



Privacy Policy

Version 1.1 - April, 2021

The Mindset Privacy Policy applies to all users of the Engage range of web-based applications as provided by Mindset Management Programs (Pty) Ltd, a South African based private company with limited liability, registration number 2016/038861/07, with its main offices located at Midlands Office Park West, Mount Quray road, Centurion, 1683 (Mindset Management). The Privacy Policy sets out the basis, under the relevant data protection laws, on which any personal data we collect from you (the User) or that is provided by your employer through the use of the Engage range of web-based applications, will be processed and stored. By accessing and utilising the Engage range of web-based applications, you agree to be bound by the Privacy Policy set herein.

- "Engage" shall mean the software-as-a-service versions of the Engage product range, including but not limited to Engage Survey, Engage Analytics and Engage Insights, and all related and derivative web-based tools and applications including survey questionnaires that can be accessed via the domain name mindsetmanage.com or any of its sub-domains;
- "System Data" shall mean usage, transactional and device-related data that is collected automatically by Engage;
- "User or Data subject" shall mean the person whose data is processed and who accesses or uses Engage;
- "User Data" shall mean any data or content entered or captured by a User by means of Engage, including survey responses entered or captured by Users;
- "Responsible Party" shall mean public or private body or any other persons which, alone or in conjunction with others, determines the purpose of and means for processing of personal information (like an employer).

Mindset Management is committed to protecting the User's privacy. This privacy policy explains how Mindset Management shall collect and use User information. To ensure acquaintance with and awareness of the privacy measures and policies of Mindset Management, the User is urged to take care to read and understand the underlying privacy clauses incorporated in this Privacy Policy. Should a User wish to delete or correct personal information, or withdraw consent to processing of personal information, then the Responsible Party, if not the same person as the User, must notify Mindset Management at support@mindsetmanagement.com.

Mindset Management's service may contain links to third-party websites or services that are not owned or controlled by Mindset Management. Mindset Management has no control over, and assumes no responsibility for, the content, privacy policies, or practices of any third-party websites or services.

Security practices and procedures

In the event where Mindset Management may collect, use, disclose or process (“processing”) data as set out in this policy, such “processing” shall be governed by and be subject to the provisions of the applicable and relevant privacy and protection of information laws, regulations and code that apply to such data in the country of legal domicile of Mindset Management. Mindset Management shall at all times comply with such applicable laws, regulations or code.

In terms of Mindset Management’s obligations under the relevant privacy and protection of information laws, regulations and code that apply in the country of legal domicile of Mindset Management, Mindset Management will have due regard to generally accepted information security practices and procedures which may apply to it generally or be required in terms of specific industry or professional rules and regulations. To the extent required under the relevant security practices and procedures, Mindset Management will secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organizational measures to prevent (a) loss of, damage to or unauthorized destruction of personal information; and (b) unlawful access to or processing of personal information.

Data security, collection and processing

Mindset Management takes due care to secure the integrity and confidentiality of the User Data. As an operator, we undertake to only process User Data with the Responsible Party’s knowledge or authorisation, and treat User Data that we process as confidential.

User Data are collected for the specific, explicitly defined and lawful purposes of a Responsible Party. The following types of data are collected through the User’s use of Engage:

- System data relating to the User’s device or internet connection;
- Usage data regarding the User’s use of Engage;
- Data provided by the User from survey questionnaires;
- User Data provided by a Responsible Party.

User Data from survey questionnaires or as supplied by a Responsible Party are processed in a lawfully, reasonable and relevant manner that is not excessive.

Data retention and erasure

Mindset Management will retain User Data and System Data for as long as the User Data resides in a valid Subscription, and for a minimum of two (2) calendar years after a Subscription has expired or lapsed unless specifically requested to no longer retain such user data, whereupon such user data will be removed.

Hosting and transfer of data

Data relating to the User, including User Data and System Data, may be hosted and processed in a country or jurisdiction other than the one where the User resides, and may be transferred to suit Mindset Management's operational requirements between countries. Mindset Management will not host or transfer such data to a country or jurisdiction that does not support data protection and privacy laws to the same standard as Mindset Management's country of legal domicile.

Data privacy and confidentiality

The User's User and System Data are private and confidential and are treated as such. Mindset Management takes all reasonable steps to secure and protect such data during hosting and transmission and to ensure that such information is handled in accordance with applicable law.

However, it is possible for Internet-based communications to be intercepted or servers to be hacked. Unless otherwise stipulated in the applicable and relevant privacy and protection of information laws, regulations and code that apply to such data in the country of legal domicile of Mindset Management, Mindset Management will not be responsible for any damages the User or any third party may suffer as a result of the hosting or transmission of confidential or disclosed information that the User makes to Mindset Management through the Internet, or that the Responsible Party expressly or implicitly authorises Mindset Management to make, or for any errors or any changes made to any transmitted information by unauthorised third parties.

Using and sharing of information

Mindset Management may use and share the User and System Data collected from the User in accordance with the policy and for the reasons and uses as detailed below:

- To provide the User with an optimal Engage service and experience;
- To provide the User with the necessary customer support and assistance where required or requested.

Mindset Management undertakes not to share any of the User's User or System Data that are deemed of a personal or private nature. User responses to surveys will be combined with the responses of others and made available as aggregate data.

Mindset Management may release User Data when deemed, in good faith, that such release is reasonably necessary to (a) comply with law, (b) enforce or apply the terms of any user agreement.

Using data for research and benchmark purposes

The User hereby provides consent for their de-identified aggregated User and System data to be used for research, statistical and benchmark purposes.

Cookies policy

A cookie is a small text file stored by the User's browser on the User's computer or mobile device. Engage uses cookies to authenticate returning customers and to prevent fraudulent use of User accounts. Cookies can be disabled in the User's browser settings.

Breach notification

Where there are reasonable grounds to believe that the personal information of a User has been accessed by unauthorised persons, then Mindset Management will notify the relevant authorities as well as the relevant Responsible Party affected by the compromised data.