

DATA SUBJECT RIGHTS POLICY

October 2022

BACKGROUND

Burstfire Networks Limited (“Burstfire”) understands that your privacy is important to you and that you care about how your personal data is used. Burstfire respects and values the privacy of all of its customers and will only collect and use personal data in a lawful and transparent manner, as set out in its Privacy Policy, available at www.burstfire.net/legal.

As a “Data Subject” you have a number of rights under the law with respect to how Burstfire uses your personal data. This Policy explains those rights and how to exercise them.

1. INFORMATION ABOUT BURSTFIRE

- 1.1. Burstfire Networks Limited, limited company registered in England under the company number 03813407.
- 1.2. Registered address:
16 Beaufort Court, Admirals Way, Docklands, London E14 9XL
- 1.3. Main trading address:
30 Churchill Place, London E14 5RE
- 1.4. VAT number GB 727 4371 27
- 1.5. Data Protection Officer: Imraan Sathar
Email address: dpo@burstfire.net

2. WHAT DOES THIS POLICY COVER?

- 2.1. Under data protection law in the UK, including key legislation such as the UK GDPR and Data Protection Act 2018 and any successor legislation (collectively, “the Data Protection Legislation”), individuals have important rights designed to protect them and their personal data.
- 2.2. This Policy sets out those rights, explains them in clear terms, and provides guidelines on how to exercise them.

3. WHAT IS PERSONAL DATA?

- 3.1. Personal data is defined by the Data Protection Legislation as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.
- 3.2. In simpler terms, personal data is any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also



covers less obvious information such as identification numbers, electronic location data, and other online identifiers. The personal data that Burstfire uses is set out in our Privacy Policy.

4. WHAT ARE MY RIGHTS? (SUMMARY)

- 4.1. The UK GDPR sets out your key rights as a 'data subject' as follows:
 - a. The right to be informed;
 - b. The right of access;
 - c. The right to rectification;
 - d. The right to erasure;
 - e. The right to restrict processing;
 - f. The right to data portability;
 - g. The right to object;
 - h. Rights in relation to automated decision-making and profiling.
- 4.2. The following sections of this Policy explain each right in more detail. If you have any questions about any of your rights under the Data Protection Legislation, or require more detailed information, please contact Burstfire's Data Protection Officer at dpo@burstfire.nett, the Information Commissioner's Office, or your local Citizens Advice Bureau.

5. THE RIGHT TO BE INFORMED

- 5.1. You have the right to be informed about Burstfire's collection and use of your personal data. The information Burstfire provides must include details of the purpose or purposes for which your data is used, how long the data will be kept, and whom (if anyone) it will be shared with.
- 5.2. This important privacy information is provided in the Privacy Policy. Additional information about your rights is also provided in this Policy.
- 5.3. If Burstfire collects data directly from you, this privacy information will be provided at the time it is collected. By signing an Order Form or Agreement with Burstfire, you are giving consent to our use of data as outlined in our Privacy Policy and Master Services Agreement documents.
- 5.4. If Burstfire collects data about you from a third party, the privacy information will be provided to you as soon as possible and in any event no later than thirty (30) days after Burstfire has obtained that data.

6. THE RIGHT OF ACCESS

- 6.1. This right, also known as 'subject access' gives you the right to obtain a copy of any personal data that Burstfire holds about you, as well as other supporting information.
- 6.2. This right is designed to help you understand how and why Burstfire uses your data, and to check that Burstfire is using it lawfully.

- 6.3. You can exercise this right by making a 'subject access request'. A subject access request can be made orally or in writing and although the more detail you provide, the easier it will be to respond quickly, there is no prescribed format for such requests. A Subject Access Request Form is available from your account manager for you to use when making a request.
- 6.4. Burstfire is required by law to respond to a subject access request within one (1) calendar month of receipt (or, where Burstfire requests proof of identification or a fee (see below), within one (1) calendar month of receipt of that). We may also need to ask you for further information to understand the scope and nature of your request, and if we do so, the time limit for our response will be paused until you provide the necessary clarification. In certain limited cases, such as where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 6.5. There is not normally a fee payable for a subject access request. For 'manifestly unfounded or excessive' requests, however, Burstfire is permitted to charge a 'reasonable fee' that covers reasonable costs.

7. THE RIGHT TO RECTIFICATION

- 7.1. Under the Data Protection Legislation, you have the right to have inaccurate personal data corrected, or incomplete personal data completed.
- 7.2. As a 'data controller', Burstfire is required to take all reasonable steps to ensure that personal data we hold is accurate and, where necessary, kept up to date. Your right to rectification is closely tied to this obligation.
- 7.3. You can exercise this right by contacting Burstfire and asking for your data to be rectified if you believe it is incorrect, out of date, or incomplete. Requests for rectification can be made orally or in writing.
- 7.4. Burstfire is required by law to respond to a request for your personal data to be rectified within one (1) calendar month of receipt. In certain limited cases, for example where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 7.5. There is not normally a fee payable for having your personal data rectified. For 'manifestly unfounded or excessive' requests, however, Burstfire is permitted to charge a 'reasonable fee' that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.

