

Moon Climbing Limited

PRIVACY NOTICE

This privacy notice explains how **we**, Moon Climbing Limited, use your personal data and for what purposes, and your rights. A downloadable version is available [here](#) [LINK TO PDF OF NOTICE] and it is important that you read that information.

WITHDRAWING CONSENT

This notice sets out your legal rights including withdrawing consent [**LINK TO WITHDRAW CONSENT ELEMENT OF YOUR LEGAL RIGHTS**]

PRIVACY: THE BASICS

This notice (together with our end-user licence agreement as set out at [WEB ADDRESS OF/END USER LICENCE AGREEMENT] (**EULA**) and any additional terms of use incorporated by reference into the EULA, together our **Terms of Use**) applies to your use of:

- MoonBoard App mobile application software (**App**) available through the App Store and Google Playstore.
- Any of the services accessible through the App (**Services**) which can include Services available on our website, www.moonboard.com. This notice explains the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. This App is not intended for young children but we recognise that many young climbers approaching 18 will use it. For that reason we ask you to think carefully before using your own name and to consider using a username. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

We have set out this notice in a format to help you click to the parts that most interest you but you can download a pdf version of the policy here: [LINK]

IMPORTANT INFORMATION AND WHO WE ARE [LINKS TO EACH SECTION FOR EACH HEADING]

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IMPORTANT INFORMATION AND WHO WE ARE

MOON CLIMBING LIMITED decides and is responsible for your personal data ("Controller"). We refer to Moon Climbing Limited as "we", "us" and "our" in this notice.

Contact details

Our full details are:

- MOON CLIMBING LIMITED
- Email address: info@moonclimbing.com
- Postal address: 28 Cross Smithfield, Sheffield S3 7AU

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. If the App is downloaded outside the UK, but in the EU, you have the right to contact the data protection regulator in the EU country where the App was downloaded.

Changes to the privacy notice

If this privacy notice changes, those changes will be posted on this page and, where appropriate, notified to you when you next start the App. The new policy may be displayed on-screen and you may be required to read and accept the changes to continue your use of the App.

Third party links

We do not currently provide links to any third parties [apart from the App store or Google Play].

THE DATA WE COLLECT ABOUT YOU

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Identity Data.
- Contact Data.
- Health (fitness) Data.
- Device Data.
- Content Data.
- Profile Data.
- Usage Data.
- Location Data.

We explain these categories of data here [[LINK TO DESCRIPTION OF CATEGORIES OF PERSONAL DATA BELOW](#)].

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific App feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

Health Data

We are able to collect very limited data relating to your fitness (health). You decide when using this app whether you choose to give us that data and this notice explains how we use this. Before you give us this data we will prompt you that you are about to give us this type of data with a link to this notice.

We do not collect any other Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information on genetic or biometric data). We do not collect any information about criminal convictions and offences.

HOW IS YOUR PERSONAL DATA COLLECTED?

We will collect and process the following data about you:

- **Information you give us.** This is information (including Identity, Contact and Health (fitness data)) you consent to giving us about you by filling in forms on the App (on our website) and any Service Sites (together **Our Sites**), or by comments made on the App or by email. It includes information you provide when you register to use the App Site, download or register an App, subscribe to any of our Services, search for an App or Service, share data via our App's social media comments function, or by interacting with the MoonBoard App/MoonBoard website at www.moonboard.com and when you report a problem with an App, our Services or any of Our Sites. If you contact us, we will keep a record of that contact.
- **Information we collect about you and your device.** Each time you visit our App we will automatically collect personal data including Device, Content, and Usage Data. We collect this data using cookies and other similar technologies. Please see our cookie policy [LINK] for further details.
- **Location Data.** We ask you for certain location data when you interact with this App. Additionally, location information may have to be enabled on your device for certain features of the App to work. If you disable location information those features will not work.
- **Information we receive from other sources including third parties and publicly available sources.** We will receive personal data about you from analytics providers such as Google based outside the EU (Device Data).

COOKIES

We use cookies to distinguish you from other users of the App, and in connection with your use of the App via the App Store, Google Playstore or interaction with our website, www.moonboard.com. Such cookies may also help us to remember your preferences. This helps us to provide you with a good experience when you use the App or browse any of Our Sites and also allows us to improve the App and Our Sites. For detailed information on the cookies (and also on Google Analytics which we may use), the purposes for which we use them and how you can exercise your choices regarding our use of your cookies, see our cookie policy [LINK AND LINK TO ANY INFORMATION ON GOOGLE ANALYTICS].

