

Darwinbox | Privacy Policy

Introduction

Darwinbox provides an HRMS application that is used by our customers to manage HR activities. This privacy policy applies to all our customers as well as other general users/ website visitors.

This Privacy Policy describes how Darwinbox collects, uses and discloses information, and what choices you have with respect to the information.

Services

It is Darwinbox's policy to respect your privacy regarding any information we may collect while using our software applications and websites, collectively called the Services.

This Privacy Policy applies when you use our Services. Darwinbox operates a web based application called Darwinbox that is part of the services that we offer. The application consists of various modules and all such products, applications, websites are collectively called "Services".

Data Controller and Data Processor

We process two main types of personal data.

1. **Customer Data** - Personal data that forms part of data that is provided by our customers and their end-users for processing. We are Processor of this data
2. **Other Data** - Personal data about our customers, visitors and other individuals that is collected and processed directly by us. We are Controller of this data.

Information We Collect

Customer Data

As customers, you provide data to us for processing as part of usage of our Darwinbox application.

Customer Data may be processed by us as a result of customer's use of the Services when our customers, or their end-users, input or upload information into the Service. For example, customers who use our Darwinbox application may upload Customer Data about themselves or their employees.

This data includes recruitment related data, payroll data, employee details, employee bank details, tax records etc.

Other Data

Customers provide data that is necessary to create user accounts.

For creation of user accounts, Customers provide their name, email address, password, job title, telephone number and correspondence address.

We also collect data when you use our applications and websites or provide it directly to us

- **Log Data** - Our servers automatically collect information when you access or use our applications and services. This data is recorded in log files. Examples of such data include IP Address
- **Subscription Data** – You provide personal data to us as part of signing up for our newsletters, or request demo of our products.
- **Contact Us Data** – When you enquire about our products and services, we collect and store this data to communicate with you and respond to your enquiry.

- Seminars and Conferences – You provide your contact details during events and seminars that we collect and retain.

Data not provided by you

Apart from data that you provide, we also collect data from social media websites such as LinkedIn for our marketing and sales purposes

Cookies

We collect data through cookies

Darwinbox uses cookies to help Darwinbox identify and track visitors, their usage of Darwinbox website, and their website access preferences. Darwinbox visitors can control cookies through your browser settings.

How We Use Your Data

How we use your personal data will depend on which Services you use and how you use those Services.

Customer Data will be used by Darwinbox in accordance with Customer's instructions, including any applicable terms in the Customer Agreement and as required by applicable law. Darwinbox is a processor of Customer Data and Customer is the controller.

Other Data is used by us to provide our services, send our newsletters and to communicate with you by responding to your requests, comments and questions.

Lawful bases for processing

We have lawful bases to process your personal data. We have a legitimate interest in processing, also may also in some cases use your consent as basis for lawfully processing your personal data.

We process your personal data only when we have a lawful basis. Presently, our lawful basis is performance of contract for processing of Customer Data and Legitimate Interest or Consent for processing Other Data. In some cases, we may also have a legal obligation to collect personal information from you.

Where you have consented to a particular processing, you have a right to withdraw the consent at any time.

How we use Customer data

We use your data to authenticate you and authorize access to our services

We only process Customer Data on behalf of our customers and in accordance with their instructions provided in the applicable Services agreement with us. We use the data that we have about you to provide our services and provide support to you. In each case, Darwinbox collects such information only in so far as is necessary or appropriate to fulfil the purpose of the interaction with our services.

- **To provide Services.** We process Customer Data as a Data Processor to provide services to our clients through the Darwinbox application.
- **To send emails and other communications.** We may send you service, technical and other administrative emails, messages and other types of communications. We may also contact you to inform you about changes in our Services and our Services offerings. These communications are considered part of the Services and you may not opt out of them unless you choose to not use our Services.

- **Customer Support.** If you send us a request (for example via a support email or via one of our feedback mechanisms), we respond to your request or to help your issues.
- For any other purpose as provided for in the Services Agreement between us and the customer, or as otherwise authorized by the customer.
- In accordance with or as may be required by law.

How we use Other data

We may send you service related messages or marketing / promotional materials. You may choose to restrict the collection or use of your personal information

We use Other Data to arrange demo of our products that you request, send you promotional material and updates about the company or invite you to Conference and events that are relevant to you. Direct marketing is carried out only if you consent to receiving such communications from us.

Users under 16 years of age

The Sites and Services do not knowingly collect personal information from users under the age of 16

If you are under the age of 16, you are not permitted to use the Services or to disclose Personal Information. If we learn we have collected or received Personal Information from a child under 16, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us.

Data Retention Policy

We will retain your personal information for as long as is needed to fulfil the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law.