8. THE RIGHT TO ERASURE

- 8.1. This right is also known as the 'right to be forgotten' and gives you the right to have your personal data deleted (or 'otherwise disposed of' if, for example, it is kept in paper records rather than electronically).

- 8.2. You can exercise this right by contacting Burstfire and asking for your data to be erased. Requests for erasure can be made orally or in writing.
- 8.3. Burstfire is required by law to respond to a request for your personal data to be erased within one (1) calendar month of receipt. In certain limited cases, for example, where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 8.4. There is not normally a fee payable for having your personal data erased. For 'manifestly unfounded or excessive' requests, however, Burstfire is permitted to charge a 'reasonable fee' that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.
- 8.5. Please note that the right to erasure is not an absolute right and there are certain circumstances set out in the Data Protection Legislation in which the right does not apply. For example, Burstfire may not have to erase your personal data if we need it to comply with a legal obligation. If any of these circumstances apply, Burstfire will explain why your personal data cannot be erased when responding to your request for erasure.

9. THE RIGHT TO RESTRICT PROCESSING

- 9.1. You have the right to request the restriction or suppression of your personal data. In practice, this is an alternative to having your personal data erased. This means that you can limit the way in which Burstfire uses your personal data, while still allowing us to retain it.
- 9.2. Please note that the right to restrict processing is not an absolute right and only applies in certain circumstances as follows:
 - a. You have contested the accuracy of your personal data and Burstfire is verifying the accuracy of it;
 - b. Your personal data has been processed unlawfully and you want Burstfire to restrict processing rather than erasing your personal data;
 - c. Burstfire does not need the personal data anymore, but you need Burstfire to keep it in order to establish, exercise, or defend a legal claim; or
 - d. You have exercised your right to object (see Part 10 below) and Burstfire is considering whether our legitimate grounds for processing your personal data override your right to object to Burstfire using it.
- 9.3. When processing is restricted, Burstfire cannot do anything with your personal data other than store it unless we have your consent to do so or unless one of the following applies:
 - 9.3.1. Burstfire needs to use your personal data in the establishment, exercise, or defence of legal claims;

- 9.3.2. Burstfire needs to use your personal data in order to protect the rights of another person; or
- 9.3.3. Important public interest reasons justify using it.
- 9.4. You can exercise this right by contacting Burstfire and asking for the processing of your data to be restricted. Requests for the restriction of processing can be made orally or in writing.
- 9.5. Burstfire is required by law to respond to a request to restrict the processing of your personal data within one (1) calendar month of receipt. In certain limited cases, for example, where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 9.6. There is not normally a fee payable for having the processing of your personal data restricted. For 'manifestly unfounded or excessive' requests, however, Burstfire is permitted to charge a 'reasonable fee' that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.

10. THE RIGHT TO DATA PORTABILITY

- 10.1. Where Burstfire is processing your personal data either with your consent or for the performance of a contract between us, and Burstfire is using automated means of processing (i.e. not using paper files), you have the right to obtain a copy of your personal data in a commonly used format for use with another organisation. You can also request that Burstfire sends your personal data directly to another organisation.
- 10.2. This right is designed to enable you to easily move, copy, or transfer your personal data from one organisation's IT system to another organisation's IT system in a safe and secure way, without affecting its usability.
- 10.3. Please note that this right only applies to personal data that you have provided to Burstfire. This includes data that we may obtain from your activities on our website, such as usage history and other factors. It does not include additional data that Burstfire may create based upon the data you have provided or to data that has been anonymised. In some cases, more personal data relating to you may be available under your right of access (see Part 6 above).
- 10.4. You can exercise this right by contacting Burstfire and asking either for a copy of your personal data for use with another organisation, or for your personal data to be transferred to that organisation. Requests can be made orally or in writing.
- 10.5. Burstfire is required by law to respond to your request within one (1) calendar month of receipt. In certain limited circumstances, for example where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.

- 10.6. There is not normally a fee payable for exercising your right to data portability. For ‘manifestly unfounded or excessive’ requests, however, Burstfire is permitted to charge a ‘reasonable fee’ that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.

11. THE RIGHT TO OBJECT

- 11.1. Where Burstfire is processing your personal data on the basis of its ‘legitimate interests’, or in the performance of a task carried out in the public interest, you have the right to object to us processing your personal data.
- 11.2. You also have the absolute right to object to Burstfire using your personal data for direct marketing purposes.
- 11.3. If you object to Burstfire using your personal data for direct marketing purposes, your right to do so is absolute and Burstfire has no grounds on which to refuse.
- 11.4. If you object to Burstfire using your personal data either on the basis of our ‘legitimate interests’ or in the performance of a task carried out in the public interest, please note that your right to do so is not absolute. When making your request to exercise this right, you must give specific reasons for your objection based upon your particular situation. Burstfire can continue using your personal data if we can demonstrate ‘compelling legitimate grounds’ which override your interests, rights, and freedoms; or if the processing is necessary for the establishment, exercise, or defence of legal claims. Additional limitations apply if your personal data is being processed for research purposes.
- 11.5. You can exercise this right by contacting Burstfire and stating your objection to the processing of your personal data for the relevant purpose or purposes, providing an explanation if required (see previous paragraph). Objections to processing can be made orally or in writing.
- 11.6. Burstfire is required by law to respond to your request within one (1) calendar month of receipt. In certain limited cases, for example where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 11.7. There is not normally a fee payable for exercising your right to object. For ‘manifestly unfounded or excessive’ requests, however, Burstfire is permitted to charge a ‘reasonable fee’ that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.

