

# Privacy Policy

## 1. Background to this notice

Carnegie Speech LLC is a company registered in Pennsylvania, in the United States.

Carnegie Speech, is committed to safeguarding the privacy of third parties with whom we interact, including our clients, third parties who visit our websites (“**websites**”) and/or to whom we provide services to or otherwise engage with (“**you/your**”).

This Privacy Policy sets out our personal information collection and sharing practices for our websites and other services. If you provide your personal information to us (either via this website, in person, over the phone or by email, or by other means of electronic communication), you agree to the processing set out in this Privacy Policy. Further notices highlighting certain uses we wish to make of your personal information, together with your ability to opt in or out of selected uses may also be provided to you when we collect personal information from you.

This Privacy Policy is intended to explain our privacy practices and covers the following areas:

- (a) What personal information about you we may collect
- (b) How we may use your personal information
- (c) Who we may disclose your personal information to
- (d) How we protect your personal information
- (e) Contacting us and your rights to access and update your personal information
- (f) Our Cookies Policy
- (g) How changes to this Privacy Policy will be made

## 2. Information we may collect about you

### 2.1 General

We may collect personal data about you from the following sources:

- (a) Our correspondence:** if you contact us by post, telephone, email or other electronic means we may keep a record of that correspondence;
- (b) Information you provide to us:** personal information that you provide to us, such as during the registration process to access and use the websites or otherwise interact with us, including your name, email address, gender, and native language;
- (c) Your transactions:** details of transactions you carry out through our websites or through other channels and of the fulfilment of the services we provide;

**(d) Website and communication usage:** details of your visits to the websites and information collected through cookies and other tracking technologies including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that you access; and

**(e) Survey information:** we may also ask you to complete surveys that we use for research purposes. In such circumstances we shall collect the information provided in the completed survey.

## **2.2 Students using NativeAccent**

Carnegie Speech is a educational service provider company and part of our business activities involves the offering of online/offline courses aimed at improving English skills. These courses may/may-not be part of curricula activity at a school, or sponsored by a corporate entity. The information we collect on our students is associated with providing that service.

(a) Information you provide to us: To provide our educational service we collect information about you that includes your name, email address, native language, and gender. In addition, we collect information that you participated in a course run by a school or some corporate entity. Finally to provide the speech analysis service of our products, we collect audio recordings of your speaking exercises and performance data about how well you performed in doing those exercises.

## **2.3 Teachers and administrators using NativeAccent**

Carnegie Speech is a educational service provider company and part of our business activities involves the offering of online/offline courses aimed at improving English skills. When these courses are part of a curricula activity at a school, or sponsored by a corporate entity, there are teachers/administrators involved. The information we collect on our teachers/administrators is associated with managing the educational service.

(a) Information you provide to us: To provide our educational service we collect information about you that includes your name, email address, native language, and gender. In addition, we collect that you are managing students in a course run by a school or some corporate entity.

## **2.4 Speech/Text Services Clients and their clients**

Carnegie Speech offers Speech/Text services to commercial customers. Those commercial customers package the use of the service to their customers. Therefore we divide the parties affected by any Carnegie Speech data collection into Service Provision customers (the commercial customers) and Service Usage customers (the end-use customers).

#### 2.4.1 Service provision data:

if you are a Client (or a prospective client), in addition to the information referred to in paragraph 2.1, we may collect personal data on you in the ordinary course of our business relationship with you, i.e. the provision of our services to you.

#### 2.4.2 Service usage data:

Service use data can be further broken down into how the Service provision customer packages our services with their product. In most cases, the service provision customer sends the user's data to one of our internet services hosted in the cloud. This cloud-based use exposes the data to us, and possibly others. In some cases, the service provision customer sends the user's data to a service on the user's device. In this case, Carnegie Speech never sees the user's data. In some situations, the on-board user can request cloud based analysis for a period of time to debug problems with their use. This debug period is intended to be temporary. The data in these cases are:

Cloud based use: When using the cloud-based service we collect the IP address of each use, along with all the information sent to us associated with that use. That information may include user-identifiable marks. In addition, it can include text/speech from a user.

On-board use: When using the onboard service, we may collect the IP address of the device using the service, and the provisioning-client of the service to determine the license validity of using the onboard service.

### 3. Uses made of your personal information

We may use your personal information in the following ways. For each use, we note the grounds we use to justify each use of your personal information – please see paragraph 3.5 for a more detailed explanation of these grounds.

#### 3.1 Generally

- (a) For research and development purposes: in order to better understand your and our customers' service requirements, to better understand our business and develop our products and services.

**Use justification:** consent and legitimate interests (to allow us to improve our services).

- (b) To make it possible for teachers/administrators to manage their courses, the teachers/administrators must be able to know the names of the students, and access reports of how well the students are performing in their exercises.

