its visitors and users and is fully committed to protect their personal information and use it properly in compliance with data privacy laws. This policy describes how we may collect and use personal information, and the rights and choices available to our visitors and users regarding such information.

We strongly urge you to read this policy and make sure you fully understand it before you access or use any of our services.



1. Please read carefully!

This Engagement Dynamics Privacy Policy (“Privacy Policy”) describes how we (Engagement Dynamics (Pty) Ltd) collect and use information pertaining to each of our unregistered visitors and registered users, including users with Paid Services, in connection with their access to and use of Engagement Dynamics’s websites (including and any of its subdomains, the “Website”), the Engagement Dynamics Astute Ecosystem App hosted on Egsbe (“Astute Ecosystem App”) future web applications (“Engagement Dynamics Apps”), future mobile applications (“Mobile Apps”), and related services (collectively, the “Services”).

The purpose of this Privacy Policy is to provide you with a clear explanation of when, why and how we collect and use your personal information, as well as an explanation of your statutory rights. This Privacy Policy is not intended to override the terms of any contract you have with us, nor any rights you might have under applicable data privacy laws.

Read this policy and make sure you fully understand our practices in relation to your personal information, before you access or use any of our Services. If you read and fully understand this Privacy Policy, and remain opposed to our practices, you must immediately leave this website, application or service, and avoid or discontinue all use of any of our Services. If you have any questions or concerns regarding this policy, please contact us at janet@engagementdynamics.com.

2. What information do we collect?

2.1. Visitor and User Information

We collect two types of information regarding our Visitors and Users:

1. Un-identified and non-identifiable information pertaining to a Visitor or un-identified User, which may be made available to us, or collected automatically via his/her use of the Services (“Non-personal Information”). Such Non-personal Information does not enable us to identify the Visitor or User from whom it was collected. The Non-personal Information collected by us mainly consists of technical and aggregated usage information, such as Visitors’ and Users’ browsing and ‘click-stream’ activity on the Services, session heatmaps and scrolls, non-identifying information regarding the Visitor’s or User’s device, operating system, internet browser, screen resolution, language and keyboard settings, internet service provider, referring/exit pages, date/time stamps, etc.
2. Individually identifiable information, namely information that identifies an individual or may with reasonable efforts cause the identification of an individual, or may be of private or sensitive nature (“Personal Information”). The Personal Information collected by us mainly consists of contact details (e.g., e-mail address or phone number), billing details (name, physical billing address, payment method and transaction details), which are only collected from Users with Paid Services, details regarding a browsing or usage session (IP address, Geo-location and/or device unique identifier), details regarding connected third party accounts (such as the e-mail or username for a connected PayPal, Google or Facebook account), scanned identification documents provided to us (such as an ID card, driver’s license, passport or official company registration documents), correspondences (including those made through or uploaded to our Services), and any other Personal Information provided to us by Visitors and/or Users through their access to and/or use of the Services. For the avoidance of doubt, any Non-personal Information that is connected or linked to Personal Information (for example, in order to improve the Services we offer) is deemed and treated by us as Personal Information, as long as such connection or linkage exists.

2.2. Users of Users Information

We may also collect similar information pertaining to visitors and users of our User’s websites or services (“Users-of-Users”), solely for and on our Users’ behalf (as further described in below).

3. Why do we collect such information?

We collect such Non-personal and Personal Information for the following purposes:

1. To provide and operate the Services;
2. To further develop, customize and improve our Services, based on Visitors’ and Users’ common or personal preferences, experiences and difficulties;
3. To provide our Users with ongoing customer assistance and technical support;

4. To be able to contact our Visitors and Users with general or personalized service-related notices and promotional messages (as further detailed below);
5. To facilitate, sponsor and offer certain contests, events and promotions, determine participants' eligibility, monitor performance, contact winners and grant prizes and benefits;
6. To create aggregated statistical data and other aggregated and/or inferred Non-personal Information, which we or our business partners may use to provide and improve our respective services;
7. To enhance our data security and fraud prevention capabilities;
8. To consider Applicants' candidacy for working at Engagement Dynamics (Pty) Ltd (as further detailed below); and
9. To comply with any applicable laws and regulations.

We will only use your Personal Information for the purposes set out in Section 3 where we are satisfied that:

1. our use of your Personal Information is necessary to perform a contract or take steps to enter into a contract with you, or
2. our use of your Personal Information is necessary to comply with a relevant legal or regulatory obligation that we have, or
3. our use of your Personal Information is necessary to support legitimate interests that we have as a business (for example, to maintain and improve our Services by identifying user trends and the effectiveness of Engagement Dynamics (Pty) Ltd campaigns and identifying technical issues), provided it is conducted at all times in a way that is proportionate, and that respects your privacy rights.

