

# HowGood Privacy Policy

## 1. Who we are

HowGood, PBC (“HowGood,” “us,” “we,” or “our”) has prepared this Privacy Policy (“Privacy Policy”) to describe our online and offline practices regarding the personal information that HowGood collects, uses, and shares about the categories of people described at section 3 below.

If you are based in the UK or European Economic Area (“EEA”), we are the controller of your personal information, and we are responsible for your personal information. Our registered office address is at 10 Gagnon Dr., Stone Ridge, NY 12484 USA.

All references in this Privacy Policy to:

- the “Website” refer to the website owned by us at <https://howgood.com/> and any other websites operated by HowGood that contain a hyperlink to this Privacy Policy;
- the “Platform” refer to the software-as-a-service platform, Latis, which we make available to our clients, as accessed via our Website or any other means that we may make available; and
- “Content” refer to information, data, and other materials and content on the Website and/or Platform.

## 2. Changes to this Privacy Policy

HowGood reserves the right, at any time, to modify this Privacy Policy. If we make revisions that change the way we collect, use, or share your personal information, we will post those changes in this Privacy Policy. You should review this Privacy Policy regularly so that you keep up to date on our most current policies and practices. We will note the effective date of the latest version of our Privacy Policy at the end of this Privacy Policy.

## 3. Who this Privacy Policy applies to

This Privacy Policy applies to:

- visitors to, and users of, our Website and/or our Platform (“Users”);
- individuals with whom we come into contact during the course of our business (“Contacts”) such as:
  - customers and employees of customers;
  - prospective customers (including those to whom we direct marketing communications);
  - our suppliers and employees of our suppliers;
  - prospective suppliers; and
  - people who contact us with enquiries including individuals who are pursuing employment or contractual opportunities with us; and
- individuals who apply to work with us (whether as an employee, worker, contractor, apprentice or intern) or with whom we have discussions relating to this (“Job Applicants”).

Depending on our relationship with you, we will collect and use your personal information in different ways, as set out in the sections below.

## 4. How we obtain your personal information

We may obtain personal information from you directly or indirectly from the following sources:

- **Personal information you provide.** We collect personal information when you voluntarily submit it to us such as when you set up

an account on our Website or Platform in order to receive services from us, or apply to work for us.

- **Personal information that is automatically collected.** We automatically collect certain technical information when you use of the Website or Platform.
- **Personal information obtained from third parties.** We may receive personal information about you from other third parties or sources, including from our clients, business partners, suppliers, data providers, job application referees, background check providers or publicly available sources.

## 5. Categories of personal information we collect

The following are categories (with non-exhaustive examples) of personal information we collect about Users and/or Contacts. Please see section 6 below for further details of how we process personal information for each of these categories of data subject.

### *Personal information you provide*

- **Account Data** used in connection with your access to the Platform, including associated name, email address and password for your account.
- **Business Data**, such as your name, email address, telephone number, the company you work for and job title.
- **Communications Data** that we exchange, including when you contact us with questions or feedback, sign-up for, attend and contribute at events that we run, or otherwise interact with us (including via functionality on the Website or Platform).
- **Marketing Data**, such as your preferences as to whether you would like to receive marketing communications from us about our services, activities, events, and publications, and details about how you engage with our communications.
- **Job Applicant Data**, provided as part of your job application (or discussions with you about it), including:
  - personal details (such as name, home address, marital status (if required));
  - personal contact information (such as personal email address, personal phone number);
  - business contact information (such as your business email address, place of work, business phone number);
  - recruitment information (such as application forms, CVs, interview notes, details and verification of education and qualifications, employment history, references, credit reference checks (for certain roles), information collected from aborted applications);
  - medical and health information (such as details regarding your health which we may need to make reasonable adjustments for the interview process and/or job position. If you are located in the UK or EEA, this is special category data which we will process with your explicit consent for these purposes only); and
  - data created as part of the recruitment and selection process (such as notes of your answers and responses during recruitment interviews, results/outcomes of any assessment processes/exercises carried out as part of the recruitment process, notes and scoring as part of our assessment of whether you should be offered a role).

### *Personal information that is automatically collected*

As you navigate through and interact with our Website and Platform, we use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including information such as:

- **Technical Data**, such as the Internet Protocol (IP) address used to connect your computer to the internet address, the website address and country from which you access information, the files requested, browser type and version, browser plug-in types and versions and operating system.
- **Usage Data**, about how you use our Website and Platform, such as access to referring/exit pages and URLs, number of clicks, domain names, landing pages, pages viewed, time and length of visits to certain pages, and other such information.