12. AUTOMATED DECISION-MAKING (INCLUDING PROFILING)

- 12.1. Burstfire does not carry out automated decision-making (i.e. making a decision using automated means only, without any human involvement) using your personal data.

- 12.2. You have the right not to be subject to a decision based solely on automated processing, including profiling, where that decision produces legal or 'similarly significant' effects.
- 12.3. You have the right to challenge decisions made in this way and can:
 - a. Request human intervention;
 - b. Express your own point of view; and
 - c. Obtain an explanation from Burstfire about the decision and challenge it.
- 12.4. You can exercise this right by contacting Burstfire and stating that you wish to ask about or challenge a decision made using your personal data by solely automated means, telling us which of the above (a, b, and/or c) you wish to do (see previous paragraph). You can contact Burstfire orally or in writing.
- 12.5. Burstfire is required by law to respond within one (1) calendar month of receipt of your request to exercise this right. In certain limited circumstances, for example where your request is complex or you have made multiple requests, this period may be extended by up to two (2) months; however, you will be kept informed at all times.
- 12.6. There is not normally a fee payable for exercising your rights relating to automated decision making (including profiling). For 'manifestly unfounded and excessive' requests, however, Burstfire is permitted to charge a 'reasonable fee' that covers reasonable costs. Alternatively, in some limited circumstances, Burstfire may be permitted to refuse your request.

13. EXERCISING YOUR RIGHTS

- 13.1. To exercise any of your rights as a data subject, please contact Burstfire's Data Protection Officer at dpo@burstfire.net.
- 13.2. When contacting Burstfire to exercise your right of access, please use the Subject Access Request Form available from your account manager, or provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;
 - d. Your email address; and
 - e. Details of the information being requested.
- 13.3. When contacting Burstfire to exercise your right to rectification, please provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;
 - d. Your email address;
 - e. Details of the information being requested; and

- f. (Where relevant) Any information that supports your request or otherwise provides evidence of the need for rectification.
- 13.4. When contacting Burstfire to exercise your right of erasure, please provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;
 - d. Your email address;
 - e. Details of the information being requested; and
 - f. (Where relevant) Any information that supports your request or otherwise provides evidence of the need to have the data erased.
- 13.5. When contacting Burstfire to exercise your rights to restrict processing or to object to processing, please provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;
 - d. Your email address;
 - e. Details of processing you wish to restrict or object to;
 - f. Details of why you want the processing to be restricted or why you object to it; and
 - g. (Where relevant) Any information that supports your request or otherwise provides evidence of the need for processing to be restricted or stopped.
- 13.6. When contacting Burstfire to exercise your right to data portability, please provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;
 - d. Your email address;
 - e. Details of the personal data you wish to use with another service or organisation, also stating whether you require a copy of that data for yourself or whether you would like Burstfire to transfer it directly to the other service or organisation; and
 - f. (Where relevant) Any information that supports your request.
- 13.7. When contacting Burstfire to exercise your rights relating to automated decision-making (including profiling), please provide:
 - a. Your full name;
 - b. Your address;
 - c. Your telephone number;

- d. Details of the decision that you wish Burstfire to explain or review, also stating whether you would like Burstfire to explain the decision, if you are requesting human intervention, wish to express your own point of view about the decision, or wish to challenge the decision; and
- e. (Where relevant) Any information that supports your request.

14. BURSTFIRE ACKNOWLEDGEMENT AND RESPONSE

- 14.1. Burstfire will always respond quickly to your request to exercise any of your rights in relation to your personal data. Burstfire will acknowledge receipt without undue delay and will provide a complete response to your request as quickly as possible. Normally, as stated above, this will be within one (1) calendar month of receipt of your request. If additional time is required, Burstfire will contact you within the first calendar month to explain why the delay is necessary.

15. YOUR RIGHT TO COMPLAIN

- 15.1. If you have any cause for complaint about Burstfire's use of your personal data, or about Burstfire's handling of your request to exercise your rights under this Policy, you have the right to lodge a complaint with the Information Commissioner's Office.
- 15.2. Burstfire would welcome the opportunity to resolve your concerns itself, however, so please contact the Data Protection Officer first using the details set out above in Part 13.

16. CHANGES TO THIS POLICY

- 16.1. Burstfire may change this Policy from time to time. This may be necessary, for example, if the law changes, or if Burstfire changes our business in a way that affects personal data protection. This Policy will also be reviewed regularly.
- 16.2. Any changed will be made available on the Burstfire website at www.burstfire.net/legal. The date of the last review/update is visible at the beginning of the Policy.