Our Services are not permitted to children under 18 years of age. No one under age 18 should provide any Personal Information to us through any of our Services. We do not knowingly collect Personal Information from children under 18. Parents and guardians should supervise their children's activities at all times.

5. Where do we store your information?

Engagement Dynamics (Pty) Ltd Visitors' and Engagement Dynamics (Pty) Ltd Users' and Astute Ecosystem Personal Information may be maintained, processed and stored by Engagement Dynamics (Pty) Ltd and our authorized affiliates and service providers in South Africa and in Europe (including in Lithuania, Germany and Ukraine), and in other jurisdictions as necessary for the proper delivery of our Services and/or as may be required by law (as further explained below).

Engagement Dynamics (Pty) Ltd Jobs Applicants Information will be maintained, processed and stored in South Africa or in Europe

Engagement Dynamics (Pty) Ltd is based and registered in South Africa and subject to the POPI Act.

Engagement Dynamics (Pty) Ltd affiliates and service providers that store or process your Personal Information on Engagement Dynamics (Pty) Ltd's behalf are each contractually committed to keep it protected and secured, in accordance with industry standards and regardless of any lesser legal requirements which may apply in their jurisdiction.

EU-U.S. Privacy Shield & Swiss-U.S. Privacy Shield Disclosure : As a non-US based company, Engagement Dynamics (Pty) Ltd is not eligible to participate in the EU-U.S. Privacy Shield & Swiss-U.S. Privacy Shield. However, we subscribe to its tenets and hold ourselves accountable to these. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield List, [here](#).

Engagement Dynamics (Pty) Ltd is responsible for the processing of Personal Information it receives, under the Privacy Shield Framework, and subsequent transfers to a third party acting as an agent on its behalf. Engagement Dynamics (Pty) Ltd complies with the Privacy Shield Principles for all onward transfers of Personal Information from the EU, including the onward transfer liability provisions.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact us at janet@engagementdynamics.com

Upon request Engagement Dynamics (Pty) Ltd will provide you with information about whether we hold any of your Personal Information. You may access, correct, or request deletion of your Personal Information by emailing janet@engagementdynamics.com.

Please note that permanently deleting your Engagement Dynamics (Pty) Ltd account erases all of your information from Engagement Dynamics (Pty) Ltd's databases. After completing this process, you can no longer use any of your Engagement Dynamics Services, your User Account and all its data will be removed permanently, and Engagement Dynamics (Pty) Ltd will not be able to restore your account or retrieve your data in the future. If you contact Engagement Dynamics Support in the future, the system will not recognize your account and Support agents will not be able to locate the deleted account.

Data Localisation Obligations: If you reside in a jurisdiction that imposes "data localisation" or "data residency" obligations (i.e., requiring that Personal Information of its residents be kept within the territorial boundaries of such jurisdiction), and this fact comes to our attention, we may maintain your Personal Information within such territorial boundaries, if we are legally obligated to do so.

You acknowledge that while doing so, we may continue to collect, store and use your Personal Information elsewhere, as explained above.

6. Sharing personal information with third parties

Engagement Dynamics (Pty) Ltd may share your Personal Information with third parties (or otherwise allow them access to it) only in the following manners and instances:

6.1. Third Party Services:

Engagement Dynamics (Pty) Ltd has partnered with a number of selected service providers, whose services and solutions complement, facilitate and enhance our own. These may include hosting and server co-location services, communications and content delivery networks (CDNs), data and cyber storage and security services, billing and payment processing services, domain name registrars, fraud detection and prevention services, web analytics, e-mail distribution and monitoring services, session recording and remote access services, performance measurement, data optimization and marketing services, content providers, and our legal and financial advisors (collectively, "Third Party Service(s)").

Such Third Party Services may receive or otherwise have access to our Visitors' and Users' Personal Information and/or Users-of-Users' Personal Information, in its entirety or in part – depending on each of their particular roles and purposes in facilitating and enhancing our Services and business, and may only use it for such purposes.

Note that while our Services may contain links to other websites or services, we are not responsible for such websites' or services' privacy practices. We encourage you to be aware when you leave our Services and read the privacy statements of each and every website and service you visit before providing your Personal Information. This Privacy Policy does not apply to such linked third -party websites and services.

Engagement Dynamics (Pty) Ltd is accountable for Personal Information that it receives under the Privacy Shield and subsequently transfers to a third party as described in the Privacy Shield Principles. In particular, Engagement Dynamics (Pty) Ltd remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process the Personal Information on its behalf do so in a manner inconsistent with the Principles, unless Engagement Dynamics proves that it is not responsible for the event giving rise to the damage.

