

# IbisVision Ltd privacy policy

**Effective as of March 2023**

IbisVision Ltd (Ibis) offers an integrated suite of vision testing technologies and an associated back end and database under the brand name IBIS Connect. The end user is an individual or individuals (End-Users), other businesses providing optometry or other eyecase services, eye clinicians and para-clinicians, doctors, optometrists all around the world.

IbisVision Ltd is the data controller (or processor) of your personal data:

Address: 60 St. Enoch Square, 5th Floor, Glasgow, Scotland, G1 4AG

This Privacy Policy describes how we collect, store, use, and disclose personal data (as defined below) about End-Users specifically regarding:

- Data Collection & Processing
- Data Uses
- Data Location
- Data Retention
- Data Disclosure
- Cookies & Data Collection Technologies
- Communications
- Data Security
- Data Subject Rights
- Data Controller/Processor
- Additional Notices

Please read and make sure you understand the implications of our Privacy Policy. If you do not agree with to our Privacy Policy please discontinue using our products and request that we remove any of your personal data that we hold.

You are not legally required to provide us with any personal data and you do so at your own free will. If you do not wish to provide us with data and have it processed by us, please simply do not interact with our products and do not enter data.

You may also opt not to provide us with “optional” personal data (where applicable). If you choose to not provide optional personal data, it may limit the accuracy, user-experience, and range of tests available to you.

# 1. Data Collection & Processing

When we use the term “personal data” in this Privacy Policy, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to an individual. It does not include aggregated or deidentified information that is maintained in a form that is not reasonably capable of being associated with or linked to an individual.

We collect personal data directly from an individual by means of registration details filled into boxes by the individual. This may include name, address, phone number, email, age, gender.

## Health data- background:

We collect health history and symptom data by means of questionnaires for which a link is emailed to the End-User. We associate health data with personal identifiers and we may process health data into reports that can be downloaded for legitimate medical purposes by a clinician who is advising the End-User. Optionally, at the discretion of the clinician, or as required by law, the End-User may be given access to their own health data or the data held may be processed to create a report for the End-User.

## Health data- optometric

We collect visual metrics from End-Users using our solutions to assess vision. This may include:

- Visual acuity
- Eye motility
- Visual field
- Refractive error
- Questionnaire

We associate optometric data with personal identifiers and we may process optometric data into reports or prescriptions that can be stored or downloaded for legitimate medical or commercial purposes by a clinician who is advising the End-User.

Optionally, at the discretion of the clinician, or as required by law, the End-User may be given access to their own health data or the data held may be processed to create a report for the End-User.

Background health and optometric data with an associated legitimate, unique and relevant identifier will be shared with, and may be downloaded by, an advising clinician for the purposes of providing onward services to the end user.

Background health and optometric data may be anonymised and sorted by generic parameters (age range, gender) for legitimate research and commercial purposes including, for example, populating normative databases to improve accuracy and delivery of our solutions to the widest range of End-Users; identifying and validating age-related trends and limitations in data gathering or performance of the solutions for the purpose of refining our algorithm by manual optimisation of the underlying code,

machine learning, or manual selection of modes or correction factors from a options list to set the system for individual performance based on population trends.

Where consent has been sought and given, we may share health and optometric data with legitimate commercial partners to expand the offering and service available to End-Users.

## Customer Data:

personal data that we collect and process which relates to our Customer's representative(s). This includes name, email address, phone number and other contact details.

## Account Data:

There are certain aspects of our products in relation to which we are data controllers, in which case we will collect the following data, such as your first and last name, date of birth, address, email, phone number, gender, insurance provider, employer, and other basic contact details, as well as any other personal data you choose to provide when you create an account on our platform.

## Financial Data:

We may collect and process financial information from Customers and End-Users including bank account details, credit references, mandates and contractual information to facilitate invoicing, paying, scheduling of payments, subscription services and other legitimate financial interactions between IbisVision, its Customers and its suppliers.

## Facial Images:

Our solution includes a face-to-face consultation mode in which End-User and advising clinician meet in a secure virtual space via video conferencing. General consultation video is not retained. Images from the video feed may be captured and associated with a personal identifier where it is legitimate to do so for the advising clinician to provide their service to the End-User. For example retaining a record during triage of a traumatic eye injury or other medical situation where a picture of the affected eye will help with the clinical management of the End-User by the advising clinician.