### *Personal information obtained from third parties*

We also receive personal information about you from third parties, in the form of:

- **Third-Party-Provided Contact Data**, such as your name, email address and telephone number.

## 6. Use of personal information

Where you are a User, we process your information for the following purposes:

Purpose for processing	Categories of personal information used	Lawful basis for processing
<p><b>To provide our Website and/or Platform.</b> We use personal information to allow you to access our Website and Platform, including, where relevant, to determine your eligibility to use the Platform and set up an account to access it.</p>	<p>Account Data Business Data Communications Data Technical Data Usage Data Third-Party-Provided Contact Data</p>	<p>Our legitimate interest to provide our services to Users in the interests of running, growing and developing our business.</p>
<p><b>To improve our Website, Platform and Content.</b> We use personal information to understand and analyze the usage trends and preferences of Users, so that we can improve our Website and Platform, and the Content and services provided through them.</p>	<p>Account Data Business Data Communications Data Technical Data Usage Data</p>	<p>Our legitimate interest to improve our services to Users in the interests of running, growing and developing our business.</p>
<p><b>To remember you and personalise your experience on the Website and/or Platform.</b> We use your personal information to recognise you when you return to our Website or Platform, store information about your preferences, and allow us to personalize your experience on the Website and or the Platform.</p>	<p>Account Data Business Data Technical Data Usage Data</p>	<p>Our legitimate interest to provide effective services to Users in the interests of running, growing and developing our business.</p>
<p><b>To respond to your requests, questions or feedback.</b> We use personal information to provide you with support and to respond to your requests for customer support, including to investigate and address your concerns and monitor and improve our responses. This may also include responding to your feedback.</p>	<p>Account Data Business Data Communications Data Technical Data Usage Data</p>	<p>Our legitimate interest to improve our services to Users in the interests of running, growing and developing our business.</p>

	Third-Party-Provided Contact Data	
<b>To ensure the security of the Website, Platform and our systems.</b> We use personal information to maintain the safety, security, and integrity of our Website, Platform, databases and other technology assets.	Account Data Business Data Communications Data Technical Data Usage Data Third-Party-Provided Contact Data	Our legitimate interests to ensure the security and integrity of our systems, and prevent fraud or criminal activity.
<b>To Communicate with You.</b> We may communicate with you about your account. We may also contact you about this Privacy Policy.	Account Data Business Data Communications Data Technical Data Usage Data Third-Party-Provided Contact Data	Our legitimate interest to provide effective services to Users in the interests of running, growing and developing our business.
<b>As Required by Law.</b> We use personal information to respond to requests from law enforcement and as required by applicable law, court order, or government investigation.	Account Data Business Data Communications Data Technical Data Usage Data Third-Party-Provided Contact Data	Our legitimate interests to operate our business in accordance with applicable contractual, regulatory and/or legal requirements.  To comply with a legal obligation – to keep information that we are required to hold under applicable law.
<b>To establish, exercise or defend our legal rights.</b>	Account Data Business Data Communications Data	Our legitimate interests to respond to complaints, prevent and address fraud or other harmful or illegal activity, seek legal advice and protect ourselves (including our rights, personnel, property or services) or our users or

	Technical Data Usage Data Third-Party- Provided Contact Data	others, including as part of investigations or regulatory inquiries and litigation or other disputes.
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Where you are a Contact, we process your we process your information for the following purposes:

Purpose for processing	Categories of personal information used	Lawful basis for processing
<p><b>To discuss and negotiate any services we might provide you or your employer.</b> This could include fulfilling your requests for services and/or facilitating the delivery of our services.</p>	Business Data Communications Data Marketing Data Third-Party- Provided Contact Data	Our legitimate interests to run, grow and develop our business.
<p><b>To deal with requests of enquiries.</b> We use personal information to provide you with support and to respond to your requests or enquiries regarding our services or, in the case of suppliers, your services. This may also include responding to your feedback.</p>	Business Data Communications Data Third-Party- Provided Contact Data	Our legitimate interests to run, grow and develop our business.
<p><b>To communicate with you (including by email, telephone or post) with administrative messages about our services.</b> This includes communicating with you about changes to our terms and conditions and keeping you informed about our fees and charges</p>	Business Data Communications Data Third-Party- Provided Contact Data	Our legitimate interests to run, grow and develop our business.
<p><b>To contact you for marketing or business development purposes (including via email or telephone).</b></p>	Business Data Communications Data Marketing Data Third-Party- Provided Contact	Our legitimate interests to grow and develop our business.  Where required by law, we rely on your consent to send you marketing communications (such as via email).

