

Privacy Notice - Salient Labs Limited

Introduction

Welcome to the Salient Lab Limited's Privacy Notice. Salient Labs Limited trades as '**Salient Bio**', and is also referred to as '**we**', '**us**' or '**our**' in this Privacy Notice. Salient Bio provides diagnostic testing for human infections and diseases with next-day results for businesses and individuals.

Salient Bio respects your privacy and is committed to protecting your personal data. This Privacy Notice will (i) inform you as to how we look after your personal data when you interact with our website, software platform(s), and our mobile application (our '**Platform**') (regardless of where you are when you interact with them) and (ii) tell you about your privacy rights and how the law protects you.

1. **IMPORTANT INFORMATION AND WHO WE ARE**

Purpose of this Privacy Notice

This Privacy Notice (together with our Master Terms of Service, Lab Service Terms, and any other documents referred to therein (the '**Agreement**')), sets out the basis on which we process personal data (also referred to as '**personal information**' or '**information**').

The services we provide are described more fully in our Lab Service Terms, but in summary are (i) diagnostic lab assays of samples, (ii) various digital solutions to assist with ordering diagnostic assays and receipt of the results, and (iii) fulfilment of testing kits (the '**Services**'). This Privacy Notice aims to give you information on how we collect and processes your personal data as part of our delivery of the Services.

Our Platform is not intended for use by children, however in the course of providing the Services we may collect and process personal data relating to children (primarily in that the testing services we offer may include the testing of samples from children).

Salient as data processor

If:

- a) a third party (e.g. your employer, travel agency, insurance provider, etc.) (your '**Testing Organiser**') has arranged for you to get tested with us; or
- b) you use the Services in order to procure testing Services on the Testing Organiser's behalf (e.g. if you are an administrative employee of the Testing Organiser);

then (i) we act as the data processor on behalf of your Testing Organiser, and (ii) your Testing Organiser is the data controller and (except as set out under the heading 'Salient as data controller' below) is responsible for your personal data. Your Testing Organiser will handle this personal data for which it is responsible in accordance with its own privacy policy. You are entitled to see a copy of that policy, so please do ask for it.

Salient as data controller

Even where your Testing Organiser has arranged for you to get tested with us (or where you use the Services in order to procure testing Services on the Testing Organiser's behalf), we will act as the data controller (and not as data processor) in respect of information provided to us in the following limited circumstances:

- in relation to our on-boarding and account set-up processes for new users;
- in relation to our provision of support services to users;

- in relation to analytics activities undertaken by us in relation to your use of the Services;
- in relation to the processing of Retained Sample Data (as defined below); and
- if we are under a duty to disclose or share personal data in order to comply with any legal or regulatory obligation,

(together, these are the '**Data Controller Activities**').

For the purpose of the relevant data protection legislation, in relation to the Data Controller Activities the data controller is Salient Labs Limited (company no. 12662440), with registered address at The Biscuit Factory, Drummond Road, London, England, SE16 4DG.

Contacting us

We have appointed a data protection manager who is responsible for overseeing questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the data protection manager at data@salient.bio.

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

Changes to the Privacy Notice and your duty to inform us of changes

We keep this Privacy Notice under regular review; it was last updated on the date stated at the bottom of it. Any changes we make to our privacy policy in the future will be posted on this page. We therefore encourage you to review it from time to time to stay informed of how we are processing your information.

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

During the provision of our Services we may provide you with 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 Platform, we encourage you to read the privacy notice 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. The most common types of personal data we will process are your name, date of birth, gender, post code, phone number, email address, ethnicity, information linked to the biological sample for testing, and your test result. However, there are various other categories of data we may process, as follows:

- '**Identity Data**' includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- '**Contact Data**' includes billing address, delivery address, email address and telephone numbers.

- **'Financial Data'** includes bank account and payment card details.
- **'Transaction Data'** includes details about payments to and from you and other details of Services you have purchased from us.
- **'Technical Data'** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our Platform.
- **'Profile Data'** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **'Usage Data'** includes information about how you use our Platform and Services.
- **'Marketing and Communications Data'** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **'Special Category Data'** includes details about your health, and genetic and biometric data (including any personal data which subsists in the DNA contained in biological samples provided to us).
- **'Retained Sample Data'** is personal data associated with a sample, which (after the sample has been tested for the purpose of delivering the Services) is retained by us for further analysis. Retained Sample Data is comprised of two elements:
 - the 'dry' data about the sample (i.e. the written record of the characteristics of the person the sample was collected from – name, age, gender, etc.) – this data is anonymised before we carry out further analysis on the sample.
 - the 'wet' data (i.e. any personal data which subsists in the DNA within the biological material in the physical sample itself) – although strictly speaking it may not be possible to truly anonymise this data, practically speaking it is extremely difficult and unlikely for any person to use this data to identify the person from which the sample was taken.

