

## **TOVA PRIVACY POLICY**

Last updated December 2023

TOVA Diamonds Limited (registered number 07082574) (“us”, “our”, “we”, “TOVA”) are committed to protecting and respecting your privacy.

This privacy policy (the “Policy”) sets out the types of personal data we collect and use when you access and visit [www.tovadiamonds.com](http://www.tovadiamonds.com) (the “Website”) and how we may use that information.

### **1. INTRODUCTION**

This Policy covers our collection, processing and use of personal data when you use any of our Website.

When you supply any personal data to us we have legal obligations towards you in the way we use that data. For ease of reading, we have divided this Policy into several sections:

1. Introduction
2. What is Personal Data and what do we collect
3. How and why do we use/share your information
4. For how long do we keep your information
5. Security
6. Your Rights
7. Contact Details
8. Information about the use of Cookies

It is important that you read this Policy together with any other privacy notice or fair processing notices that we may provide on the Website at or around the time that we collect or process personal data about you (for example, fair processing notices that we may display to you at the time that you sign up to receive email updates from us) so that you are fully aware of how and why we are using that data.

This Policy supplements other notices including our Website Terms and Conditions and our Cookies Policy and is not intended to override or replace them.

By visiting or otherwise using our Website, you are agreeing to the practices set out in this Policy. If, for any reason, you do not agree to the terms of this Policy, please stop using this Website.

We keep our policy under regular review. We may revise or amend this Policy at any time to reflect changes to our business or changes in the law. Where these changes are significant we will endeavour to let users of the Websites know. However, it is your responsibility to check this Policy before each use of the Website – for ease of reference the top of this Policy indicates the date on which it was last updated.

Please note that our Website is not directed at children under the age of 13 (each a “Child” together “Children”) and we do not knowingly collect personal information about Children. If you believe we have collected personal information about your Child, you may contact us at [enquiries@tovadiamonds.com](mailto:enquiries@tovadiamonds.com) and request that we cease processing information about your Child.

### **2. WHAT IS PERSONAL DATA AND WHAT DO WE COLLECT?**

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 collect only that personal data from you that we need in order to provide the services.

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

Identity Data	includes first name, last name [marital status, title date of birth and gender].
Contact Data	includes [billing address, delivery address, telephone numbers and] email address.
Other Identifier Data	includes username.
Transaction Data	includes details about payments to and from you and other details of products you have purchased from us (including details of any payment you have made to 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 this website.
Connection Data (collected through Google Analytics)	includes the type of device you use (Device), a unique device identifier (for example, your Device's IMEI number, the MAC address of the Device's wireless network interface, or the mobile phone number used by the Device), network information, your mobile operating system, screen type and resolution, the type of web browser you use, the time zone setting.
Location Data	includes details of your use of our service including, but not limited to, traffic data, statistics of content uploaded, downloaded and viewed. We may make use of location data sent from Devices. You can turn off this functionality at any time by turning off the location services settings for the mobile application on the Device. If you use these location services, you consent to us and our licensees' transmission, collection, maintenance, processing and use of your location data and queries to provide and improve location-based products and services. We may also use other technology (e.g. your time zone and IP address) to determine information regarding your current location. Some of our location-enabled services require your personal data for the feature to work.
Usage Data	includes information about your use of our service, including the full Uniform Resource Locators (URL) clickstream to, through and from our website (including date and time); elements you viewed or words you searched for; page response times; download errors; length of visits; interaction information (such as scrolling, clicks, and mouse-overs).
Communications Data	includes emails, note of conversations, recorded telephone conversations and records of online chats.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. 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 do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

**Where we need to collect personal data by law, or under the terms of a contract we have with you, 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 (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.**

### **Data we collect from you when you use the Website**

#### Voluntary Provision of Data

When you voluntarily supply your personal data to us, for example where you; use the Website to upload or send personal data (by placing an order for diamond jewellery, using our live chat service to ask us questions about our diamond products, signing up to our newsletter, taking part in an online survey, entering competitions, or similar activities in which you volunteer data about yourself); contact us by post, telephone, email or SMS; report a problem with a Website; we may collect, store and use the personal data that you disclose to us.

#### Automated Collection of Data

We may also collect information about you when you visit the Website through the use of technologies such as cookies. The following are examples of information we may collect:

- information about your device, browser or operating system;
- your IP address;
- information about links that you click and pages you view on our Website
- length of visits to certain pages;
- subjects you viewed or searched for;
- page response times;
- records of download errors and/or broken links;
- page interaction information (such as details of your scrolling, clicks, and mouse-overs);
- methods used to browse away from the page; and
- the full Uniform Resource Locators (URL) clickstream to, through and from this Website (including date and time).