Our eye-motility product collects and stores frontal facial video as a record of eye movement that can be associated with a personal identifier and associated with the End-User's medical data. Still images of the face of the End-User at the extremes of eye motility are collected and can be associated with a personal identifier and associated with the End-User's medical data.

Eye motility video and images may be processed for legitimate reasons to help monitor or diagnose or treat disorders of eye motility by a qualified professional and may be used as reference material to seek specialist second opinion in order to improve the accuracy and quality of medical advice or other medical intervention offered to the End-User.

By accepting our terms and using our platform you consent to the capture and processing of video data as described in this statement.

## Face Measurements:

We use basic face recognition parameters to help assess the distance from the End-User to the display to optimise the performance of our platform in assessing the vision of the End-User. Data is collected locally and processed in the browser on the End-User's device to give an indication of distance. Facial data is not stored and is not available to the End-User. Data collected and processed in this way will not enable the identification of any individual End-Users.

By accepting our terms and using our platform you consent to the capture and processing of face recognition data as described in this statement.

## Usage Data.

When you use our platform, we will automatically collect or generate technical personal data about you and the session in which you are participating. We collect or generate such Usage Data either independently or with the help of third-party services, including through the use of "cookies" and other data collection technologies. Such Usage Data mainly consists of connectivity, technical and aggregated information, such as IP addresses, session ID, non-identifying data regarding a device (such as device type, screen resolution, etc), operating system, browser version, locale and language settings used, general location (country), date and time stamp, and otherwise data collected by Cookies and other data collection technologies

## 2. Data Uses

When we process personal as a data controller we use it for the following purposes

- To facilitate, operate, and provide our service via our IBIS Connect platform
- To gain a better understanding on how individuals use and interact with IBIS Connect, and how we can improve their and others' user experience and the value they can generate from using IBIS Connect, so we could continue improving our products, offerings, and the overall performance of our platform

- To contact our Customers, End-Users or suppliers with general or personalized service-related messages, as well as promotional messages that may be of specific interest to them where permitted under applicable laws
- To support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error, or any illegal, criminal, or prohibited activity
- To create aggregated statistical data, inferred non-personal data, or anonymized or pseudonymized data (rendered non-personal and non-identifiable), which we use to improve or promote IBIS Connect, or for any other purpose including publication in scientific and general interest journals.
- To enforce our [Terms of Use](#), to resolve disputes, to carry out our obligations and enforce our rights, and to protect our business interests and the interests and right of third parties
- To comply with our contractual and legal obligations and requirements, and maintain our compliance with applicable laws, regulations and standards
- To provide our Customers and End-Users with assistance and support, to test and monitor IBIS Connect, or resolve technical problems
- To personalize IBIS Connect and to provide further localization and personalization capabilities

Your acceptance of our terms and conditions, end-user license agreement or this Privacy policy will be deemed as your Consent to the processing of your personal data for all purposes detailed in this Privacy Policy. If you wish to revoke your consent at any time, please contact us at [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk) with subject Revoke Consent.

### 3. Information of a Biometric Nature

Our distance measuring technology uses face recognition parameters which are processed to infer distance and are not stored. Our Eye-Motility module captures facial video and stills which are securely stored and may be accessed by the End-User or an advising clinician. These data may constitute “biometric identifiers” in certain jurisdictions.

## 4. Data Location

Your personal data may be maintained, processed and stored by IBIS Vision and its Service Providers in the United Kingdom, the United States of America and other jurisdictions as necessary for the optimal delivery of our service, for support and maintenance, or as may be required by law.

While privacy laws may vary between jurisdictions, IBIS Vision and its Service Providers are each committed to protect personal data in accordance with this Privacy Policy and customary industry standards, regardless of any lesser legal requirements that may apply in their jurisdiction.

## 5. Data Retention

We retain personal data for as long as a session has not been completed, and we have not been notified otherwise, or as long as we consider necessary for the purposes described herein.

Additionally, we will also retain personal data for as long as is required in order to comply with our legal and contractual obligations, or to protect ourselves from any potential disputes (i.e. as required by laws applicable to log-keeping, records and bookkeeping, and in order to have proof and evidence concerning our relationship, should any legal issues arise following your discontinuance of use), in accordance with our data retention policy.

