

Privacy Policy

Effective date: 20 April 2021
Version: 1.2

Any capitalised terms in this Privacy Policy have the meaning set out in the PowerStats Limited General Terms of Use, unless otherwise specified.

This Privacy Policy sets out PowerStats Limited's ("we", "us" or "our"), and your, rights and obligations in relation to Personal Information you provide when using the Service. Please read this Privacy Policy carefully before you use the Website (www.powerstats.com, www.kpiworks.com and www.kpiworks.co.nz, as used by you, are all referred to hereafter as "Website") or the Service.

Your privacy is important to us. We will handle all personal information you provide to us in accordance with this Privacy Policy and the New Zealand Privacy Act 2020.

This Privacy Policy may be varied by us at any time, effective when we post modified terms on the Website, or as otherwise notified to you in writing (including by email). You should ensure that you have read, understood and agree to the most recent terms posted on the Website, or as otherwise notified to you.

Our address is:

Level 4, BDO centre, 4 Graham St, Auckland Central, New Zealand.

If you need to contact us about this Privacy Policy you can do so by emailing support@powerstats.com or calling on +64-(0)9-320-5144

1. Collection

We may collect two types of information about you:

- (a) Personal Information, provided by you at the time of registering for the Service, and also when you use the Website or the Service; and
- (b) aggregate or anonymous information, which is generated by our Service but does not relate to you personally. We describe how we use aggregated and anonymous information in our General Terms of Use.

We will only collect Personal Information that is necessary to support our business activities. This may include:

- (a) first and last names;
- (b) email address;
- (c) your organisation's name;
- (d) data collected using a cookie, web beacon, pixel tracker, web bug or similar tracking device;
- (e) any other information relating to you that you provide to us through other methods (such as discussions with our customer service team) or that is publicly available.

If you fail to provide necessary personal information when requested, this may result in certain services or functionality not being available to you.

2. Disclosure of information

We will only share your personal information with other organisations or individuals in the following limited circumstances:

- (a) We engage other companies and individuals to perform services on our behalf (**Third Party Providers**). Examples include: providing hosting services, sending communications and analysing data. In particular, we store most of the personal information we collect and generate electronically on Microsoft Azure cloud servers. Third Party Providers may be based outside New Zealand, Australia or the EU. We will ensure that Third Party Providers agree to use personal information only as required to perform services on our behalf (and not for their own or other purposes), and to process the personal information in accordance with applicable privacy laws and contractual obligations. We can provide more specific information about data transfers to Third Party Providers on request.
- (b) We may share your personal information with any member of our corporate group for any of the purposes set out in this Privacy Policy.
- (c) Where we (or any of our group companies) sell a business, we may provide your personal information to the buyer, so that they can contact you about their plans for the business and/or to enable the buyer to continue to provide the Service/s to you. In that case, we may also retain your information within our group and use it in accordance with this Privacy Policy (or any other terms we agree with you).
- (d) We may need to disclose personal information to satisfy any applicable law, regulation, legal process or government request.

3. Use

Any personal information you provide may be used for the following purposes:

- (a) to send you emails that you have subscribed to through your nominated email address;
- (b) to obtain feedback or provide information on the Service;
- (c) to contact you as part of creating and maintaining an account for our Service or verifying your identity as an End User;
- (d) to monitor, develop and improve our Service and ensure that content of the Website is presented in the most effective way;
- (e) to investigate any complaints relating to the misuse of the Website or Service;
- (f) to comply with our legal obligations;
- (g) to respond to any questions or comments you have sent to us; and
- (h) any other purpose that you authorise.

We will retain your personal information for as long as you or your organisation subscribe to or use our services. We may also retain your personal information in our backups, and in the “archived users” section of each Service.

We can delete your personal information from the Service at any time on request, however due to the nature of, and to maintain the integrity of, backups, you acknowledge and agree that we may be unable to delete such personal information from backup sets.

You can update your communication preferences at any time inside the Personal Settings page of any Service that you can access.

4. Cookies and tracking

(a) When you visit the Website, we may use a cookie file containing information that can identify the computer or other device you are working from. The cookie file is anonymous and is only used to identify visits from the same web browser.

(b) Collecting information via cookies helps us optimise our Service, fix bugs and generally provide the best service possible to you. Cookies we use may include:

- **Functional Cookies:** these are used to remember your preferences and settings with our Service. This can be anything from remembering your login details, to dashboard settings so you do not have to set them up all the time.
- **Analytical Performance Cookies:** these allow us to improve your online experience by understanding how the Website is being used on a regular basis, identifying areas requiring maintenance and assist in monitoring performance.
- **Advertising Cookies:** we may use these cookies to help place relevant ads on third party sites based on your prior visits to the Website.

(c) How to control the use of cookies:

- Opting out of Google advertising cookies: You can opt out of Google's use of cookies for advertising, including DoubleClick cookies, by visiting Google's Advertising and Privacy page.
- Opting out of cookies from all participating advertisers: You can opt out of third-party advertising cookies from a wide range of advertising services, including Google, by visiting the Network Advertising Initiative's Opt-Out page.
- For all other cookies: please consult the help section of your browser.

Please note, by changing your cookie settings, some websites may not function properly or at all.

(d) When we send you emails, we may track who opened the emails and who clicked the links. We do that to measure our email performance. To do this, we use tracking of hyperlinks and image downloads, in emails we send. This tracking allows us to collect information about when you open the email, your IP address, your browser or email client type, and other similar details. We may also use such tracking in the emails we deliver for you.

5. Content providers, Advertisers and Partners

We do not control the practices of content providers, advertisers, partners and other third parties connected with the Website and to whom you provide personal information whilst using the Website. The Website may contain links to other sites, which may not follow the same privacy policies that we adopt. We recommend that you check any relevant privacy policies before providing your personal information to any third party.

6. Security

We take all reasonable steps to ensure the personal information collected is protected against loss or unauthorised access and disclosure. We will, to the extent required under the Privacy Act 2020, notify the Office of the Privacy Commissioner and you as soon as possible if there is a privacy breach that we believe has caused you (or is likely to cause) serious harm.

7. Opting in and opting out

You have the option to choose not to receive certain types of communications from us. Any non-essential emails we send will always contain a link at the bottom enabling you to unsubscribe. You are able to change your own Notification Preferences inside the Personal Settings page of any Service that you can access, or you can contact us by emailing support@powerstats.com or calling on +64-(0)9-320-5144

If you elect not to receive communications or ask to be removed from a mailing list we may still send you essential communications, e.g. where it is necessary to provide you with details of your Service, or changes to the Service or the way the Website operates.

8. Holding, correcting, deleting and updating

Any personal information that you provide to us will be collected and held by us at our address provided above, and by our hosting providers described in section 2. If you are an individual, you have the right to access, delete or correct personal information that we hold about you, at any time and as often as necessary.

If you want to access, delete or correct your information, please contact us by emailing support@powerstats.com or calling on +64-(0)9-320-5144

9. More information

For information about New Zealand's Privacy Act 2020 and how it protects the personal information of individuals in New Zealand, please visit www.privacy.org.nz. If you would like to contact us about this Privacy Policy, please email us at support@powerstats.com or by calling on +64-(0)9-320-5144.

Document minor revisions

2024/03/19 - remove PO Box postal address from contact details; domain name changed from .co to .com