	Data	
<b>To enquire about, discuss or negotiate any services that you or your employer might provide to us.</b>	Business Data Communications Data Third-Party-Provided Contact Data	Our legitimate interests to run, grow and develop our business.
<b>To run surveys for research and service improvement purposes.</b>	Business Data Communications Data Marketing Data Third-Party-Provided Contact Data	Our legitimate interests to run, grow and develop our business.
<b>As Required by Law.</b> We use personal information to respond to requests from law enforcement and as required by applicable law, court order, or government investigation.	Business Data Communications Data Marketing Data Third-Party-Provided Contact Data	Our legitimate interest to operate our business in accordance with applicable contractual, regulatory and/or legal requirements.  To comply with a legal obligation – to keep information that we are required to hold under applicable law.
<b>To establish, exercise or defend our legal rights.</b>	Business Data Communications Data Marketing Data Third-Party-Provided Contact Data	Our legitimate interests to respond to complaints, prevent and address fraud or other harmful or illegal activity, seek legal advice and protect ourselves (including our rights, personnel, property or services) or our users or others, including as part of investigations or regulatory inquiries and litigation or other disputes.

Where you are a Job Applicant, we process your information for the following purposes:

Purpose for processing	Categories of personal information used	Lawful basis for processing

<p>To make a decision about your recruitment or appointment and determining the terms on which you work for us.</p>	<p>Job Applicant Data</p>	<p>Necessary for the purposes of taking steps in relation to entering into a contract between you and us.</p> <p>Where this doesn't apply, our legitimate interests in recruiting the workforce we need to deliver our products and services to our customers.</p> <p>Your explicit consent (where you have given it in relation to any particular data).</p>
<p>To provide you with feedback on your performance during a recruitment process or on the decision we have made.</p>	<p>Job Applicant Data</p>	<p>Our legitimate interests to run an open and transparent recruitment process and communicate feedback to individuals to maintain and build good relationships with prospective employees.</p>
<p>Assessing your fitness to carry out the functions of the role you have applied for and/or whether it is necessary to make reasonable adjustments for you as part of our recruitment process.</p>	<p>Job Applicant Data</p>	<p>Depending on the circumstances:</p> <ul style="list-style-type: none"> <li>● To comply with our employment legal obligations; or</li> <li>● Your explicit consent (where you have given it in relation to any particular data).</li> </ul>
<p>To communicate with you during the application process.</p>	<p>Job Applicant Data</p>	<p>Depending on the communication and the purpose for which it was sent:</p> <ul style="list-style-type: none"> <li>● our legitimate interests to manage our relationship with you;</li> <li>● necessary for the purposes of taking steps to enter into a contract between you and us; and/or</li> <li>● your explicit consent (where you have given it in relation to any particular data).</li> </ul>
<p>To assess whether you might be interested in, or suitable for, other vacancies that might arise in the future.</p>	<p>Job Applicant Data</p>	<p>Our legitimate interests to recruit the workforce we need to deliver our products and services to our customers.</p> <p>Your explicit consent (where you have given it in relation to any particular data)</p>
<p>To check you are legally entitled to work in the jurisdiction in which you are applying to work.</p>	<p>Job Applicant Data</p>	<p>Our legitimate interests to recruit a valid and lawful workforce.</p> <p>To comply with our employment legal obligations.</p>
<p>To carry out equal opportunities monitoring.</p>	<p>Job Applicant Data</p>	<p>To comply with our employment legal obligations.</p> <p>Our legitimate interests to recruit a diverse workforce and take advantage of the business benefits that this can deliver.</p> <p>Your explicit consent (where you have given it in relation to any particular data).</p>

To ensure the security of our premises and the health and safety of individuals.	Job Applicant Data	Our legitimate interests to ensure the safety and security of our premises and the health and safety of our people.
As Required by Law. We use personal information to respond to requests from law enforcement and as required by applicable law, court order, or government investigation.	Job Applicant Data	Our legitimate interest to operate our business in accordance with applicable contractual, regulatory and/or legal requirements.  To comply with our employment legal obligations.
To establish, exercise or defend our legal rights.	Job Applicant Data	Our legitimate interests to respond to complaints, prevent and address fraud or other harmful or illegal activity, seek legal advice and protect ourselves (including our rights, personnel, property or services) or our people or others, including as part of investigations or regulatory inquiries and litigation or other disputes.  To comply with our employment legal obligations.