**Use justification:** consent and legitimate interests (to allow us to offer a better service, and enable the teachers/administrators to manage their classes.).

- (c) To inform you of changes: to notify you about changes to our services and products.

- Use justification:** legitimate interests (to notify you about changes to our service).
- (d) To ensure website content is relevant: to ensure that content from our websites is presented in the most effective manner for you and for your device.  
**Use justification:** consent, contract performance, legitimate interests (to allow us to provide you with the content and services on the websites).
- (e) To reorganise or make changes to our business: In the event that we are (i) subject to negotiations for the sale of our business or part thereof to a third party, (ii) sold to a third party or (iii) undergo a re-organisation, we may need to transfer some or all of your personal information to the relevant third party (or its advisors) as part of any due diligence process or transfer it to that re-organised entity or third party and use it for the same purposes as set out in this policy or for the purpose of analysing any proposed sale or re-organisation.  
**Use justification:** legitimate interests (in order to allow us to change our business).
- (f) In connection with legal or regulatory obligations: Law enforcement, regulators and the court service. We may process your personal information to comply with our regulatory requirements or dialogue with regulators as applicable which may include disclosing your personal information to third parties, the court service and/or regulators or law enforcement agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world or where compelled to do so. Where permitted, we will direct any such request to you or notify you before responding unless to do so would prejudice the prevention or detection of a crime.  
**Use justification:** legal obligations, legal claims, legitimate interests (to cooperate with law enforcement and regulatory authorities).
- (g) In conjunction with maintaining a working service: We keep log records of IP addresses and other transactional information to detect inappropriate access of our servers and to help debug appropriate access when that access isn't occurring correctly.  
**Use justification:** legitimate interests (in order to allow us to offer better service).

### 3.2 Students using NativeAccent

If you are a student:

- (a) To provide a better educational service. The native language and gender of the student is used to customize the curriculum to the student. The records of each student's performance are used to further customize the curriculum to the student. This customization speeds up learning.  
**Use justification:** consent, contract performance and legitimate interests (to allow us to offer a better service).
- (b) To allow teachers/administrators to manage their class: we gather the names of students in a class to make it possible for teachers/administrators to manage their classrooms. This includes them having the ability to see performance reports on the students in their classes.  
**Use justification:** consent, contract performance and legitimate interests.

- (c) The student's speech is stored for all the same reasons as given in 3.4.2  
**Use justification:** consent, contract performance and legitimate interests.

### 3.3 Teachers and administrators

If you are a Teacher or administrator:

- (a) To provide our services effectively to you and conduct our business: The students need to be able to know their teachers. The administrators for a school need to be able to assign teachers to a class.

**Use justification:** consent, contract performance and legitimate interests (to enable classes on the web to work like in real life).

### 3.4 Speech/Text Services

#### 3.4.1 Service provision data:

- (a) We use the Service provision data as required to audit the account usage, check that the usage is following expected patterns, and organize the usage data so that the debugging activities in 3.4.2 can be used.

**Use justification:** legal claims and legitimate interests

#### 3.4.2 Service usage data:

- (a) Service usage occurs when a customer sends us an analysis request and an accompanying audio-file or text file for analysis. We can only store what you send to us. We can't identify any users unless the service-provision client sends us the information that enables us to identify their end client. We store the audio information and requests for the following reasons:
- a) Our processing has multiple stages and we need to store both the request and accompanying audio/text to actually process it.
  - b) Often our customers have a user with a particular problem, and they want our help in diagnosing the problem. Diagnosing some problems might require us to refer to the contents of past transactions.
  - c) Sometimes a customer will report a systematic problem over many of their users. In these cases, we filter the recordings to find the ones that are similar to the source of the problem, and use all the filtered recordings to diagnose whether a systematic problem exists and if appropriate the recordings are used to check if an improved speech recognizer fixed the problem.

**Use justification:** contract performance and legitimate interests (to provide the analysis service and handle exception reporting.).

- (b) The onboard service sends the make/model/OS of the device supporting the onboard service, along with the IP, and is capable of sending the audio, if the client turns on debugging

**Use justification:** contract performance (license validation) and legitimate interests (handle exception reporting).

### 3.5 Legal justifications for use of personal information

Use of personal information under EU data protection laws must be justified under one of a number of legal “grounds” and we are required to set out the grounds in respect of each use in this policy. An explanation of the scope of the grounds available can be found below. We note the grounds we use to justify each use of your information next to the use in paragraphs 3.1 to 3.3 above.