6.2. Law Enforcement, Legal Requests and Duties:

Where permitted by local data protection laws, Engagement Dynamics may disclose or otherwise allow others access to your Personal Information pursuant to a legal request, such as a subpoena, legal proceedings, search warrant or court order, or in compliance with

applicable laws, if we have good faith belief that the law requires us to do so, with or without notice to you.

6.3. Protecting Rights and Safety:

Engagement Dynamics (Pty) Ltd may share your Personal Information with others if we believe in good faith that this will help protect the rights, property or personal safety of Engagement Dynamics (Pty) Ltd, any of our Users, any Users-of-Users, or any member of the general public, with or without notice to you.

6.4. Social Media Features and Framed Pages:

Our Services may include certain Social Media features and widgets, single sign on features, such as the “Facebook Connect” or “Google Sign-in”, the “Facebook Like” button, the “Share this” button or other interactive mini-programs (“Social Media Features”). These Social Media Features may collect information such as your IP address or which page you are visiting on our Website, and may set a cookie to enable them to function properly. Social Media Features are either hosted by a third party or hosted directly on our Services. Your interactions with these third parties’ Social Media Features are governed by their policies and not ours.

In addition, our Services may enable you to share your Personal Information with third parties directly, such as via page framing techniques to serve content to or from Third Party Services or other parties, while preserving the look and feel of our Website and Services (“Frames”). Please be aware that if you choose to interact or share any Personal Information via such Frames, you are in fact providing it to these third parties and not to us, and such interactions and sharing too are governed by such third parties’ policies and not ours.

6.5. App Market Developers:

As part of our App Market program, we may in future allow third party developers (“Third Party Developer(s)”) to develop and offer their own applications via the Engagement Dynamics App Market (“Third Party App(s)”), in conjunction with Engagement Dynamics (Pty) Ltd.

Each Third Party Developer will be bound by a Engagement Dynamics App Market – Partner Program Agreement, which among others, will contain restrictions on how they may access, store and use the Non-personal and Personal Information you and/or your Users-of-Users provide them or us. We encourage you to review any privacy policy accompanying a Third Party App and ask Third Party Developers for any clarifications you may need before deciding to install and use their Third Party App. Engagement Dynamics (Pty) Ltd does not control and is not responsible for the actions or policies of any Third Party Developers, and your use of any Third Party App is at your own risk.

6.6. Engagement Dynamics API:

By installing certain Engagement Dynamics Apps and/or Third Party Apps in future, you will also allow their respective provider to share and/or access certain Non-personal and Personal Information regarding you and/or your Users-of-Users. Such information might include, among others, contact details, messages, business applications and certain activities on the Services and/or User Website, which are stored and thereafter accessible via your User Account. When this become relevant further details regarding the Personal Information that may be collected and shared via the Engagement Dynamics API, please see the Engagement Dynamics App Market Terms of Use will be made available to you.

6.7. Engagement Dynamics Subsidiaries and Affiliated Companies:

We may share Personal Information internally within our family of companies, for the purposes described in this Privacy Policy. For example, we may share your Personal Information with Engagement Dynamics (Pty) Ltd associates across the globe, in the course of facilitating and providing you (and your Users-of-Users) with our Services. In addition, should Engagement Dynamics (Pty) Ltd or any of its affiliates or associates undergo any change in control, including by means of merger, acquisition or purchase of substantially all of its assets, your Personal Information may be shared with the parties involved in such event. If we have good faith that such change in control might materially affect your Personal Information stored with us, we will notify you via e-mail and/or prominent notice on our Website of this event and certain choices you may have regarding your Personal Information.

Sharing of Personal Information from Engagement Dynamics (Pty) Ltd subsidiaries and affiliated companies in the European Union and Switzerland to Engagement Dynamics (Pty) Ltd' United States subsidiaries or associate in the future, will adhere to the EU-US and Swiss-US Privacy Shield frameworks.

To clarify, Engagement Dynamics (Pty) Ltd may share your Personal Information in manners other than as described above, pursuant to your explicit approval, or if we are legally obligated to do so. Moreover, Engagement Dynamics (Pty) Ltd may transfer, share, disclose or otherwise use Non-personal Information in its sole discretion and without the need for further approval.