If you are based in the UK or EEA, before using your personal information for any purposes which fall outside those set out in this section 6, we will undertake an analysis to establish if our new use of your personal information is compatible with the purposes set out above. Please contact us as described in section 16 below if you want further information on the analysis we will undertake.

## 7. Sharing of Personal Information

HowGood may share your personal information with the following third parties:

- **Related companies and M&A transactions.** If we sell all or part of its business or make a sale or transfer of assets or are otherwise involved in a merger or business transfer, we may transfer your personal information to a third party as part of that transaction, including at the negotiation stage.
- **Legal compliance.** We may disclose personal information in response to subpoenas, warrants, or court orders, in connection with any legal process, or to comply with relevant laws. We may also share your personal information in order to establish or exercise our rights, to defend against a legal claim, to investigate, prevent, or take action regarding possible illegal activities or fraud or to protect the safety and security of other Users.
- **Promotional and advertising partners.** We may share your personal information with other companies that we partner with, such as for promotions and advertising purposes. These partners include marketing agencies and other advertising partners (including social media companies).
- **Service providers.** We may share your personal information with third parties who perform services on our behalf that are necessary for the orderly operation of the Website and/or the Platform or the provision of our services. Among other things service providers may help us perform website hosting, maintenance services, database management, web analytics, billing, payment processing, fraud protection, credit risk reduction, marketing, or any other use set out in this Privacy Policy.
- **Recruitment partners.** We may share your personal information with third parties who help us with the recruitment process, such as recruitment agencies, providers of human resources functions, previous employers and verification agencies.

## 8. Security of Personal Information

No method of transmission over the Internet, or method of electronic storage, is fully secure. While we use reasonable efforts to protect your personal information (by implementing a variety of security measures) from the risks presented by unauthorized access or acquisition, we cannot guarantee the security of your personal information. In the event that we are required by law to inform you of any unauthorized access or acquisition of your personal information we may notify you electronically, in writing, or by telephone, if

permitted to do so by law.

## 9. Your Choices

You can make the following choices regarding your personal information. If you are based in the UK or EEA, these choices are in addition to your rights as set out at section 13 below:

- **Modifications to your Personal Information.** We rely on you to update and correct the personal information contained in your account. Note that we may keep historical information in our backup files as permitted by law. If our Website and/or Platform do not permit you to update or correct certain personal information, please contact us as described in section 16 below.
- **Marketing E-mails.** We may collect your personal information, e.g. e-mail address or phone number, for the purpose of allowing us to send newsletters, surveys, offers, and other promotional materials. We may send you certain marketing communications (including electronic marketing communications) if it is in our legitimate interests to do so for marketing and business development purposes or, if you are a sole trader or a non-limited liability partnership, if you have consented to receive such electronic marketing information.

We will always obtain your consent to direct marketing communications where we are required to do so by law and if we intend to disclose your personal information to any third party for such marketing.

You can stop receiving promotional e-mails by clicking the “unsubscribe” links in the e-mails or by contacting us as described in section 16 below. If you decide not to receive marketing e-mails, we may still send you service-related communications, such as those about your account, to fulfil orders for offers you have requested, or deliver notifications directly to you through the Website and/or the Platform.

- **Do-Not-Track.** Some web browsers and devices permit you to broadcast a preference that you not be “tracked” online. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

## 10. Notice to California Residents

Under California Civil Code sections 1798.83-1798.84, California residents who have an established business relationship with HowGood are entitled to ask us for a notice describing what categories of personal information we share with third parties for their direct marketing purposes. This notice will identify the categories of information shared with and will include a list of the third parties with which it is shared, along with their names and addresses. If you are a California resident and would like a copy of this notice, please submit your request by contacting us as described in section 16 below.

## 11. International Transfers of Personal Information

HowGood is based in the United States of America. If you are from a country outside of the United States of America with laws governing data collection, use, and disclosure that may differ from U.S. law and you provide personal information to us, please note that any personal information that you provide to us may be transferred to the United States of America. Further, the third parties to whom we share your personal information (as described in section 7 above) may also be based in countries outside your country of residence.