Please note that except as required by applicable law, we will not be obligated to retain your personal data for any particular period, and we are free to securely delete it for any reason and at any time, with or without notice to you. If you have any questions about our data retention policy, please contact us at [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk)

When we process such End-Users' personal data as a data processor on behalf of a Customer, we will only retain it as instructed by the respective Customer through the Data Protection Impact Assessment declaration and contractual obligations we have in place.

## 6. Data Disclosure

### Legal Compliance:

We may disclose or allow government and law enforcement officials access to your personal data, in response to a subpoena, search warrant or court order (or similar requirement), or in compliance with applicable laws and regulations. Such disclosure or access may occur if we believe in good faith that we are legally compelled to do so, or that disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing.

### Service Providers:

We may engage selected Third-Party companies and individuals to perform services complementary to our own (e.g. hosting services, data analytics services, user engagement services, e-mail distribution and monitoring services, and our business, legal and financial advisors) (collectively, **“Service Providers”**). These Service

Providers may have access to your personal data, depending on each of their specific roles and purposes in facilitating and enhancing our Solutions, and may only use it for such purposes.

### Eye Care Professional:

We may share your optometric data with an appropriate Eye Care Professional (ECP). Each ECP used by IBIS Vision is authorised to receive your optometric data in order to provide you with prescriptions, corrective lenses or other appropriate treatments or services. They may use your data only in accordance with our instructions and the terms of the license agreement that we have with them.

### Business Transactions:

We may share your personal data with an approved business associate only for the purpose of allowing you to make business transactions upon your request (e.g. transferring your eye glasses parameters (using a standard SSL and HTTPS protocols) to an online retailer selected by you, for you to be able to purchase glasses) or transferring health or optometric data to an appropriate advising clinician selected by you.

### Protecting Rights and Safety:

We may share your personal data with others if we believe in good faith that this will help protect the rights, property or personal safety of IBIS Vision and its employees, any of our End-Users, Customers or any members of the general public.

## 7. Cookies & Data Collection Technologies

We and our Service Providers use cookies and other technologies for performance, tracking analytics, and personalization purposes. We may share non-identifiable or aggregated extracts of such information with our partners or Service Providers for our legitimate business purposes.

Cookies are packets of information sent to your web browser and then sent back by the browser each time it accesses the server that sent the cookie. Some cookies are removed when you close your browser session. These are the “Session Cookies.” Some last for longer periods and are called “Persistent Cookies.” We may use both types.

## 8. Communications

### Service Communications:

We may contact you with important information regarding IBIS Connect. For example, we may notify you (through any of the means available to us) of changes or updates to our Platform, reports, service changes, etc. We may also send you notifications, messages and other updates. Typically, you will not be able to opt-out of receiving such service communications while using our Solutions, as they are integral to such use.

## Notifications and Promotional Communications:

We may send you notifications concerning messages and other updates in your account. We may also send you notifications about new features, offerings, events and special opportunities or any other information we think our End-Users will find valuable. We may provide such notices through any of the contact means available to us (e.g. phone, push notifications or e-mail), through IBIS Connect, or through our marketing campaigns on any other sites or platforms.

If you do not wish to receive such promotional communications, you may notify us at any time by sending an e-mail to [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk) or by following the “unsubscribe”, “stop”, “opt-out” or “change e-mail preferences” instructions contained in the promotional communications you receive.

## 9. Data Security

In order to protect your personal data held with us and our Service Providers, we are using industry-standard physical, procedural and electronic security measures, including encryption as appropriate. However, please be aware that regardless of any security measures used, we cannot and do not guarantee the absolute protection and security of any personal data stored with us or with any Third Parties.

