



## **ERP365 Privacy Policy**

ERP365 Limited (“ERP365” “we or “us” or “our”) offers information technology consultancy and software products designed and developed specifically for businesses.

This privacy policy explains how we collect, use and share personal information collected through your use of our website or as a result of you using our software (“Software”).

We reserve the right to amend this privacy policy to keep it up to date with legal requirements and for the operation of our business.

### **What personal information do we collect**

ERP365 collects personal information from their customers and staff to facilitate and manage customer transactions for products and services.

ERP365 collects personal information from third-party suppliers and their staff to facilitate and manage the supply of products and services to ERP365.

ERP365 collects personal information from person(s) who use or interact with our website and social media pages.

We also sometimes collect information about people who are not our suppliers, employees or customers as part of providing a product or service.

### **How we collect personal information**

Where we can, we collect personal information directly from the individual concerned.

Where we cannot collect personal information from you directly or you consent to us collecting it from elsewhere, we may collect personal information about you from other sources. These may be parties related to ERP365 or third parties or employment referees that prospective employees have given us.

We collect information from you when you register on our website, register for a demo of the Software we provide through a third-party platform, by subscribing to our newsletter or other forms of marketing communications, responding to a survey or filling out forms or interacting with us on social media.

When ordering or registering to use our Software, you may be asked to enter your name, email address, mailing address or phone number.

### **You own your data**

ERP365 store information that is entered by you, or automatically imported on your instructions. The data entered or imported by you remains your property and ERP365 will not use this information without your permission. However, if you download, install or use our Software you will be bound by ERP365’s standard terms and conditions for the Software. You grant ERP365 a licence to access, collect, compile and use your data for ERP365’s own purposes provided that such data excludes any personally identifiable data, or information that identifies you, or your business.



You can ask ERP365 at any time what personal information we hold about you and ERP365 will provide access in accordance with the requirements in the Privacy Act 2020.

## **You control who has access**

Data entered or imported by you in order to use our Software will be stored securely and only accessible to persons you have authorised to use the Software. It is your responsibility to keep your login details safe. ERP365 and its staff do not have access to your password.

## **How we use your information**

Any of the information we collect from you may be used in one of the following ways:

- To personalise your experience – your information helps us to better respond to your individual needs.
- To charge for the Software – we may assess your use of the Software either on a consumption or a per user basis in order to charge for your use of the Software.
- To improve our website, Software and services - we continue to improve our products and services based on the feedback we receive from you. Should you require assistance from our support staff in relation to issues with our website, services, or your account, we may require your personal details in order to address the issue, such as your user name and user ID.
- To process transactions - your information, whether public or private, will not be sold, exchanged, transferred, or given to any other entity for any reason, without your consent, other than for the express purpose of delivering a purchased product or to fulfill a legal obligation as described below.
- To contact you – we may collect your title, name, email address, phone number and address. We use this information to operate, maintain and provide the Software and services to you, and to communicate with you. We may send periodic emails to the email address provided for your subscription to share information and updates relating to your subscription. Subject to your consent, we may collect your preference set for notifications, marketing communications and how our website is displayed. We use this information to provide notifications, send news, alerts and marketing communications and provide our Software and services in accordance with your choices and to ensure that we comply with our legal obligation to send only those marketing communications to which you have consented. If at any time you would like to unsubscribe from receiving emails, you can do so.

## **Legal basis for using your personal information**

ERP365 uses personal information in association with any past or future sales, transactions, interactions or proposals between ERP365 and the customer, supplier or employee concerned.

ERP365 will only collect, use and share your personal information where we are satisfied that we have an appropriate legal basis to do so. Such as:

- we need to use your personal information to perform a contract or take steps to enter into a contract with you;



- we need to use your personal information for our legitimate interest as a commercial organisation. For example, we may use your email address to send you invites or inform you of events that we host.
- we need to use your personal information to comply with a relevant legal or regulatory obligation; or
- we have your consent to use your personal information for a particular activity.

## **How we protect and store your information**

We implement and maintain appropriate technical and organisational security measures, policies and procedures to maintain the safety of your personal information when you subscribe or enter, submit, or access your personal or business information.