We use the data described above for several different reasons. Firstly we use it to ensure that the Website works properly and that you are able to receive the full benefit of them. Second, we use the data to monitor online traffic and audience participation across the Website. We undertake both of these activities because we have a legitimate interest in doing so.

#### Third Party Resources

We also use the services of third parties to help us to collect various data about you and the way that you use the Website in order to enable us to better understand your interests – both so that we can service content to you that we think will be of interest to you, and so that we can ensure that you are shown adverts delivered by third parties which are more likely to be of interest to you.

Where we use cookies to deliver these kind of services, the delivery of those cookies will be subject to your consent and you will be given the opportunity to refuse those cookies prior to them being delivered to your computer. You are also able to remove cookies from your computer at any time.

For details of the cookies that we use on the Website, what those cookies do, and the privacy policies of the third parties which provide them (where relevant) please see our Cookies Policy.

Please note that, while you have to option to consent to specific individual cookies that, unless specifically set out in our Cookies Policy, we rely on our legitimate interests as our condition for processing your personal data on the basis set out in this section (specifically that we have a legitimate interest in optimising the Website's content and ensuring that you are served with relevant commercial communications as you use them).

### 3. HOW AND WHY DO WE USE/SHARE YOUR INFORMATION

We have set out below, in a 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.

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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing</b>
To register you as a new user and maintain your account	(a) Contact (b) Other Identifier	Performance of a contract with you
To process and deliver your order including: (a) Manage information relating to payments, fees and charges (b) Collect and recover money owed to us	(a) Contact (b) Transaction (c) Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which may include notifying you about changes to our terms of working or relevant updates	(a) Contact (b) Other Identifier (c) Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to keep our records updated and to study how users use our products)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical (d) Connection	(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)

Purpose/Activity	Type of data	Lawful basis for processing
To deliver relevant website content and marketing messages to you	(a) Contact (b) Other Identifier (c) Usage (d) Communications	Necessary for our legitimate interests (to study how customers use our products, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Location (d) Connection	Necessary for our legitimate interests (to define types of customers for our products, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)

### Sharing your information

Depending on how and why you provide us with your personal data we may share it in the following ways:

- We may share your personal information with any member of our company group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006;
- with selected third parties who we sub-contract to provide various services and/or aspects of the Website's functionality, such as where third party plugins provide functionality such as message boards or image hosting services (see "Service Providers" below); and
- with analytics and search engine providers that assist us in the improvement and optimisation of this Website as described above.

We will not share your information with third parties in order for that third party to provide direct marketing communications to you, unless it relates to a specific activity which we are undertaking with a third party (e.g. a competition where a third party is providing the prize) and you have provided your consent for that use. Such activity may have its own terms and conditions relating to the way in which your information may be used, which you will be notified of at the relevant time.

We may also disclose your personal information to third parties in the following events:

- if we were to sell or buy any business or assets, in which case we might disclose your personal information to the prospective seller or buyer of such business or assets as part of that sale;
- if TOVA Diamonds or substantially all of its assets are acquired by a third party, in which case personal information held by us about our customers will be one of the transferred assets;
- if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or if we are asked to provide your details to a lawful authority in order to aid in the investigation of crime or disorder; and/or
- in order to enforce or apply our Website's' terms of use or terms and conditions; or to protect the rights, property, or safety of our company, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

### Service Providers

Our service providers provide us with a variety of administrative, statistical, and technical services. We will only provide service providers with the minimum amount of personal data they need to fulfil the services

we request, and we stipulate that they protect this information and do not use it for any other purpose. We take these relationships seriously and oblige all of our data processors to sign contracts with us that clearly set out their commitment to respecting individual rights, and their commitments to assisting us to help you exercise your rights as a data subject. The following is a list of our major service providers at the date of this Policy. They are subject to change:

- World Pay Merchant (credit card processor)
- Book the slot
- Ometria
- Mailchimp
- TheChatShop
- Zendesk

#### Links to third party sites

Where we provide links to third party websites that are not affiliated with [www.tovadiamonds.com](http://www.tovadiamonds.com) such sites are out of our control and are not covered by this Policy. If you access third party sites using the links provided, the operators of these sites may collect information from you that could be used by them, in accordance with their own privacy policies. Please check these policies before you submit any personal data to those websites.

## **4. FOR HOW LONG DO WE KEEP YOUR INFORMATION?**

Depending on how and why you provide us with your personal data we may share and store it in the following ways:

When you purchase goods from our Website we will keep records of that transaction in order to ensure that we are able to properly account for the business that we have done and to ensure that we are able to refer back to those records should you ever contact us in the future about your item. Because of the nature of the goods that we sell, and the guarantees of quality that we give in respect of them, you can expect us to keep those records for up to seven years.

