

Our Privacy Policy (CovidNudge testing service)

Introduction

This Privacy Policy applies to the DnaNudge CovidNudge testing service for COVID-19 (the “**Service**”). This document outlines the type of personal data we collect from users of the Service (“**Users**” or “**you**”) in connection with the Service and how this data is protected, used and maintained.

The Service is operated by DnaNudge Limited, a company registered in England and Wales, with company number 09705888 whose registered address is at Level 11, The Translation And Innovation Hub, Imperial College White City Campus, London, England, W12 0BZ (collectively referred to as “**DnaNudge**”, “**we**”, “**us**” or “**our**” in this Privacy Policy).

Commitment to the protection and security of personal information, including genetic information is of paramount importance to us.

Scope

The purpose of this Policy is to inform you about our privacy practices and to ensure that you understand the purposes for which we process your personal data. The following is a brief summary of our privacy practices.

This Policy does not apply to any data insofar as it is held, processed, disclosed or published in a form which cannot be linked to a living individual (such as aggregated data) (“**Anonymised and Aggregated Data**”).

Who is responsible for processing your personal data?

DnaNudge is responsible for the processing of your personal data insofar as we collect it as part of the Service including personal data we obtain through registration forms or other communications with you, the sputum sample we receive from Users for analysis and the test results that we generate through the Service and give to the User.

Questions and complaints

If you have any questions or if you wish to make a complaint or have other queries relating to the Service, please write to us to the following address: DnaNudge Limited, Level 11, The Translation And Innovation Hub, Imperial College White City Campus, London, England, W12 0BZ, or by email to: customerservices@dnanudge.com.

Enquiries relating to our use of your personal data should be made for the attention of our data protection officer.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

The type of personal data we collect and how we process it

Information required for our reporting requirements:

We collect personal details which we are required to obtain in order to report the results of your COVID-19 test to the government (Public Health England). This includes Among other details, your first and last name, sex, date of birth, NHS number (if known), ethnicity, current address (including postcode), telephone number email address (only in the case of SARS-CoV-2 positive or indeterminate results) as well as details relating to us and the testing we conduct.

Information given by Users:

We may ask you to provide additional information for research processes, quality control and to improve the Service. We collect your email address and/or other contact details in order to deliver the test results to you. We may also collect Personal data from you for billing and other administrative purposes.

The purposes for which we use your data

We use personal data for the following purposes:

- to meet our obligations to you, to provide you with your test results, to support Users' use of the Service and to enable us to handle enquiries and complaints;
- to communicate with you including by sending you promotional offers or other marketing information or to invite you to participate in surveys, questionnaires or research projects. We will only send you promotional communications with your prior consent or in relation to the Service you purchased and you can opt out of promotional communications if they are received electronically;
- for research and development purposes (including machine learning) in order to improve or personalise the Service and to help us understand our customers and how our Service is used and to aggregate data to allow it to be used for statistical and research purposes. (Your personal details are removed or anonymised before any data relating to your test is used for research or statistical purposes);
- to meet our legal obligations and the regulatory requirements to which we are subject, for loss prevention purposes and to protect and enforce our rights and meet our obligations to third parties;

- for our internal business purposes such as keeping records of our communications with Users, compiling statistical data concerning the use of the Service and performing analytics relating to the use of the Service by Users.

The lawful basis for processing users' personal data

The processing of your personal data is lawful on the basis of the following:

- your express consent, where you consent for us to process your data for the purpose of receiving the Service. We collect your sputum sample and carry out the testing only after you sign our information and consent form;
- the fulfilment of our contractual obligations to you (including delivering the test results to you);
- our legal obligations (including legal reporting obligations relating to COVID-19 test results);
- our legitimate interests in (among other things) operating and administering the Service, conducting commercial research, improving and maintaining our Service, personalising and tailoring content made available to you through the Service, protecting the security or integrity of our databases or the Service, protecting our business or reputation, taking precautions against legal liability, protecting and defending our rights or property, or for resolving disputes, investigating and attending to inquiries or complaints with respect to your use of the Service.

When do we disclose your personal data to third parties?

In accordance with applicable legislation and government guidelines, we report the results of your COVID-19 test to the government (Public Health England). The personal data we provide to PHE includes your first and last name, sex, date of birth, NHS number (if known), ethnicity, current address (including postcode), telephone number email address (only in the case of SARS-CoV-2 positive or indeterminate results). We also include in our report to PHE details relating to us and the testing we conduct.

Apart from reporting PHE, we do not disclose your personal data to any person, except as set out below:

- Your personal details and data identifying the testing cartridge are collected through an operator application and transferred to our database which is held 'in the cloud' on servers operated by a third party service provider (Amazon Web services) on its UK data centre servers.
- Genetic data obtained from your sample (which does not include your personal details) together with the cartridge identification details (which enable our system to link the results

to you) are sent to be processed on our cloud-based system which examines the genetic data for the presence of Corona Virus. The system automatically generates the test result;

- The test results together with your personal details are then generated in our cloud-based system and communicated to PHE and also sent to you through the email address or other form of communication you instructed us to use for that purpose;
- Your personal details may be made available to third party providers who assist us in delivering the Service (including administration services, technical services relating to the maintenance, servicing and upgrading of the Service hosting and cloud computing services, data migration and analytical services, marketing and customer service, payment processing services, and other outsourced services, providers that help us to test, monitor, improve and develop the Service, to compile, aggregate and analyse personal data in order to produce Anonymised and Aggregated Data that we use, sell and publish or to perform analytical studies and research);
- We do not disclose your test results to any person other than yourself or to the government in accordance with our legal obligations and do not disclose to third parties or publish the results of any analysis or research relating to our testing programme except in the form of Anonymised and Aggregated Data.