7. Use of cookies and other tracking technologies

Engagement Dynamics (Pty) Ltd, together with its marketing, analytics and technology partners, may use certain monitoring and tracking technologies (such as cookies, beacons, pixels, tags and scripts). These technologies are used in order to maintain, provide and improve our Services on an ongoing basis, and in order to provide our Visitors, our Users and their Users-of-Users with a better experience. For example, thanks to these technologies, we

are able to maintain and keep track of our Visitor's and Users' preferences and authenticated sessions, to better secure our Services, to identify technical issues, user trends and effectiveness of campaigns, and to monitor and improve the overall performance of our Services.

Please note that Third Party Services placing cookies or utilizing other tracking technologies through our Services may have their own policies regarding how they collect and store information. Such practices are not covered by our Privacy Policy and we do not have any control over them.

Cookies: In order for some of these technologies to work properly, a small data file ("cookie") might be downloaded and stored on your device. By default, we might use several persistent cookies for purposes of session and user authentication, security, keeping the User's preferences (e.g., regarding default language and settings), connection stability (e.g., for uploading media, using e-Commerce features, etc.), monitoring performance of our services and marketing campaigns, and generally providing and improving our Services.

If you want to delete or block any cookies, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. Information on deleting or controlling cookies is also available at www.aboutcookie.org (note that this website is not provided by Engagement Dynamics (Pty) Ltd, and we therefore cannot ensure its accuracy, completeness or availability). Please note that deleting our cookies or disabling future cookies or tracking technologies may prevent you from accessing certain areas or features of our Services, or may otherwise adversely affect your user experience.

Clear Gifs: We and certain Third Party Services may employ a software technology called "clear gifs" (a.k.a. Web Beacons/Web Bugs), which enables them and us to improve our Services by measuring their effectiveness and performance. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, however are not stored on your device, but instead embedded within our Services.

Flash and HTML5: We and certain Third Party Services may also employ certain tracking technologies known as "Flash cookies" and "HTML5", mainly for advertising purposes. Various browsers may offer their own management tools for removing or blocking such technologies. Additional information about managing Flash cookies is available [here](#).

(Please note that this website is not provided by Engagement Dynamics (Pty) Ltd, and we therefore cannot ensure its accuracy, completeness or availability).

User Data Supplementation: We may receive information about you from other sources, including publicly available databases or third parties from whom we have purchased data, and combine this data with information we already have about you. This helps us to update,

expand and analyze our records, identify new customers, and provide products and Services that may be of interest to you. Where we obtain your Personal Information from these third parties, we ensure that such parties are contractually committed to inform you that your Personal Information will be disclosed to us and we take steps to ensure the accuracy of your Personal Information before using it. If you provide us personal information about others, or if others give us your information, we will only use that information for the specific reason for which it was provided to us.

“Do Not Track” Signals: Please note that we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser or mobile application.

8. Communications from Engagement Dynamics (Pty) Ltd

8.1. Promotional Messages:

We may use your Personal Information to send you promotional content and messages by e-mail, text messages, direct text messages, marketing calls and similar forms of communication from Engagement Dynamics (Pty) Ltd or our partners (acting on Engagement Dynamics (Pty) Ltd’s behalf) through such means.

If you do not wish to receive such promotional messages or calls, you may notify Engagement Dynamics (Pty) Ltd at any time or follow the “unsubscribe” or STOP instructions contained in the promotional communications you receive.

We take steps to limit the promotional content we send you to a reasonable and proportionate level, and to send you information which we believe may be of interest or relevance to you, based on your information.

8.2. Service and Billing Messages:

Engagement Dynamics (Pty) Ltd may also contact you with important information regarding our Services, or your use thereof.

For example, we may send you a notice (through any of the means available to us) if a certain Service is temporarily suspended for maintenance; reply to your support ticket or e-mail; send you reminders or warnings regarding upcoming or late payments for your current or upcoming subscriptions; forward abuse complaints regarding your User Website; or notify you of material changes in our Services.

It is important that you are always able to receive such messages. For this reason, you are not able to opt-out of receiving such Service and Billing Messages unless you are no longer a Engagement Dynamics (Pty) Ltd Visitor or User (which can be done by deactivating your account).

We may also contact you with service and billing-related messages and content. You will not be able to opt-out of receiving such messages.

9. Your rights in relation to your personal information

It is imperative that you have control over your Personal Information. That's why Engagement Dynamics (Pty) Ltd is taking steps to enable you to access, receive a copy of, update, amend, delete, or limit the use of your Personal Information.

Before disclosing the requested Personal Information, we may ask you for additional information in order to confirm your identity and for security purposes. We reserve the right to charge a fee where permitted by law (e.g., if your request is unfounded or excessive).

You have the right to file a complaint with your local supervisory authority for data protection (but we still recommend that you contact us first).