Customer Data - We retain your information for as long as you have an active Services account. We may also retain your personal information for extended period under applicable statutory laws.

Darwinbox will retain Customer Data in accordance with a Customer's instructions, including any applicable terms in the Customer Agreement and as required by applicable law. When you decide to stop using our services, we will either delete or return all Customer Data, as per your instructions.

Other Data - We retain your information for as long as necessary for the purposes that we have described in this privacy policy

Darwinbox may retain Other Information pertaining to you for as long as necessary for the purposes described in this Privacy Policy.

Your Rights

You can request to access, update or correct your personal information. You also have the right to object to direct marketing.

You may have additional rights pursuant to your local law applicable to the processing. For example, if the processing of your personal information is subject to the EU General Data Protection Regulation ("GDPR"), and your personal information is processed based on legitimate interests, you have the right to object to the processing on grounds relating to your specific situation. Under GDPR you may also have the right to request to have your personal information deleted or restricted and ask for portability of your personal information.

Customer's Rights to Control Data

Whenever you use our services, we aim to provide you easy means to access, modify, delete, object to or restrict use of your personal information

We strive to give you ways to access, update/modify your data quickly or to delete it unless we have to keep that information for legal purposes. Some rights can be access from within the Darwinbox application. For visitors, these rights can be exercised by contacting us with your specific request.

- **Change or Correct Data:** You can edit some of your personal data through your account. You can also ask us to change, update or fix your data in certain cases, particularly if it's inaccurate.
- **Delete Data:** You can ask us to erase or delete all or some of your personal data (e.g. if it is no longer necessary to provide Services to you).
- **Object to, or Limit or Restrict, Use of Data:** You can ask us to stop using all or some of your personal data (e.g. if we have no legal right to keep using it) or to limit our use of it (e.g. if your personal data is inaccurate or unlawfully held).
- **Right to Access and/or Take Your Data:** You can ask us for a copy of your personal data and can ask for a copy of personal data you provided in machine readable form.

Your information shared with others

Recipients of your data

Your data will be shared with other recipients in order to provide you with services.

While we aim to limit the sharing of your data, at times, it is necessary to share your data with certain service providers. Examples of when and for what purpose your data is shared include data center / hosting services, email marketing services, etc.

The following categories of recipient will most likely receive your data in order for us to provide services to you

- Third Party Data Center Services
- Third Party SMTP and SMS notification services such as SendGrid
- Zoho for direct marketing and invoicing

To Comply with Laws. If we receive a request for information, we may disclose if we reasonably believe disclosure is in accordance with or required by any applicable law, regulation or legal process. We may also share your data to an acquirer in the event of a sale of substantially all of our assets or other change of control transaction.

Cross-Border Data Transfers

Your data will be stored and processed in multiple countries including outside of the European Union (EU) Region

Since we are an international company, your data will be processed outside of the EU region. Your data will be processed within Third Party Data Centers in India and Singapore. Some countries where we process data may not have as protective laws as your own country and there are risks associated with such transfer.

Darwinbox offers European Union Model Clauses, also known as Standard Contractual Clauses, to meet the adequacy and security requirements for our Customers that operate in the European Union, and other international transfers of Customer Data. These clauses are contractual commitments

between parties transferring personal data (for example, between Darwinbox and its Clients, suppliers or data processors outside the EU), binding them to protect the privacy and security of the data.

Security Measures to Protect your Data

Security Measures

We implement security controls to prevent breaches and unauthorised access to your data.

We maintain reasonable and appropriate security measures to protect Customer Data from loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

Examples of security measures include physical access controls, HTTPS, restricted access to data, monitoring for threats and vulnerabilities etc.

Other Information

Contact Information

You can contact us about this privacy policy or use of our services.

If you have questions or complaints regarding this Policy, you may contact us through email at support@Darwinbox.in. You may contact us at our mailing address below:

Darwinbox Digital Solutions Pvt. Ltd.
122, Madhapur Road, Kavuri Hills Phase 1,
Hyderabad, Telangana 500033

If you are a resident of the European Economic Area and we maintain your Personal Data within the scope of the General Data Protection Regulation (GDPR), you have additional rights. If you are not satisfied with the resolution, you can also lodge a complaint with the Supervisory Authority in the country of your residence.

Privacy policy change

Darwinbox may change this Privacy Policy from time to time, at our sole discretion.

Darwinbox encourages visitors and customers to frequently check this page for any changes to its Privacy Policy. We will notify you of material changes in advance by email or by notice when you log in to the Sites and Services or both. You confirm that your continued use of our services after any change in this Privacy Policy will constitute your acceptance of such changes and agree to be subject to the revised privacy policy.