

COGITAT LTD – STUDY PARTICIPANT PRIVACY POLICY

Introduction

Welcome to our privacy policy. We are Cogitat Ltd, and are referred to in this policy as **Cogitat, we, us** or **our**. We are committed to protecting your personal data.

1. Important information and who we are

Purpose of this policy

This policy gives you information on how we look after any personal data that we collect or receive about you if you decide to participate in our study and tells you about your privacy rights and how the law protects you.

We may process personal information of children over the age of 12 if they wish to participate in a study and their legal guardians have agreed to this. **This policy only applies to study participants (you can find a copy of this policy on our website)**. Our candidates privacy policy can be found **here** and our website privacy policy can be found **here**.

It is important that you read this policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This policy supplements other notices and privacy policies and is not intended to override them. This policy does not form part of any contract you have entered into with us and we may update it at any time.

Controller

Cogitat is the controller and responsible for your personal data.

Contact details

If you have any questions about this policy, including any requests to exercise your legal rights, please contact us using the details set out below:

Email address: privacy@cogitat.io

Postal address:

Cogitat Ltd
Lake House, Market Hill
Royston
England, SG8 9JN

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**) (www.ico.org.uk), the UK regulator for data protection issues. We would, however, appreciate the chance to deal with your concerns before you approach a regulator so please contact us in the first instance.

Changes to the policy and your duty to inform us of changes

We keep this policy under regular review. This version was last updated on **22 July 2021**.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website we encourage you to read the privacy policy of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes initials, study ID number, date of birth and gender of the study participant or if the study participant is a minor, their legal guardian.
- **Sensitive Data** includes details about the study participant's race or ethnicity.
- **Study Data** includes any other information provided by the study participant, their legal guardian (if the study participant is a minor) or collected as part of the study (for example, the study participant's questionnaire data, results from the short matrix reasoning test, and whether they have consumed any coffee before taking part in the study and handedness) or EEG readings (brain waves and control signals)

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We may also anonymise your data. **Anonymised Data** is not considered personal data in law as this data will also not directly or indirectly identify you.

To the extent that the data is not considered personal data in law, the data subject rights below do not apply.

If you fail to provide personal data

Where we need to collect personal data by law, under the terms of a contract, or to provide a service to you, and you fail to provide that data when requested, we may not be able to perform the service (for example, so that you can take part in the study).

3. How is your personal data collected?

We will collect data from and about you through direct interactions with you, i.e. you may give us or we may collect Identity, Contact, Sensitive and Study Data as part of your participation in our study. This also includes personal data you provide or we receive when you:

- contact or correspond with us about the study (for example, when you exercise your data subject rights); or
- contact us generally.

We may also access or collect your data from academic institutions with whom we are collaborating, such as Imperial College of Science Technology and Medicine, who have collected your data on the basis that they may share it with us for commercial purposes.

Purposes for which we will use your personal data

We have set out below, in table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. When we rely on legitimate interests we make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

We may process your personal data for more than one legal basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis we are relying on to process your personal data where more than one basis has been set out in the table below.

We may also process your personal data:

- to establish, exercise or defend legal claims; or
- as necessary to comply with our legal obligations.

Purpose/Activity	Type of data	Legal basis for processing including basis of legitimate interest
To manage our relationship with the study participant	(a) Identity (b) Contact (c) Sensitive Data (d) Study Data	(a) Legitimate interest (to allow the participation in the study) (b) Consent (in respect of Sensitive Data and Study Data to the extent that such Study Data is special category data)
To manage our relationship with the study participant's legal guardian if the study participant is a minor	(a) Identity (b) Contact	(a) Legitimate interest (to allow the study participant to participate in the study)

To aggregate or anonymise the data of the study participant	(a) Identity (b) Contact (c) Sensitive Data (d) Study Data	(a) Necessary for our legitimate interests (for research purposes) (b) Consent (in respect of Sensitive Data and Study Data to the extent that such Study Data is special category data)
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Marketing

We will neither use your personal data for our own marketing nor share it with any third party for marketing purposes.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

4. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table in section 4 above.

- **Imperial College of Science Technology and Medicine** - to the extent that your data is collected as part of our study with Imperial College, we may share your personal information and any study results with them.
- **Vendors and service providers** - we provide information to vendors and service providers who support our respective operations, such as by providing IT services
- **Professional advisers and other external parties** - including lawyers, bankers, auditors and insurers who provide professional services.
- **Legal, supervisory, and regulatory authorities** - we may share information with legal, supervisory and regulatory authorities and any government agencies and law enforcement bodies, or in response to a valid subpoena or legal process served by a third party, to comply with our legal obligations; protect the rights and property of Cogitat and our employees; and to detect and respond to suspected illegal activity and threats to the safety of any person, systems or services.
- **Shareholders** – we provide information to shareholders as part of our reporting activities.
- **In connection with any restructuring or investment** – we provide information to third parties to whom we may choose to sell, transfer or merge parts of our business or our assets or who may choose (or contemplate) to invest in us. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this policy.

- **Funds** – we provide information to funds managed by shareholders of group companies.
- **Group companies** – we provide information to members of the same group as our shareholders, as well as their professional advisers.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

5. International transfers

We may transfer your data out of the UK to countries where data protection laws do not afford the same degree of protection as within the UK, in which case we take measures to implement appropriate safeguards to protect your data. We may also transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

6. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

7. Data retention

How long will we use your personal data?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal

data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

8. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

Request access to your personal data (known as a **data subject access request**). This enables you to receive a copy of the personal data we hold about you and to check that we are processing it lawfully.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us using the details set out above.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.