We also reserve the right to disclose and transfer randomised data to other entities in connection with the sale or transfer of our business or those business activities relating to the Service. We will ensure that such acquirer will continue to process the personal data in accordance with this Policy (as it may be updated from time to time).

Other circumstances in which your personal data may be used or disclosed include the following:

- if we believe that such disclosure is reasonably necessary to enforce or apply our service terms and conditions or to protect our rights, property, the safety or integrity of our services, software or products;
- to protect the Service against abuse or unauthorised access and to protect the personal data of our Users in general;
- where necessary to satisfy a legitimate request or order of a government body, public authority, regulator or enforcement agency, in response to a third-party subpoena (if on legal advice such response is required) or otherwise as provided by law or required by any court of competent jurisdiction or any regulatory authority acting under statutory powers; or if necessary to defend us or our subscribers (for example, in a lawsuit).

We will fully co-operate with the health authorities and the NHS, regulators, law enforcement agencies and other authorities to identify anyone who uses our products, service or software for

illegal activities. We reserve the right to report to regulators and law enforcement agencies any activities that are believed to be unlawful.

Transfer of personal data across borders

We may use servers and cloud services in other countries and may transfer the anonymized product/ DNA trait data to other countries for the purpose of storage and data management. Our providers may have access to our database in different countries including, without limitation, the UK, the EU and the USA. We ensure that when personal data is transferred across borders, we do so in compliance with the law including (in the case of data exported from the UK) by putting in place, as between us and the party receiving the data, contractual terms for the protection of the interests of data subjects in the form approved by the European Commission.

How do we protect your personal data?

We use a range of technical and organisational measures to protect your personal data including the following:

- DnaNudge will destroy your sputum sample after the testing;
- we only collect and maintain personal data insofar as is necessary for the proper functioning of the Service or as required by law or government guidance;
- the results of Users' testing data processed on our servers are not linked to the individual User (except when the test results are generated and communicated to you and to PHE). Instead, they are linked to the testing cartridge used for testing your sample;
- we limit and control access to records of personal data to members of staff and service providers that require such access to perform their duties and services, through passwords, variable log-in rights and other technical and organisational access controls;
- we apply security measures (including as part of the cloud services we use and when using the services of third party providers to process your data) including encryption of data when it is transmitted and when it is stored, firewalls and physical security for our (or our cloud service provider's) servers and information centres;
- we ensure confidentiality obligations are put in place when dealing with our service providers and other third parties;
- we avoid the collection or storage of personal data when it is unnecessary or for longer than reasonably needed or legally permitted or required and erase it (or anonymise it) once we no longer need it or are no longer required to keep it as personal data;

- User's COVID-19 test results and the User's personal details are held in our records for as long as they are required and are stored in a secure manner for 12 months or a longer period if required to do so by Public Health England or in order to comply with any applicable law or regulation. The personal data is then erased and the only data we retain is not capable of being linked to specific Users.

We cannot guarantee that these protections will always successfully prevent unauthorised access to, corruption or loss of personal data. Please bear in mind that transmissions over the Internet are not completely secure, and information you send to or from this Service may be accessible by others. More specifically, electronic communications sent to or from the Service may not be secure.

How to access, edit or delete your information

You can contact our customer care team to request access to, edit or delete any personal information you have provided to us. We cannot guarantee we will be able to grant a request to change information, for example, if we believe granting such a request would violate the law or cause the information to be incorrect. It may not be possible to retrieve, remove or correct data from any database where the data had been de-identified and/or aggregated.

Children's data

Children under the age of 16 require the consent of their parent or legal guardian to take the COVID-19 test. The information in this Privacy Policy applies to children as well as adults.

Your legal rights

Users have the following legal rights in respect of their personal data:

- The right to require us to advise you of the categories of your personal data that we process, the purpose of any such processing, the identity of third parties who receive your data from us, the period for which your personal data is stored and whether any automated decision-making processes are being used in relation to your personal data. You also have the right to ask for a copy of your personal data records;
- The right to require us to rectify inaccurate personal data records;
- The right to request the erasure of your personal data records.
- The right to restrict the processing of your personal data in certain circumstances (for example, where an objection has been raised and is being investigated);
- The right to object to the processing of your data in certain circumstances;

- the right in certain circumstances to require that personal data is provided in a structured, commonly used and machine-readable format;
- the right to lodge a complaint with the UK's Information Commissioner's Office or in some cases with the data protection supervisory authority of the EU member state where the data subject resides.

The above legal rights are subject to various conditions and exceptions including where the data is processed in compliance with legal obligations, or where it is used for statistical or scientific research purposes and the exercise of the right would prevent such purposes from being attained or would seriously impair their attainment.

Privacy Policy changes

This Policy was last changed on 7 November 2020. If we make changes to the Policy, the new version will be made available to Users of the Service. We may change, modify, add or remove portions of this Policy at any time.