*Consent: where you have consented to our use of your information (you will have been presented with a consent form in relation to any such use).*

*Contract performance: where your information is necessary to enter into or perform our contract with you.*

*Legal obligation: where we need to use your information to comply with our legal obligations.*

*Legitimate interests: where we have a legitimate interest in using your data and our reasons for using it and this is not outweighed by any adverse impact on your interests, fundamental rights or freedoms.*

*Legal claims: where your information is necessary for us to defend, prosecute or make a claim against you, us or a third party.*

## 4. Transmission, storage and security of your personal information

### Security over the internet

4.1 No data transmission over the Internet or website can be guaranteed to be secure from intrusion. However, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your personal information in accordance with data protection legislative requirements.

4.2 All information you provide to us is stored on our or our subcontractors’ secure servers and accessed and used subject to our security policies and standards. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our websites, you are responsible for keeping this password confidential and for complying with any other security procedures that we notify you of. We ask you not to share a password with anyone.

### Export outside the EEA

4.3 As our business is international we may need to transfer your personal information to third parties and also to other members of the Carnegie Speech group. Your data may be

accessed by staff or suppliers in, transferred to, and/or stored at, a destination outside the European Economic Area (EEA) in which data protection laws may be of a lower standard than in the EEA.

Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export personal information to these jurisdictions. In respect of other countries we will transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities (or if the information (limited to information specified in paragraph 2.2(a)) is already publicly accessible there). Please contact us as set out in paragraph 5.7 below if you would like to see a copy of the specific safeguards applied to the export of your personal information.

## Storage limits

4.4 We will retain your personal information for as long as is necessary for the processing purpose(s) for which they were collected and any other permitted linked purpose (for example student performance data may be retained until the needs of the course or school for that information has expired or in order to comply with regulatory requirements regarding the retention of such data). So if information is used for two purposes we will retain it until the purpose with the latest period expires; but we will stop using it for the purpose with a shorter period once that period expires.

4.5 We restrict access to your personal information to those persons who need to use it for the relevant purpose(s). Our retention periods are based on business needs and your information that is no longer needed is either anonymised (and the anonymised information may be retained) or securely destroyed.

## 5. Your rights and contacting us

### Marketing

5.1 You have the right to ask us not to process your personal information for marketing purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your personal information. You can also exercise the right at any time by contacting us as set out in paragraph 5.7 below.

### Your rights

5.2 If you have any questions in relation to our use of your personal information, you should contact us as per paragraph 5.7 below. Under certain conditions, you may have the right to require us to:

- (a) provide you with further details on the use we make of your information;

- (b) provide you with a copy of information that you have provided to us;
- (c) update any inaccuracies in the personal information we hold (please see paragraph 5.7);
- (d) delete any personal information the we no longer have a lawful ground to use;
- (e) where processing is based on consent, to withdraw your consent so that we stop that particular processing (see paragraph 5.1 for marketing);
- (f) object to any processing based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your data protection rights; and
- (g) restrict how we use your information whilst a complaint is being investigated.

5.4 Your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. the maintenance of legal privilege). If you exercise any of these rights we will check your entitlement and respond in most cases within a month.

5.4 If you are not satisfied with our use of your personal information or our response to any exercise of these rights you have the right to complain to the Information Commissioner's Office.

## Updating information

5.5 You may have within our products the ability for you to see, hear, change, and delete personal information. This ability might be limited by the same linked purposes in 4.4. For example, a student can't delete themselves from a course or change their records, as the teacher/administrator might have to use information from the student's records to determine some grade. Where possible, we make it possible for a customer to both inspect, change, and delete their personal information, and the personal information held with linked purposes when appropriate.

5.6 We will use reasonable endeavours to ensure that your personal information is accurate. In order to assist us with this, you should notify us of any changes to the personal information that you have provided to us by contacting us as set out in paragraph 5.7 below.

## Contacting us

5.7 If you have any questions in relation to this policy, please contact our Data Protection Officer by email to: [dpo@carnegiespeech.com](mailto:dpo@carnegiespeech.com)

## 6. Cookies policy

6.1 We use cookies on our websites.

6.2 A browser cookie is a piece of information provided by the website being browsed and stored on the user's computer. It can either be persistent, if it lasts after the browser is closed, or session-based, in which case it is destroyed when the browser is closed.

6.3 Carnegie Speech does not use persistent cookies to store your personal information. We do use session cookies for the sole purpose of website navigation but do not store any personal information in them.

6.4 We use Google Analytics to keep track of our website traffic, which may use cookies for this purpose. Please refer to Google Analytics' [privacy policy](#) for further information.

## 7. Changes to our Privacy Policy

7.1 We may change the content of our websites and how we use cookies without notice, and consequently our Privacy Policy may change from time to time in the future. We therefore encourage you to review them when you visit the website from time to time to stay informed of how we are using personal information.

7.2 This privacy policy was last updated on 31 May 2018