ERP365 uses a variety of security technologies and procedures to help protect your personal information from loss, unauthorised access, use or disclosure.

ERP365's servers have SSL Certificates issued by a leading certificate authority which enables encryption of data in transit. However, the internet is not in itself a secure environment. This means that your browser must support the encryption security with any web based communications with ERP365.

Storage mechanisms may be managed internally by ERP365 and held locally in New Zealand, or they could be managed by a third party storage provider with whom ERP365 has a contractual relationship and be held on servers hosted locally or overseas.

Despite our best security efforts, ERP365 cannot guarantee that your personal information cannot be accessed by an unauthorised person or that unauthorised disclosures will not occur.

## **How long we can keep personal information**

How long ERP365 retains your personal information depends on your relationship with ERP365.

ERP365 will not retain personal information for longer than necessary with respect to your relationship with ERP365.

## **Disclosure of information to third parties**

By providing your personal information to us, you acknowledge that some third party service providers may be located in countries which do not have the same level of privacy laws as New Zealand and you consent to the transfer of your personal information in these circumstances.

We share your personal information in the manner and for the purposes described below:

- with trusted third parties who assist us in operating our Software, conducting our business, or servicing you, so long as those parties agree to keep this information confidential and use any personal information we share with them or which they



- collect on our behalf solely for the purpose of providing the contracted service to us. These include IT service providers who help manage our IT and back office systems;
- we may release your personal information to government organisations and agencies, law enforcement, or regulators, when we believe release is appropriate to comply with all applicable laws, regulations and rules, and requests of law enforcement, regulatory and other government agencies.
  - non-personal information may be provided to other parties in aggregate statistical form for website usage with our marketing and advertising partners, or other uses; and
  - if, in the future, we sell or transfer some or all of our business or assets to a third party, we may disclose information to a third party purchaser of our business or assets.

## Managing marketing communication preferences

We provide you with the option to subscribe to receive promotional and marketing communications from us via email and/or SMS.

To protect privacy rights and to ensure you have control over how we manage marketing with you:

- we will take steps to limit direct marketing to a reasonable and proportionate level and only send you communications which we believe may be of interest or relevance to you; and
- you can ask us to stop sending marketing emails by following the "unsubscribe" link you will find on any marketing messages we send you. Alternatively, you can contact us at [hello@erp365.nz](mailto:hello@erp365.nz).

## Transferring personal information globally

We will take appropriate steps to ensure that transfers of personal information are in accordance with applicable law and carefully managed to protect your privacy rights and interests. To this end:

- where we transfer your personal information to third parties who help provide our products and services, we obtain contractual commitments from them to protect your personal information; or
- where we receive requests for information from law enforcement or regulators, we validate these requests before any personal information is disclosed.

## Legal rights available to help manage your privacy

We are committed to protecting the security of your Personal Information and we take all reasonable precautions to protect it from **Privacy Breaches**, namely:

1. unauthorised or accidental access, disclosure, alteration, loss, destruction of your Personal Information; and
2. actions which prevent us from accessing your Personal Information on a temporary or permanent basis.



If your Personal Information is subject to a Privacy Breach which causes or is likely to cause serious harm, we will notify you and the Privacy Commissioner in accordance with our obligations under the Privacy Act 2020.

Individuals have the right to request access to personal information we hold about them, and request us to correct any inaccurate, out-of-date, incomplete, irrelevant or misleading personal information.

## **Website Terms and Conditions**

Please refer to the Website Terms and Conditions located on our website [www.erp365.nz](http://www.erp365.nz)

## **Contacting Us**

If you have any questions regarding this privacy policy you may contact us by email at [hello@erp365.nz](mailto:hello@erp365.nz)

If you have any questions, concerns or complaints regarding our compliance with this policy, the information we hold about you, we encourage you to please contact us first to attempt to resolve any issues. We will endeavour to investigate and attempt to resolve any complaints and disputes and make every reasonable effort to deal fairly and promptly with your complaint.

*ERP365 Limited Privacy Policy: last modified: June 2022*