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 but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific feature of our Platform. 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 Notice.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you or your Testing Organiser, and you fail to provide that data when requested, we may not be able to perform the contract we have (or are trying to enter into with) you or your Testing Organiser (for example, to provide you or your Testing Organiser with our Services). In this case, we may have to cancel a Service you have with us but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity Data, Contact Data and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our Services;
 - create an account on our Platform;
 - subscribe to our publications;
 - request marketing to be sent to you;
 - enter a competition, promotion or survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our Platform, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies (for example, Google Analytics) and other similar technologies. Please see our cookie policy for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - Technical Data from analytics providers, advertising networks, and search information providers;
 - Contact Data, Financial Data and Transaction Data from providers of technical, payment and delivery services;
 - Identity Data and Contact Data from data brokers or aggregators; and
 - Identity Data and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the UK.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- In accordance with your instructions or those of your Testing Organiser.
- Where we need to perform the contract we are about to enter into or have entered into with you or your Testing Organiser.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Please note that our Agreement with your Testing Organiser includes an obligation for us to provide your test results to them. In addition, we contractually guarantee to your Testing Organiser that we shall:

- keep personal data secure and protect its confidentiality, integrity and availability;
- treat personal data as confidential information;
- seek their approval before we subcontract personal data processing to any third parties; and
- assist them in fulfilling their own data protection obligations concerning data subject rights, security of processing, data breach notifications, data protection impact assessments, regulatory consultations and data protection audits.

Please see the heading 'Lawful Basis' within the Glossary to find out more about the types of lawful basis that we will rely on to process your personal data.

At the end of our Agreement with your Testing Organiser we undertake to return or destroy all information about you for which we act as data processor on their behalf and is capable of identifying you. The information about you that your Testing Organiser receives from us during or after our engagement will be handled in accordance with their own privacy policy. You are entitled to see a copy of that policy, so please do ask for it.

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 relevant.

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

Purpose/Activity	Types of data	Lawful basis for processing (including, where relevant, the basis of our legitimate interest)
To register you as a new customer.	(a) Identity Data (b) Contact Data	Performance of a contract with you or your Testing Organiser.
To deliver the Services to you or your Testing Organiser, including: (a) managing payments, fees and charges; and (b) collecting and recovering money owed to us.	(a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data (e) Marketing and Communications Data	(a) Performance of a contract with you or your Testing Organiser. (b) Necessary for our legitimate interests (to recover debts due to us).
	(f) Special Category Data	(a) Performance of a contract with you or your Testing Organiser.

		(b) Necessary for scientific research and/or statistical purposes.
To manage our relationship with you which will include: (a) notifying you about changes to our terms or Privacy Notice; and (b) asking you to leave a review or take a survey.	(a) Identity Data (b) Contact Data (c) Profile Data (d) Marketing and Communications Data	(a) Performance of a contract with you or your Testing Organiser. (b) Necessary to comply with a legal obligation. (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our Services).
To administer and protect our business and our Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity Data (b) Contact Data (c) Technical Data	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise). (b) Necessary to comply with a legal obligation.
To deliver relevant Platform content and/or advertisements to you and to measure or understand the effectiveness of the advertising we serve to you.	(a) Identity Data (b) Contact Data (c) Profile Data (d) Usage Data (e) Marketing and Communications Data (f) Technical Data	Necessary for our legitimate interests (to study how customers use our Services, to develop them, to grow our business and to inform our marketing strategy).
To use data analytics to improve our Platform, Services, marketing, customer relationships and experiences.	(a) Technical Data (b) Usage Data	Necessary for our legitimate interests (to define types of customers for our Services, to keep our Platform updated and relevant, to develop our business and to inform our marketing strategy).
To make suggestions and recommendations to you about Services that may be of interest to you.	(a) Identity Data (b) Contact Data (c) Technical Data (d) Usage Data (e) Profile Data	Necessary for our legitimate interests (to develop our Services and grow our business).

	(f) Marketing and Communications Data	
To carry out internal assay validation, developing new Services and systems, and/or improving our existing Services and systems.	(a) Special Category Data (including Retained Sample Data)	(a) Necessary for our legitimate interests (to develop and improve our Services and grow our business). (b) Necessary for scientific research and/or statistical purposes.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the following third parties, for the purposes set out in the table below.

We require all third parties to respect the security of your personal data, to treat it as confidential information, and to treat it in accordance with the law. In the case of our third-party service providers, we do not allow them 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.

Relevant third party, and purpose/activity	Types of data	Lawful basis for disclosure (including, where relevant, the basis of our legitimate interest)	Further information
A prospective buyer or seller of a business or assets which we decide to sell or buy (or merge with).	All the data types listed at Section 2 above.	Necessary for our legitimate interests (to allow the prospective buyer or seller to properly evaluate the business).	-
A third-party acquirer of Salient Bio or substantially all of its assets (or a third party with which Salient Bio may merge)	All the data types listed at Section 2 above.	Necessary for our legitimate interests (to allow the acquirer of our business to keep operating it as such) Performance of a contract with you or your Testing Organiser (to allow the acquirer of the business to provide you with the Services).	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 Privacy Notice.

