

Cappfinity Limited

Privacy Policy – Cappfinity API – CCPA Compliant

Effective from: 1st March 2021

Please note: This Privacy Policy is intended for use by residents of the state of California, United States only.

For our Global Privacy Policy please [click here](#)

Cappfinity Limited respects your right to privacy. This Privacy Policy describes the types of information we may collect from you or that you may provide when you visit this website and our practices for collecting, using, maintaining, protecting, disclosing that information, and your California Consumer Privacy Act (CCPA) consumer rights and how to exercise them. This Privacy Policy applies to personal information that we collect through our website at <https://apitake.cappassessments.com> ("Website")

If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time (see [Updates to this Privacy Policy](#)). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

If you have any questions or concerns about our use of your personal information, then please contact us using the contact details provided at the bottom of this Privacy Policy.

Quick links

We recommend that you read this Privacy Policy in full to ensure you are fully informed. However, if you only want to access a particular section of this Privacy Policy, then you can click on the relevant link below to jump to that section.

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What does Cappfinity Limited do?

Cappfinity Limited is an assessment technology company, headquartered in the United Kingdom but with operations globally. Our products and services are used by people and clients around the world to assess people for selection, development and transformation.

For more information about Cappfinity Limited, please see the "About" section of our Website at <http://www.cappfinity.com/about>

Children under the age of 16

This website is intended for use only by persons 16 years of age or older. By using the website, you represent that you are at least 16 years of age. Furthermore, we do not knowingly collect Personal Information online from children under the age of 13 without parental or guardian consent. Please contact us as provided below in the "[How to contact us](#)" section if you believe we may have collected such information without parental or guardian consent.

What personal information does Cappfinity Limited collect?

The personal information that we may collect about you broadly falls into the following categories:

- *[Information that you provide voluntarily](#)*

Certain parts of our Website may ask you to provide personal information voluntarily; for example we may ask you to provide contact details by which you may be personally identified, such as name, e-mail address or any other identifier by which you may be contacted ("personal information");

The personal information that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you at the point we ask you to provide your personal information.

- *[Information that we collect automatically](#)*

When you visit our Website, we may collect certain information that is about you but does not identify you automatically as you navigate through the site. Specifically, the information we collect automatically may include information like your IP address, device type, unique device identification numbers, browser-type, broad geographic location (e.g. country or city-level location) and other technical information. We may also collect information about how your device has interacted with our Website, including the pages accessed and links clicked.

Collecting this information enables us to better understand the visitors who come to our Website, where they come from, and what content on our Website is of interest to them. We use this information for our internal analytics purposes and to improve the quality and relevance of our Website to our visitors.

- Information that we obtain from third party sources

From time to time, we may receive personal information about you from third party sources (including clients who ask us to process your information on their behalf), but only where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal information to us.

The types of information we collect from third parties include for example, your name and email address, and we use the information we receive from these third parties to deliver our service to you, providing you with a consistent user experience and ensuring that we can associate the right assessment data with the right person.

In general, we will use the personal information we collect from you only for the purposes described in this Privacy Policy or for purposes that we explain to you at the time we collect your personal information. However, we may also use your personal information for other purposes that are not incompatible with the purposes we have disclosed to you (such as archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes) if and where this is permitted by applicable data protection laws.

How does Cappfinity Limited process my personal information?

We may process your personal information as follows:

- your name, email address and password may be used to manage your account settings, link to your assessment data, and manage our communications with you;
- any personal information you provide in relation to a disability may be used to provide reasonable adjustments to any assessment that we provide to you;
- any personal information you provide in relation to gender, ethnicity, age, social background or sexual orientation may be used for aggregate level analysis only to compare differences between groups;
- any responses you provide explicitly in response to an assessment question may be processed using automated decision making in relation to the scoring of the assessment, and in relation to your progression in a selection and recruitment process, but your personal information in relation to name, email address, gender, ethnicity, age, social background or sexual orientation will never be used as part of automated decision making.