Where you sign up to receive email marketing from us we will retain your email address on file until you 'opt-out' of receiving emails from us.

You can ask us to delete your data: see 'Your Rights' below for further information.

In some circumstances we may 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.

## **5. SECURITY**

We take the protection of your information very seriously. We use encryption (SSL) to protect your personal data when appropriate, and all the information provided to us is stored on secure servers once we receive it.

We may store your personal data on secure servers either on our premises or in secure third-party data centres.

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.

If we ever give you (or where you have chosen) a password which enables you to access certain parts of this Website, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

## 6. INTERNATIONAL TRANSFERS

Many of our external third parties are based outside the UK so their processing of your personal data will involve a transfer of data outside the UK.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
- Where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

If you would like more information about the mechanism via which your personal data is transferred, please contact [enquiries@tovadiamonds.com](mailto:enquiries@tovadiamonds.com)

## 7. YOUR RIGHTS

As a data subject you have a number of rights in relation to your personal data. Below, we have described the various rights that you have, as well as how you can exercise them.

### Right of Access

You may, at any time, request access to the personal data that we hold which relates to you (you may have heard of this right being described as a "subject access request").

Please note that this right entitles you to receive a copy of the personal data that we hold about you in order to enable you to check that it is correct and to ensure that we are processing that personal data lawfully. It is not a right that allows you to request personal data about other people, or a right to request specific documents from us that do not relate to your personal data.

You can exercise this right at any time by writing to us using the contact details set out here and telling us that you are making a subject access request. You do not have to fill in a specific form to make this kind of request.

### Your Right to Rectification and Erasure

You may, at any time, request that we correct personal data that we hold about you which you believe is incorrect or inaccurate. You may also ask us to erase personal data if you do not believe that we need to continue retaining it (you may have heard of this right described as the "right to be forgotten").

Please note that we may ask you to verify any new data that you provide to us and may take our own steps to check that the new data you have supplied us with is right. Further, we are not always obliged to erase personal data when asked to do so; if for any reason we believe that we have a good legal reason to continue processing personal data that you ask us to erase we will tell you what that reason is at the time we respond to your request.

You can exercise this right at any time by writing to us using the contact details set out here and telling us that you are making a request to have your personal data rectified or erased and on what basis you are making that request. If you want us to replace inaccurate data with new data, you should tell us what that new data is. You do not have to fill in a specific form to make this kind of request.

#### Your Right to Restrict Processing

Where we process your personal data on the basis of a legitimate interest (see the sections of this Policy which explain how and why we use your information) you are entitled to ask us to stop processing it in that way if you feel that our continuing to do so impacts on your fundamental rights and freedoms or if you feel that those legitimate interests are not valid.

We may process your data on the basis of a legitimate interest in the following ways:

- Optimise the Website content;
- to track which products and services are popular;
- to monitor the security of our Website;
- fraud prevention and detection;
- to send you service related messages, e.g. if our service is temporarily suspended for maintenance we may send you a notice;
- to notify you of amendments to this privacy policy;
- if there is a contractual obligation to provide a correspondent with your personal data

You may also ask us to stop processing your personal data (a) if you dispute the accuracy of that personal data and want us verify that data's accuracy; (b) where it has been established that our use of the data is unlawful but you do not want us to erase it; (c) where we no longer need to process your personal data (and would otherwise dispose of it) but you wish for us to continue storing it in order to enable you to establish, exercise or defend legal claims.

Please note that if for any reason we believe that we have a good legal reason to continue processing personal data that you ask us to stop processing, we will tell you what that reason is, either at the time we first respond to your request or after we have had the opportunity to consider and investigate it.

You can exercise this right at any time by writing to us using the contact details set out here and telling us that you are making a request to have us stop processing the relevant aspect of your personal data and describing which of the above conditions you believe is relevant to that request. You do not have to fill in a specific form to make this kind of request.

#### Your Right to Portability

Where you wish to transfer certain personal data that we hold about you, which is processed by automated means, to a third party you may write to us and ask us to provide it to you in a commonly used machine-readable format.

Because of the kind of work that we do and the systems that we use, we do not envisage this right being particularly relevant to the majority of individuals with whom we interact. However, if you wish to transfer your data from us to a third party we are happy to consider such requests.

#### Your Right to stop receiving communications

Where we send you e-mail marketing communications (or other regulated electronic messages) you have the right to opt-out at any time. You can do this by using the 'unsubscribe' link that appears in the footer of each communication (or the equivalent mechanism in those communications).

Alternatively, if for any reason you cannot use those links, or if you would prefer to contact us directly – you can unsubscribe by writing to us at [enquiries@tovadiamonds.com](mailto:enquiries@tovadiamonds.com) and telling us which communications you would like us to stop sending you.



