



NES HEALTH
Energy For Life

Privacy Policy v2 January 2019

BACKGROUND:

BEST Group Limited (NES Health) understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our customers and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

1. Information About Us

NES Health registered in England under company number 4324200

East House, Braeside Business Park Sterte Avenue West, Poole, Dorset, BH15 2BX, United Kingdom

Telephone number: +44 1202 785888

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the GDPR, you have the following rights, which we will always work to uphold:

- A. The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- B. The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- C. The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.
- D. The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 11 to find out more.
- E. The right to restrict (i.e. prevent) the processing of your personal data.
- F. The right to object to us using your personal data for a particular purpose or purposes.
- G. The right to data portability. This means that you can ask us for a copy of your personal data held by us to re-use with another service or business in many cases.
- H. Rights relating to automated decision-making and profilin (we do not use your personal data in this way)

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

5. What Personal Data Do You Collect?

We may collect some or all of the following personal data (this may vary according to your relationship with us):

Data	How is it used?	Legal Basis
Email address	Carrying out contract of sale	Our legitimate interests in enabling our customers to access and use our services and ensuring the security of our website, network, systems and data
Date registered with NES	Reporting on sales information	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Language	Display of data in the correct language	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Name	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and

		performing contracts for providing and receiving requested services
Gender	Display of correct imagery in scan results	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
DOB	Research data	Our legitimate interests in developing products that better serve our customers
Wellness Rating	Research data	Our legitimate interests in developing products that better serve our customers
Associated miHealth Devices	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Associated NES scanners	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Biography	Practitioner locator	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Testimonials	Research data	Our legitimate interests in developing products that better serve our customers
NES Scan Data	Carrying out contract of sale	Our legitimate interests in enabling our customers to access and use our services and ensuring the security of our website, network, systems and data
Shop Orders	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Delivery Address	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Billing Address	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services
Payment Information	Carrying out contract of sale	The legitimate interests of us and our customers in entering into and performing contracts for providing

		and receiving requested services
Research Questionnaire Results	Research data, machine learning and artificial intelligence	Our legitimate interests in developing products that better serve our customers
Intake Form Data	Carrying out contract of sale, research data, machine learning and artificial intelligence	The legitimate interests of us and our customers in entering into and performing contracts for providing and receiving requested services and interests in developing products that better serve our customers
Voice Data	Research data, machine learning and artificial intelligence	Our legitimate interests in developing products that better serve our customers

6. How Do You Use My Personal Data?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for one of the following purposes:

- Providing and managing your account.
- Supplying our products and services to you. Your personal details are required in order for us to enter into a contract with you.
- Personalising and tailoring products **and** services
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email and post that you have opted-in to (you may unsubscribe or opt-out at any time by clicking the link at the bottoms of marketing emails).

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email or telephone or text message or post with information, news, and offers on our products and services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.】

7. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- A. All data regarding your transactions with us has to kept for 10 years
- B. All NES scan and miHealth information has to be kept for 10 years

C. Any other information will be kept for 5 years after your last login to the NES Portal

8. How and Where Do You Store or Transfer My Personal Data?

We will only store your personal data in countries which comply with GDPR policies.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- A. All your data will be stored electronically.
- B. Any paper based version of your data will be shredded unless required by law to retain. Where required by law, your data will be held in a secure storage facility
- C. All electronic data is stored on servers which have strict security policies and adhere to GDPR

9. Do You Share My Personal Data?

We will not share any of your personal data with any third parties for any purposes, subject to one important exception.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

We may share your personal data with other companies in our group for providing you with the service and products required by you. This includes subsidiaries.

We may sometimes contract with the following third parties to supply products and services to you on our behalf. These may include payment processing, delivery, and marketing. In some cases, those third parties may require access to some or all of your personal data that we hold. These parties include:

- Stripe - payment processing
- National Australia Bank - payment processing
- Royal Mail - package delivery
- DPD - package delivery
- UPS - package delivery
- TNT - package delivery
- Parcel Force - package delivery
- USPS - package delivery
- Australia Post - package delivery
- SAASU - accounts management
- Quickbooks - accounts management
- Pitney Bowes - package delivery
- HubSpot - customer management
- Infusionsoft - customer management
- MailChimp - customer communication

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law.

We may sometimes contract with third parties (as described above) that are located outside of the European Economic Area (the "EEA" consists of all EU member states, plus Norway,

Iceland, and Liechtenstein). If any personal data is transferred to a third party outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 8.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. How Can I Access My Personal Data?

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within 28 days of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. How Do I Contact You?

To contact about anything to do with your personal data and data protection, including to make a subject access request, please use the following details:

Email address: dataprotection@neshealth.com

Telephone number: +44 1202 785888.

Postal Address: East House, Braeside Business Park, Sterte Avenue West, Poole, BH15 2BX, United Kingdom

12. Changes to this Privacy Notice

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available <https://www.neshealth.com/privacy-policy/>.