Automated decision-making

In some instances, our use of your personal information may result in automated decisions being taken (including profiling) that legally affect you or similarly significantly affect you.

Automated decisions mean that a decision concerning you is made automatically on the basis of a computer determination (using software algorithms), without our human review. For example, we use automated decisions to calculate scores on our assessments and to determine your progression through a selection and recruitment process. We have implemented measures to safeguard the rights and interests of individuals whose personal information is subject to automated decision-making, including ensuring that it is only explicit assessment data (e.g. your responses to explicit assessment questions) that is used in automated decision making and never demographic personal information (e.g. your name, email address, gender, age, ethnicity, social background or sexual orientation).

If you are a resident of the EU or UK under the General Data Protection Regulation, when we make an automated decision about you, you have the right to contest the decision, to express your point of view, and to require a human review of the decision. You can exercise this right by contacting us using the contact details provided under the ["How to contact us"](#) heading below.

Who does Cappfinity Limited share my personal information with?

We may disclose your personal information to the following categories of recipients:

- to our group companies, third party services providers and partners who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our Website), or who otherwise process personal information for purposes that are described in this Privacy Policy or notified to you when we collect your personal information;
- to a Cappfinity client who ask us to process your information on their behalf;
- to any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person;
- to a potential buyer (and its agents and advisers) in connection with any proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal information only for the purposes disclosed in this Privacy Policy;
- to any other person with your consent to the disclosure.

Cappfinity does not sell (as defined in the California Consumer Privacy Act) your personal information and would not do so without seeking your consent or providing the option to opt-out.

Cookies and similar tracking technology

We use cookies and similar tracking technology (collectively, "Cookies") to collect and use personal information about you. For further information about the types of Cookies we use, why, and how you can control Cookies, please see our Cookie Notice.

How does Cappfinity Limited keep my personal information secure?

We use appropriate technical and organisational measures to protect the personal information that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information. The measures we take to protect your personal information are provided for within our accreditation to ISO 27001 Information Security Management Systems.

International data transfers

Your personal information may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country or state.

Specifically, our Website servers are located in Ireland, and our group companies and third-party service providers and partners operate in the United Kingdom and the United States. This means that when we collect your personal information we may process it in any of these countries.

However, we have taken appropriate safeguards to require that your personal information will remain protected in accordance with this Privacy Policy.

Data retention

We retain personal information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements).

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

Your California Privacy Rights

You have the following rights:

- **Right to know and access your personal information** - if you wish to access your Personal Information, you can do so at any time by contacting us using the contact details provided under the "[How to contact us](#)" heading below;
- **Right to request personal information be edited or deleted** – subject to certain exceptions, you have the option to delete Personal Information about you that we have collected from you. You can do so by contacting us using the contact details provided under the "[How to contact us](#)" heading below;
- **Verification** - Requests for access to or deletion of Personal Information are subject to our ability to reasonably verify your identity in light of the information requested and pursuant to relevant CCPA requirements, limitations, and regulations.

- **Right to Equal Service** - You have the right not to receive discriminatory treatment for the exercise of your CCPA privacy rights, subject to certain limitations.
- **Right to opt out of the sharing or selling of your Personal Information with third parties for their marketing purposes** – Cappfinity does not sell your personal information or share it with third parties for marketing purposes and would not do so without seeking your consent or providing the option to opt-out.

In addition, if you are a resident of the UK or the European Union, you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the [“How to contact us”](#) heading below.

You have the right to opt-out of marketing communications we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the [“How to contact us”](#) heading below.

Similarly, if we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available [here](#).)

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

Updates to this Privacy Policy

We may update this Privacy Policy from time to time in response to changing legal, technical or business developments. When we update our Privacy Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Policy changes if and where this is required by applicable data protection laws.

You can see when this Privacy Policy was last updated by checking the “effective from” date displayed at the top of this Privacy Policy.

How to contact us

If you have any questions or concerns about our use of your personal information, please contact our data protection officer using the following details: Email: dpo@cappfinity.com

Cappfinity Limited is registered with the UK Information Commissioner's Office with registration number Z1879750.