

## PEAKON PLATFORM PRIVACY STATEMENT

[Prior Peakon Privacy Policy](#)

### INTRODUCTION

Peakon ApS, a Workday company, of Frederiksberggade 11, 1459, Copenhagen K, Denmark and its group companies (collectively, “Peakon” / “Workday” / “we” / “our” / “us”) are committed to protecting and respecting your privacy.

This Peakon Platform Privacy Statement (“Privacy Statement”) is provided in a layered approach so you can click through to specific areas set out below.

Peakon has entered into an agreement with your employer (“Employer Agreement”) to grant you access to the Peakon platform (“Platform”) and/or to complete surveys or otherwise use the Platform.

References in this Privacy Statement to “your employer” shall refer to the entity who has entered into the Employer Agreement with us. You will typically be an employee, officer, contractor or consultant of a Peakon client. Your employer is the data controller for the purposes of personal data processed under this Privacy Statement. Peakon will process your personal data as a data processor on behalf of your employer and in accordance with its lawful instructions.

The information you provide to us and/or upload to the Platform (whether or not it constitutes personal data) will also be governed by the Employer Agreement.

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## **PERSONAL DATA WE COLLECT**

In our capacity as a data processor, we will collect and process the following personal data about you as instructed by your employer:

### **INFORMATION YOU GIVE US. YOU MAY GIVE US INFORMATION ABOUT YOU:**

- when using the Platform's functions, including by filling in forms, providing individual feedback or completing surveys on or via the Platform. The extent of the information collected in surveys is set by your employer. This information may include your name, photo, age, company email address, company telephone number, job title, level of seniority, department, work start date, salary and primary office location, as well as any views/comments you provide to us about you or your colleagues' performance in your respective roles, or information regarding your employer, your colleagues or other third parties during the course of completing surveys or otherwise using the Platform;

### **INFORMATION YOUR EMPLOYER GIVES US. YOUR EMPLOYER MAY GIVE US INFORMATION ABOUT YOU:**

- when creating a user profile for you in order to enable you to access the Platform under the Employer Agreement (whether on a trial or full basis) or to enable us to send surveys, individual feedback requests and similar communications to you. This information may include your name, age, company email address, company telephone number, job title, level of seniority, department, work start date, salary and primary office location;
- we may obtain further information about you from your employer, for example to verify your eligibility to access and use the Platform;

### **INFORMATION WE COLLECT ABOUT YOU.**

Each time you complete a survey or otherwise use the Platform we may automatically collect the following information:

- when you use the Platform, we will keep a record of the details of that usage,
- including the date, time, location, frequency and duration of the usage;
- technical information about your computer or mobile device for system administration and analysis, including your IP address, URL clickstreams, unique device identifiers, operating system, and network and browser type;
- other information about your use of the Platform, including the pages you have viewed, the duration spent on the Platform and data files you have uploaded to the Platform. This information may be linked to your user profile (where relevant).

## HOW WE USE YOUR PERSONAL DATA

Please note that we may collect, use, disclose and/or otherwise process any information other than personal data, including data sets you upload to the Platform or otherwise provide to us, as instructed by your employer in the Employer Agreement.

Where we have collected, received or generated personal data from or about you, we may use this for the purposes set out below.

### INFORMATION YOU GIVE TO US. WE WILL USE THIS INFORMATION TO:

- carry out our obligations arising from the Employer Agreement. This includes providing your employer with aggregated and de-identified reports and analysis summarising information provided during your use of the Platform, including in any engagement surveys, aggregated with information from other employees and personnel, and (where relevant) comparing this data with past or future employee responses and/or industry benchmarks. Where applicable, this will also include providing you with individual feedback comments from your colleagues, and providing your individual feedback to your colleagues. All survey and/or individual feedback responses are entirely optional: individual questions (or the entire survey) may be skipped and there is no requirement for any surveys to be completed;
- notify you about changes to the Platform and any other services of ours that you use, including informing you about new versions of the Platform and about new features, functionality and service offerings; or
- deal with any enquiries, correspondence, concerns or complaints you have raised, or that have been raised by or concerning third parties (such as your employer) involving you and any issues caused by your use of the Platform.