If you are a Engagement Dynamics (Pty) Ltd Visitor or User, and you wish to receive a copy, access and/or request us to make corrections to the Personal Information that you have stored with us (either yours or your Users-of-Users'), or wish to request a list of what Personal Information (if any) pertaining to you we disclosed to third parties for direct marketing purposes, please email janet@engagementdynamics.com. We will make all reasonable efforts to honor your request promptly (unless we require further information from you in order to fulfil your request), subject to legal and other permissible considerations.

Please note that permanently deleting your Engagement Dynamics (Pty) Ltd account erases all of your information from Engagement Dynamics (Pty) Ltd's databases. After completing this process, you can no longer use any of your Engagement Dynamics (Pty) Ltd services, your account and all its data will be removed permanently, and Engagement Dynamics (Pty) Ltd will not be able to restore your account or retrieve your data in the future. If you contact Engagement Dynamics (Pty) Ltd Support in the future, the system will not recognize your account and Support agents will not be able to locate the deleted account.

10. Data Retention

We may retain your Personal Information (as well as your Users-of-Users' Information) for as long as your User Account is active, as indicated in this Privacy Policy or as otherwise needed to provide you with our Services.

We may continue to retain such Personal Information even after you deactivate your User Account and/or cease to use any particular Services, as reasonably necessary to comply with our legal obligations, to resolve disputes regarding our Users or their Users-of-Users, prevent fraud and abuse, enforce our agreements and/or protect our legitimate interests.

We maintain a data retention policy which we apply to information in our care. Where your Personal Information is no longer required we will ensure it is securely deleted.

11. Security

Engagement Dynamics (Pty) Ltd has implemented security measures designed to protect the Personal Information you share with us, including physical, electronic and procedural measures. We may make use of Third Party Services for payments, with their own privacy policies and standards. Other payments are only received via EFT where the user has full control.

Regardless of the measures and efforts taken by Engagement Dynamics (Pty) Ltd, we cannot and do not guarantee the absolute protection and security of your Personal Information, your Users-of-Users' Information or any other User Content you upload, publish or otherwise share with Engagement Dynamics (Pty) Ltd or anyone else.

We therefore encourage you to set strong passwords for your User Account and User Website, and avoid providing us or anyone with any sensitive information of which you believe its disclosure could cause you substantial or irreparable harm. Furthermore, because certain areas on our Services are less secure than others (for example, if you set your Support forum ticket to be "Public" instead of "Private", or if you browse to a non-SSL page), and since e-mail and instant messaging are not recognized as secure forms of communications, we request and encourage you not to share any Personal Information on any of these areas or via any of these methods.

If you have any questions regarding the security of our Services, you are welcome to contact us at janet@engagementdynamics.com.

12. Public forums and user content

Our Services offer publicly accessible blogs, communities and support forums. Please be aware that any information you provide in any such areas may be read, collected, and used by others who access them. To request removal of your Personal Information from our blogs, communities or forums, feel free to contact us at: janet@engagementdynamics.com. In some cases, we may not be able to remove your Personal Information from such areas. For example, if you use a third party application to post a comment (e.g., the Facebook social plugin application) while logged in to your related profile with such third party, you must login into such application or contact its provider if you want to remove the Personal Information you posted on that platform.

In any event, we advise against posting any information (or use any posting means to post information) you don't wish to publicize on these platforms.

If you upload any User Content to your User Account or post it on your User Website and provide it in any other way as part of the use of any Service, you do so at your own risk.

We have put adequate security measures in place to protect your Personal Information. However, we cannot control the actions of other Users or members of the public who may access your User Content, and are not responsible for the circumvention of any privacy settings or security measures you or we may have placed on your User Website (including, for instance, password-protected areas on your User Website). You understand and acknowledge that, even after its removal by you or us, copies of User Content may remain viewable in cached and archived pages or if any third parties (including any of your Users-of-Users) have copied or stored such User Content. To clarify, we advise against uploading or posting any information you do not wish to be public.

13. Updates and interpretation

We may update this Privacy Policy as required by applicable law, and to reflect changes to our information collection, usage and storage practices. If we make any changes that we deem as “material” (in our sole good faith discretion), we will notify prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

Unless stated otherwise, our most current Privacy Policy applies to all information that we have about you and your Users-of-Users, with respect to our Website, Engagement Dynamics (Pty) Ltd Apps, Mobile Apps and other Services.

14. Contacting us

If you have any questions about this Privacy Policy or wish to exercise any of your rights as described in Section 11, please contact us at janet@engagementdynamics.com. We will attempt to resolve any complaints regarding the use of your Personal Information in accordance with this Privacy Policy.