If you are based in the UK or EEA, where we transfer your personal information to third parties based outside of your country of residence, we will take appropriate measures to ensure that the recipient protects your personal information adequately in accordance with applicable data protection law. These measures may include:

- ensuring that there is an adequacy decision by the UK Government in the case of transfers out of the UK, or by the European Commission in the case of transfers out of the EEA, which means that the recipient country is deemed to provide adequate protection for such personal data; or
- where we have in place standard model contractual arrangements with the recipient which have been approved by the UK Government in the case of transfers out of the UK, or by the European Commission in the case of transfers out of the EEA. These model contractual clauses include certain safeguards to protect the personal data;

Further details on the steps we take to protect your personal information in these cases is available from us on request by contacting us as described in section 16 below.

## 12. Retention

We keep your personal information for no longer than necessary for the purposes for which the personal information is processed. The length of time for which we retain personal information depends on the purposes for which we collect and use it and/or as required to comply with applicable laws and to establish, exercise or defend our legal rights. HowGood retains your personal information:

- for so long as your account is active or as needed to provide you with the Website and/or Platform or to fulfil our contractual obligations;
- as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements;
- for so long as is necessary for the purposes for which we collected such personal information; and
- in the case of Job Applicant Data where your application to work with us is successful, for such time as set out in our Employee Privacy Policy, to the extent it is relevant to our ongoing relationship; and
- in the case of Job Applicant Data where your application to work with us is unsuccessful, we keep your personal information for a period of up to six months after confirmation from us that your application was unsuccessful.

## 13. Your Rights

You have certain rights regarding your personal information if you are based in the UK or the EEA. You may ask us to take the following actions in relation to your personal information that we hold:

- **Right of access.** You have a right of access to any personal information we hold about you. You can ask us for a copy of your personal information; confirmation as to whether your personal information is being used by us; details about how and why it is being used; and details of the safeguards which are in place if we transfer your information outside of the UK or the EEA.
- **Right to update your information.** You have a right to request an update to any of your personal information which is out of date or incorrect.
- **Right to data portability.** You have a right to ask us to provide your personal information to a third party provider of services. This right only applies where we use your personal information on the basis of your consent or performance of a contract; and where our use of your information is carried out by automated means.
- **Right to restrict use of your personal information.** You have a right to ask us to restrict the way that we process your personal information in certain specific circumstances. You can ask us for further information on these by contacting us as described in section 16 below. We will pass your request onto other recipients of your personal information unless that is impossible or involves disproportionate effort. You can ask us who the recipients are by contacting us as described in section 16 below.
- **Right to object.** You have a right to ask us to consider any valid objections which you have to our use of your personal information where we process your personal information on the basis of our or another person's legitimate interest.
- **Right to delete your personal information.** You have a right to ask us to delete any personal information which we are holding about you in certain specific circumstances. You can ask us for further information on these specific circumstances by contacting us as described in section 16 below. We will pass your request onto other recipients of your personal information unless that is impossible or involves disproportionate effort and you can ask us who the recipients are.
- **Right to stop marketing.** You have a right to ask us to stop using your personal information for direct marketing purposes. If you exercise this right, we will stop using your personal information for this purpose.

When we receive your request, we may ask you to verify your identity before we can act on your request. We will consider all such requests and provide our response within a reasonable time period (and in any event within one month of your request unless we tell you we are entitled to a longer period under applicable law ). Please note that we may withhold certain personal information that is exempt from such requests in certain circumstances, for example if we need to keep using the personal information to comply with our

legal obligations or to establish, exercise or defend legal claims. If an exception applies, we will tell you this when responding to your request.

If you are a resident of the UK or EEA and would like to exercise any of these rights, please submit your request by contacting us as described in section 16 below.

#### **14. Further questions and how to make a complaint**

If you would like to discuss further questions about how we process your personal information, submit a complaint about our use of your personal information or response to your requests regarding your personal information, you may contact us or submit a complaint to the data protection authority in your jurisdiction.

#### **15. Other sites and services**

The Website and/or Platform may contain links to other websites and online services operated by third parties. These links are not an endorsement of, or representation that we are affiliated with, any third party. In addition, our content may be included on web pages or online services that are not associated with us. We do not control third party websites or online services, and we are not responsible for their actions. Other websites and services follow different rules regarding the collection, use, and sharing of your personal information. We encourage you to read the privacy policies of the other websites and online services you use.

#### **16. Contact Us**

If you have any questions or concerns about our Privacy Policy or any other privacy or security issue, please contact us at: [legal@howgood.com](mailto:legal@howgood.com).

Effective Date: October 1, 2023