### INFORMATION WE COLLECT ABOUT YOU. WE WILL USE THIS INFORMATION:

- to report to your employer relating to the use of the Platform, as may be required under the Employer Agreement; to allow you to participate in interactive features of the Platform, when you choose to do so;
- In relation to the above uses, we shall process your personal data on the legal basis determined by your employer, including to enable us to perform our contractual obligations under the Employer Agreement.

Please also note:

- Our surveys will not request any special categories of personal data (including racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, health data, sex life or sexual orientation), unless this has been expressly requested or configured by your employer. Where this is the case, it is your employer's responsibility to ensure they have obtained your explicit consent to such processing or that they have another lawful basis for such processing (please contact your employer if you have any questions). However, you might, in the course of providing comments or feedback in a survey, provide personal data within one of the above categories where this has not been requested.
- For engagement surveys, your employer has the ability to determine your identity in exceptional circumstances, as explained further below in the section entitled "[Disclosure of Data](#)."
- Data collected from you and other employees or personnel may be used by us in an aggregated and de-identified form for statistical and benchmarking purposes including enabling comparisons to other organisations within the same industry.

## **DISCLOSURE OF DATA**

### **SUB-PROCESSORS**

We may share your personal data with other companies which have been designated as sub-processors on our published [Sub-Processor Schedule](#), where necessary or desirable to do so in the course of the provision of services to you or your employer.

We require all our sub-processors to take appropriate and stringent security measures to protect your personal data in line with our policies. We do not allow our sub-processors to use your personal data for their own purposes and only permit them to process your personal data for specified purposes in accordance with our instructions.

### **ENGAGEMENT SURVEY: RESPONSES AND YOUR EMPLOYER**

Please note that:

- feedback and comments provided by you during engagement surveys are collated and conveyed to your employer in an aggregated or de-identified form. As such, your identity is protected by default. Please also note that we merely report the feedback and comments and do not undertake any investigation or assessment into their veracity or legality;
- the Platform may include an automated keyword flagging function, using a list of keywords which are pre-agreed by your employer. Any word in comments contained in an engagement survey which matches a keyword is automatically reported to your employer, without revealing your identity. We do not, however, notify you when any keywords originating from you are reported to your employer. This keyword flagging function operates automatically and we do not carry out any manual checks or otherwise monitor, supervise or exercise any discretion over the transmission of keywords to your employer.

### **ENGAGEMENT SURVEY: WHO CAN SEE YOUR SURVEY RESPONSES WITHIN YOUR ORGANIZATION**

Peakon's access controls and data visibility settings provide your employer with the ability to protect your identity and restrict who can see your survey responses. We believe the Peakon configurations provide the essential controls to your employer to ensure everyone is heard on equal footing and to ensure you feel comfortable raising the issues you feel strongly about.

If your employer has chosen to use the Data Export feature, your responses to the survey including scores, comments and personal identifiers (e.g. employee ID, email address) may be made available to a select number of individuals within your organization to further analyze your experience. For further information about how your survey answers will be used by your organization, please refer to your employer.

### **ENGAGEMENT SURVEY: YOUR EMPLOYER'S ABILITY TO DETERMINE YOUR IDENTITY**

From time to time, an employer may consider it appropriate to determine your identity where it is necessary to do so for reasons of substantial public interest. This is only likely to occur in exceptional circumstances. For example, your employer may consider (based on your or others' comments) that you or another person identified is experiencing or at risk of physical, mental or emotional harm (including self-harm) and requires support or protection, and furthermore that they cannot reasonably obtain your consent (for instance if you are away from your workplace and therefore not contactable for a period of time) or where seeking your consent would prejudice the support that might be offered. By way of further example, your employer may consider (based on your or others' comments) that determining your identity is necessary to prevent or detect an unlawful act (such as fraud or other criminal act), and that they cannot request your consent since this would prejudice the purpose of the disclosure. Such circumstances are extremely rare and Peakon has robust

safeguards in place to ensure employers cannot determine your identity except in such exceptional circumstances.