## 10. Data Subject Rights

Individuals have rights concerning their personal data. Please contact us by email at: [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk) if you wish to exercise your privacy rights under any applicable law, including the EU or UK General Data Protection Regulation (GDPR) or the California Consumer Privacy Act (CCPA), such as – to the extent applicable – the right to know/request access to (specific pieces of personal data collected; categories of personal data collected; categories of sources from whom the personal data was collected; purpose of collecting personal data; categories of third parties with whom we have shared personal data), to request rectification or erasure of your personal data held by IbisVision, or to restrict or object to such personal data’s processing (including the right to direct us not to sell your personal data to third parties now or in the future), or to port such personal data, or the right to equal services and prices (e.g. freedom from discrimination) (each to the extent available to you under the laws which apply to you). If you are a GDPR-protected individual, you also have the right to lodge a complaint with the relevant supervisory authority in the EU or the UK, as applicable. Please note that when you ask us to exercise any of your rights under this policy or applicable law, we may need to ask you to provide us certain credentials to make sure that you are who you claim you are, to avoid disclosure to you of personal data related to others and to ask you to provide further information to better understand the nature and scope of data that you request to access. Such additional data will be then retained by us for legal purposes (e.g., as proof of the identity of the person submitting the request). We may redact from the data which we will make available to you, any personal data related to others. If you are a GDPR-protected individual, you also have the right to lodge a complaint with an EU supervisory authority.



## 11. Data Controller/Processor

Certain data protection laws and regulations, such as the GDPR or the CCPA, typically distinguish between two main roles for parties processing personal data: the “Data Controller” (or under the CCPA the “business”), who determines the purposes and means of processing; and the “Data Processor” (or under the CCPA the “service provider”), who processes the data on behalf of the Data Controller. With respect to the data described in section 1, with the exception of background health data and optometric data, IbisVision Ltd is the Data Controller/Processor. With respect to background health data and optometric data, IbisVision is the Data Processor and processes the data on behalf of IbisVision’s Customer. In such cases the Customer will be the Data Controller of the personal data processed by IbisVision, and will instruct IbisVision how to process the data (and for what purposes), subject to our [Terms of Use](#), Data Processing Agreement and other commercial agreements with them. This also means that the respective Customer will be solely responsible for meeting any legal requirement (such as establishing a legal basis for processing and responding to Data Subject Rights requests concerning the data they control).

**If you are an End-User of IBIS Connect modules for which we are data processors, please note that we process your data solely on our Customer’s behalf.**

**Accordingly, if you would like to make any requests or inquiries regarding your personal data we process on our Customer’s behalf, please contact such Customer directly.**

Should we receive such requests directly, we will refer them promptly to our Customer.

## 12. Additional Notices

### Updates and Amendments:

We may update and amend this Privacy Policy from time to time by posting an amended version on the IBIS Connect platform. The amended version will be effective as of the date it is so published. We will provide a 14-day prior notice if we believe any substantial changes are involved via any of the communication means available to us or via the Solutions. After such notice period, all amendments shall be deemed accepted by you.

### External Links:

IBIS Connect, our website and other platforms may contain links to other websites or services, we are not responsible for their privacy practices, and encourage you to pay attention when you leave our platforms for the website or application of such third parties and to read their privacy policies. This Policy applies only to IBIS Connect and IbisVisions other platforms.

### Children Privacy:

In some jurisdictions IBIS Connect is intended for all-ages use. Any information collected from children under 16 is collected under medical supervision by our Customer in order to provide appropriate medical services to the End-User. Our contractual arrangements in providing IBIS Connect to our customer requires that they

obtain parental consent for collecting data from any End-User under the age of 16. We will not knowingly process data from anyone under the age of 16 without such parental consent and we will delete any data stored by us if we learn that it has been collected by our Customer without parental consent. If you believe we might have any such data please contact us at [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk)

## California Requirements:

This Privacy Policy describes the categories of personal information we may collect and the sources of such information (in Section 1 above), and our retention and deletion (Sections 3 and 8) practices. We also included information about how we may process your information (in Sections 2 through 6), which includes for “business purposes” under the California Consumer Privacy Act (CCPA). We do not “sell” or “share” your personal information for the intents and purposes of CCPA. We may disclose personal data to third parties or allow them to collect personal data from our Solutions as described in Section 4 above, if those third parties are authorized Service Providers, Affiliates, or business partners who have agreed to our contractual limitations as to their retention, use, and disclosure of such personal data, or if you integrate the services of third parties with IBIS Connect, or direct us to disclose your personal data to third parties, or as otherwise described in Section 4 above.

## Questions, Concerns or Complaints:

If you have any comments or questions about this Privacy Policy or if you have any concerns regarding your personal data, please contact us by email at [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk)

## Data Protection Officer (DPO):

IbisVision’s data protection officer (DPO) is Mr Justin Birley. You can contact him at [info@ibisvision.co.uk](mailto:info@ibisvision.co.uk) with Attn: Justin Birley in the subject line.