We will only use your personal data when the law allows us to do so. Most commonly we will use your personal data in the following circumstances:

- Where you have consented before the processing.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Click here [[LINK TO GLOSSARY: LAWFUL BASIS](#)] to find out more about the types of lawful basis that we will rely on to process your personal data.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

Purpose/activity	Type of data	Lawful basis for processing
To install the App and register you as a new App user.	Identity Contact Device	Your consent
To manage our relationship with you including notifying you of changes to the App or any Services	Identity Contact Profile	Your consent Necessary for our legitimate interests (to keep records updated and to analyse how customers use our Services) Necessary to comply with legal obligations (to inform you of any changes to our terms and conditions)
To administer and protect our business and this App including troubleshooting, data analysis and system testing	Identity Contact Device	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security)

DISCLOSURES OF YOUR PERSONAL DATA

When you consent to provide us with your personal data, we will also ask you for your consent to share your personal data with the third parties set out below for the purposes set out either below or in the Glossary.

- External Third Parties as set out in the Glossary.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively we may seek to acquire other business or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

- Please note that personal data may also be disclosed automatically to the App store provider when you download our App [INSERT LINK to App provider privacy notice] and to your mobile network operator.

All data, including the comments feature in the App is encrypted in transmission. We do not send data outside the UK, except where data is hosted by us on the App or on our website www.moonboard.com and accordingly can be read outside of the UK. PLEASE ENSURE that you do not submit any personal data to the comments feature that you do not want to be seen, collected or used by other users. Please note your comments can be read outside of the UK/EEA where our data protection laws do not apply.

DATA SECURITY

All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a password that enables you to access certain parts of Our Sites, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Once we have received your information, we will use strict procedures and security features to try to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way. These measures include encrypted transmission of data from and to our physical servers and appropriate security measures in respect of access to these servers.

We will collect and store personal data on your Device using an App local database.

You are reminded to PLEASE ENSURE that you do not submit any personal data that you do not want to be seen, collected or used by other users when using the comments feature in the App.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator when we are legally required to do so.

DATA RETENTION

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request by contacting us.

In some circumstances you can ask us to delete your data: see [*Your legal rights*] below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

In the event that you do not use the App for a period of 24 months then we will treat the account as expired and your personal data may be deleted.

YOUR LEGAL RIGHTS

Under certain circumstances you have the following rights under data protection laws in relation to your personal data.

Please click on the links below to find out more about these rights: [LINKS TO EACH SECTION FOR EACH HEADING]

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*

You can exercise any of these rights at any time by contacting us at 28 Cross Smithfield, Sheffield S3 7AU.

GLOSSARY

LAWFUL BASIS

Consent means processing your personal data where you have signified your agreement by a statement or clear opt-in to processing for a specific purpose. Consent will only be valid if it is a freely given, specific, informed and unambiguous indication of what you want. You can withdraw your consent at any time by contacting us.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

THIRD PARTIES

EXTERNAL THIRD PARTIES

- Service providers acting as processors based in the UK who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers, including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue and Customs, regulators and other authorities acting as processors or joint controllers based in the UK who require reporting of processing activities in certain circumstances.
- Third parties specifically appointed by us on the basis of their expertise to assist or advise us on users' climbing fitness, experience and likely training needs. Where such Third Parties are used, individual users' personal data will be anonymised.

YOUR LEGAL RIGHTS

You have the right to:

- **Request access** to your personal data (commonly known as “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. We do not use your data for direct marketing purposes but if you agreed to this in the future you could also later object and remove your consent. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - (a) if you want us to establish the data’s accuracy;
 - (b) where our use of the data is unlawful but you do not want us to erase it;
 - (c) where you need us to hold the data even if we no longer require it as you need is to establish, exercise or defend legal claims; or
 - (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. (We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format but please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you).
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you

withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

DESCRIPTION OF CATEGORIES OF PERSONAL DATA

- **Identity Data:** user name and/or first name, last name or similar identifier, gender if you provide this in connection with the MoonBoard Assessment.
- **Contact Data:** email address and city or town and any other contact data you choose to provide us.
- **Health (fitness) Data:** data which in isolation or taken together provides data as to your fitness and therefore limited data as to your health, such as gender, age, number of years climbing, weight, height and arm-span.
- **Device Data:** includes your IP address, may include the type of mobile device you use, your mobile operating system, the type of mobile browser you use and time zone setting.
- **Content Data:** includes information stored on your Device, including login information, personal data (if any) provided on the comments feature of the App and any website profile picture you choose to upload on www.moonboard.com.
- **Profile Data:** includes your username and password and any information which you choose to place on the comments feature of the App which might including your general location; your specific interest and other information which might enable you to be identified ("jigsaw identification").
- **Usage Data:** includes details of your use of any of our Apps or your visits to any of Our Sites including, but not limited to, traffic data and other communication data and the resources you access.
- **Location Data:** We ask you for certain location data when you interact with this App. Additionally, location information may have to be enabled on your device for certain features of the App to work. If you disable location information those features will not work.