## INDIVIDUAL FEEDBACK RESPONSES

Please note that:

- Comments you provide in response to surveys are visible to your manager and other applicable persons determined by your employer, e.g. your line manager and/or any designated mentor(s). To protect your privacy, comments are not shown with any identifying information. Unless you write something in your comment that makes it obvious who you are (e.g. include your name or other information that may reveal your identity in the free text field), your manager will not know who wrote the comment when they read it. Likewise, if your manager responds to a comment through the Peakon platform, you can respond back knowing that your manager does not know whom they are conversing with.
- To protect your privacy, Peakon also takes steps to aggregate the scores you give with scores given by other employees so your identity cannot be deduced. The level of aggregation is specified by your employer. That means your individual scores are not shown to your manager. You can see more details about how your data is processed on the survey start page (before you start answering questions).

Except as explained above, we will not disclose your personal data to any third parties for any other purpose unless we have a legal right or obligation to do so.

## GOVERNMENT REQUESTS

We will not disclose your personal data in response to a request from a law enforcement or other government authority unless under a legal obligation to make such disclosure.

## INTERNATIONAL DATA TRANSFERS

A number of our [sub-processors](#) are based outside the European Economic Area (“EEA”), predominantly in the United States. We may transfer your personal data to those service providers in the United States or other countries outside the EEA in order to provide our services via the Platform.

We have put in place appropriate measures to ensure that your personal data are processed by those third parties in a way that is consistent with and which respects the EU laws on data protection, including putting in place written contractual agreements to meet EU-approved data protection obligations.

## SECURITY

You will not ordinarily require a username or password to gain access to or complete a survey or otherwise provide us with information via the Platform. Where we have given you a username, password and/or security information which enables you to access particular features of the Platform (for example, as an administrator or manager for your employer), you are responsible for keeping these access credentials confidential. You must not share these details with anyone, or store them in a way that may allow a third party to access them. Please see the [Terms of Use](#) for more details on your employer's obligations regarding not sharing your access credential with third parties and how doing so may affect your ability to use the Platform.

We maintain appropriate technical and organisational measures to ensure an appropriate level of security in respect of all personal data we process. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to the Platform and you acknowledge that any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features which are appropriate to the type of personal data you have provided to try to prevent unauthorised access or inadvertent disclosure, which may include two factor authentication and end-to-end encryption.

## DATA RETENTION

We will retain your personal data according to the Employer Agreement. Typically this is for a period of five years, or three months after being removed from the Platform by your employer, or until six months after our relationship with your employer has ended (whichever is sooner). After this period, your personal data will be anonymised or deleted.

## YOUR RIGHTS OVER YOUR PERSONAL DATA

Depending on your location, you may have rights in regards to your personal data. Please contact your employer directly if you would like to exercise any of your privacy rights.

## COOKIES AND TRACKING TECHNOLOGIES

Our Platform uses cookies to distinguish you from other users. This helps us to provide you with a good experience when you use the Platform and also allows us to improve the Platform. For detailed information on the cookies we use and the purposes for which we use them see our [Cookie policy](#).

## CHANGES TO THIS PRIVACY STATEMENT

Any changes we may make to our Privacy Statement will be posted on this page and when proportionate in line with the significance of the changes, may be notified to you by email or advised to you on next log in to the Platform. Continued use of the Platform will signify that you agree to any such changes.

## HOW TO CONTACT US

As a user of our Platform, you should direct all privacy inquiries to your employer.

If you have questions about this Privacy Statement or to contact our Data Protection Officer, please submit your request through our [Request Portal](#). You may also contact us at the mailing address below:

Contact details of business / data processor:

Peakon ApS  
Attn.: Privacy  
Frederiksberggade 11,  
1459,  
Copenhagen K,  
Denmark

We will respond to your request within a reasonable timeframe or as required by law.

We are committed to resolving any privacy concerns you have. However, if you feel we have not addressed your specific concern, you have the right to make a complaint at any time to the relevant supervisory authority in your country responsible for data protection issues.