Service providers acting as processors which provide various IT and system administration services.	All the data types listed at Section 2 above.	Necessary for our legitimate interests (to allow us to subcontract aspects of the Services to service providers with the required expertise).	Examples of these service providers are our: cloud storage providers; customer relationship management systems providers; email services providers; social media companies; analytics providers; and others who assist us in promoting, delivering and improving our Services and our Platform.
If we are under a duty to disclose or share personal data in order to comply with any legal or regulatory obligation.	All the data types listed at Section 2 above.	Necessary to comply with a legal obligation.	<p>A specific example of this is that certain UK health authorities require us to notify them of every positive test result we find of certain 'notifiable diseases' (for example, COVID-19). In this situation, we would likely only be obligated to provide them with your (i) Identity Data, (ii) Contact Data, and (iii) Special Category Data.</p> <p>The relevant UK health authorities include Public Health England, the Department of Health and Social Care, and the UK Health Security Agency. Your information will be handled by these authorities in accordance with their own notifiable diseases procedures and their own privacy policies. We may be required by law to retain this information also.</p>
If we are under a duty to disclose or share personal data in order to protect the rights, property, or safety of Salient Bio, our clients, or others.	All the data types listed at Section 2 above.	Necessary for our legitimate interests (to safeguard our business).	-

6. INTERNATIONAL TRANSFERS

We store personal data electronically on computer systems located in the UK and the EU and managed by our staff and our vendors. We do not currently transfer your personal data outside the UK or the EU.

However, in certain circumstances it may be necessary for personal data may be accessed by staff, stored with or transferred by our vendors in, a destination outside the United Kingdom (UK) or the European Economic Area (EEA) in which data protection laws may be of a lower standard than in the UK or the EEA. In such circumstances we will impose data protection safeguards similar to those that we deploy inside the UK and the EEA. Where required by applicable law, we will transfer personal data subject to European Commission approved contractual clauses that impose equivalent data protection obligations directly on the recipient.

7. 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.

Security over the internet

No data transmission over the internet or website can be guaranteed to be completely secure from intrusion. However, we maintain commercially reasonable physical, electronic and procedural safeguards to protect personal data in accordance with the requirements of applicable data protection legislation.

We use hosted servers to deliver our Services. Our suppliers employ industry-leading standards in information security and contractually guarantee to keep personal data secure.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our Services, 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 your password with anyone.

8. DATA RETENTION

How long will you use my personal data for?

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 delete personal data relating to client accounts within 12 months of an account being terminated or deactivated.

However some personal data may need to be retained for longer than this (for up to six years) to ensure we can comply with applicable laws and internal compliance procedures (for example in the event of a complaint, or if we reasonably believe there is a prospect of litigation in respect to our relationship with you).

We restrict access to personal data to those persons who need to use it for the relevant purpose(s). Our retention periods are based on business needs and personal data that is no longer needed is either irreversibly anonymised (and the anonymised information may be retained) or securely destroyed. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the personal risk or harm from unauthorised use or disclosure, the purpose for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances, and in accordance with our Agreement with your Testing Organiser, we may anonymise your personal data (so that it can no longer be associated with you) for research purposes and for the purposes of improving or developing new services, operations and systems. In these circumstances case we may use this Retained Sample Data indefinitely without further notice to you, and you acknowledge and accept that we own all right, title and interest in and to any derived data or aggregated and/or anonymised data collected or created by us.

In some circumstances you can ask us to delete your data: see Your Legal Rights below for further information.

9. YOUR LEGAL RIGHTS

Under certain circumstances, under data protection laws in relation to your personal data you have the right to:

- request access to your personal data;
- request correction of your personal data;
- request erasure of your personal data;
- object to processing of your personal data;
- request restriction of processing your personal data;
- request transfer of your personal data; and
- the right to withdraw consent.

Please see the Glossary for further information about each of the legal rights listed above, or alternatively the website of the United Kingdom's Information Commissioner's Office: <https://ico.org.uk/your-data-matters/>. If you wish to exercise any of the rights set out above, please contact us.

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 such 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.

10. GLOSSARY

Lawful Basis

- **Legitimate interest** means the interest of our business in conducting and managing our business to enable us to give you the best Services and the best and most secure experience. 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 for our legitimate interests. 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.

- **Performance of a contract** means processing your data where it is necessary for the performance of a contract to which you or your Testing Organiser are a party, or to take steps at your request or that of your Testing Organiser before entering into such a contract.
- **Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.
- **Scientific research and/or statistical purposes** means processing your personal data where we believe that for us to do so would be in furtherance of scientific and/or statistical improvement at a wider societal level. This justification applies only to Special Category Data, which due to its sensitivity requires an additional level of justification in order for us to process it. We make sure we consider and balance these potential benefits against any potential impact on you (both positive and negative) and your rights before we process your personal data for scientific research and/or statistical purposes.

Your Legal Rights

You have the right to:

- **Request access** to your personal data (commonly 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 lawfully processing it.
- **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 or your Testing Organiser.
- **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.