#### Your Right to object to automated decision making and profiling

You have the right to be informed about the existence of any automated decision making and profiling of your personal data, and where appropriate, be provided with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing that affects you.

#### Exercising your rights

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

It will help us to process your request if you clearly state which right you wish to exercise and, where relevant, why it is that you are exercising it. The clearer and more specific you can be, the faster and more efficiently we can deal with your request. If you do not provide us with sufficient information then we may delay actioning your request until you have provided us with additional information (and where this is the case we will tell you).

#### 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).

#### Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may 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.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

We would, however, appreciate the opportunity to discuss this with you first, so please contact us in the first instance.

## **8. CONTACT DETAILS**

If you have any queries regarding this Policy, if you wish to exercise any of your rights set out above or if you think that the Policy has not been followed, please contact us at:

TOVA Diamonds Ltd  
2nd floor, 3 Hanover Square  
London, W1S 1HD  
United Kingdom

Alternatively, you can send us an email at [enquiries@tovadiamonds.com](mailto:enquiries@tovadiamonds.com).

## **9. INFORMATION ABOUT OUR USE OF COOKIES**

a. Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our Website and also allows us to improve our Website. By continuing to browse our website, you are agreeing to our use of cookies.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that you may face a deteriorated user experience. Please see our Cookies Policy for further information on the use of Cookies on our Website.

**b.** A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your device if you agree. Cookies contain information that is transferred to your device's hard drive.

**c.** We use the following cookies:

**c. 1. Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.

**c. 2. Analytical/performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

**c. 3. Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

**c. 4. Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

**d.** You can find more information about the individual cookies we use and the purposes for which we use them in the table below:

Strictly necessary cookies

Cookie Name	Purpose of Cookie and Information Collected	Cookie Duration
ASP.NET_SessionId	Cookie that ASP.NET uses to store a unique identifier for each user session	Session
amazon-pay-abtesting-new-widgets	Used for checking out with Amazon Payment	Session

Analytical/performance cookies

Cookie Name	Purpose of Cookie and Information Collected	Cookie Duration
ometria	Used by Ometria to track website usage	1 year
sc.ASP.NET_SESSIONID	Used by SessionCam plugin to collect and track user interactions	Session
sc.Status	Used by SessionCam plugin to collect and track user interactions	Session
__utma	Used to distinguish users and sessions. The cookie is created when the javascript library executes and no existing __utma cookies exists. The cookie is updated every time data is sent to Google Analytics.	2 years

__utmc	Used by Google Analytics. Set for interoperability with urchin.js. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether the user was in a new session/visit.	Session
__utmz	Stores the traffic source or campaign that explains how the user reached our site. The cookie is created when the javascript library executes and is updated every time data is sent to Google Analytics.	6 months
_dc_gtm_UA	Used by Google Analytics to throttle request rate.	1 minute
_ga	Used by Google Analytics to distinguish users.	2 years
_gali	Used by Google Analytics to determine which links on a page that are being clicked.	30 minutes
_gid	Used by Google Analytics to distinguish users.	1 day
_uetsid	This cookie is an analytics service that connects data from the Bing advertising network with actions performed on the website. Bing Ads Universal Event Tracking (UET) tracking cookie.	2 years
ai_user	Used by Microsoft Application Insights software, which collects statistical usage and telemetry information. This is a unique user identifier cookie enabling counting of the number of users accessing the application over time.	1 year
optimizelyBuckets	Used to provide an A/B testing framework. Records that the visitor has seen for each experiment. This allows us to deliver a consistent experience on successive page loads.	10 years
optimizelySegments	Used to provide an A/B testing framework. Persists the visitor's segments: browser, campaign, mobile, source type, and any custom dimensions that you may have configured.	10 years
__lc.visitor_id.	Used by chat service to track the visits made by the same user to the web.	3 years

Functionality cookies

Cookie Name	Purpose of Cookie and Information Collected	Cookie Duration
77dyld	Used by our website uses to store user preferences.	30 days
autoinvite_callback.	Cookie needed to recognize a computer when a user visits the website in order to provide support via chat.	Session

lc_invitation_opened.	Cookie to control the chat online service.	Session
lc_window_state.	Cookie to control the chat online service.	Session
__zlcmid	Stores Zopim Live Chat ID to identify the device during visits.	1 year
trustedsite_session	Used by McAfee SECURE to monitor our website.	Session

**e.** Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

**f.** You may block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. Alternatively, you can visit [www.allaboutcookies.org](http://www.allaboutcookies.org) which provides general information about cookies and how you can manage cookies on your computer. Please note that if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.