WORKSHOP 4.0 SA WEBSITE AND SERVICES PRIVACY POLICY - V1

Issue date: 23 mars 2021

Workshop 4.0 SA, route de la Gemmi 67, 3960 Sierre (hereinafter: “Workshop”) is aware that the Processing of Personal Data about you involves a high degree of trust on your part.

Workshop takes this mark of trust very seriously and makes it a priority to ensure the utmost privacy and security of your Personal Information.

Workshop has designed its Site with the protection of your Personal Information in mind.

Workshop would like you to read its Privacy Policy.

By using the Site, you accept the practices described below:

1. Definitions

Collect
Means to collect information or data.

Communication
The act of making Personal Data accessible, in particular by authorising their consultation, by transmitting them or by disseminating them through the Site.

Consent
Active, free, specific, informed and unambiguous expression of will by which a data subject gives his or her agreement to Personal Data being processed.

Contact
Contact through the Site or by any other means with Workshop.

Cookies
A suite of information, usually small and identified by a name, that may be transmitted to your browser by a website to which a User or Visitor connects.

Personal data
Any information that relates to an identified or identifiable individual. This includes identifiers, such as names, audiovisual media, identification numbers, location data or online identifiers; it may also include specific elements relating to the physical, physiological, genetic, mental, economic, cultural or social identity of the person concerned.

Publisher
is Workshop 4.0 SA, route de la Gemmi 67, 3960 Sierre.

File
Any set of Personal Data whose structure allows the data to be searched by data subject.

Contact Form
means one of the Services of the Site consisting in allowing the User to contact Workshop.

Privacy Policy
means the privacy policy of the Site as of 15 August 2020.

Data controller
The person who decides on the purpose and content of the file and who is responsible for the processing. In this case Workshop 4.0 SA, route de la Gemmi 67, in 3960 Sierre, info@workshop4.ch.

Services means
the services offered by Workshop through the Site or by any other means.
Site

The website of Workshop 4.0 SA and whose URL is https://www.workshop4.ch.

Processing (or "Process")

Any operation relating to Personal Data - regardless of the means and processes used - including the collection, retention, use, modification, disclosure, archiving, storage or destruction of data. Please note that the verb "to process" refers to any of the above operations and is used in this Privacy Policy in a generic manner.

User

Any natural or legal person browsing the Site and transmitting Personal Data via the contact form, or by any other means.

Visitor

Any natural or legal person browsing the Site without contacting Workshop.

Workshop

Workshop 4.0 SA, route de la Gemmi 69, 3960 Sierre.

2. Person responsible for the processing

The person in charge of processing Users' personal data is Nicolas Fontaine, Workshop 4.0 SA, route de la Gemmi 69, 3960 Sierre.

3. Purpose of the Privacy Policy

The purpose of the Privacy Policy is to set out the procedures that apply to the Processing of your Personal Data.

The Privacy Policy will apply to any visit to the Site and any use of the Site and the Services in any manner or means. It details the conditions under which, when you use the Site and the Services, the Data Controller may Process Personal Data about you.

4. Consent

By using the Site as a User or as a Visitor, you agree that Workshop, as the Data Controller, may collect and Process Personal Data about you as defined in this Privacy Policy.

As a User of the Site, you expressly consent to the processing of your Personal Data by Workshop, as the Data Controller.

By accessing, browsing or using the Site, you acknowledge that you have read and understood this Privacy Policy and agree to be bound by it and to comply with all applicable laws and regulations.

Your Consent to the Processing of your Personal Data in accordance with this Privacy Policy is given once you tick the box in the pop-up window that says "I accept the privacy policy" when using the Contact Form.

Personal Data may be processed without Consent if this is necessary to pursue a legitimate interest of Workshop, to perform the contract entered into with Workshop or if required, demanded or permitted by national or international law or regulation.

By using the Site, you expressly agree to the use of your Data for the provision of the Services and the performance of the contract between you and Workshop.

5. Changes to the Privacy Policy

Workshop reserves the right to make any changes to this Privacy Policy. If we do, you will be notified by e-mail or by notice and your consent to such changes will be required.

If you do not agree with these changes, you may choose not to access the Site and/or request Workshop to delete your Personal Information.

6. Data that can be collected
a) Data provided by the User

As a User of the Site and the Services, you may be asked to provide personal data known as 'registration data' in connection with

- Your identity;
- Your full home address;
- Your date of birth;
- Your email address;
- Your telephone number;
- The subject of your contact;
- The information that led you to contact us;
- The way you found us.

You consent by using the Services that Workshop processes your Registration Data for contact purposes.

b) Personal Data Processed in connection with the use of the Site or through e-mails

When you access the Site, the Site's server may automatically record details of your access and actions. This includes:

- the date and time of your visit;
- the browser you are using;
- your IP address;
- the place and time of connection;
- the volume of data transmitted;
- links you could follow;
- the web pages and content you view;
- the duration of such a consultation;

as well as any other similar information and statistics that relate to your interactions (scrolling, clicks, mouse movements) or the way you leave our Site.

When you visit the Site via a computer, Workshop will process information from your computer, such as your operating system, device type, browser used, and date and time of connection.

When you visit the Site via a mobile device, Workshop will automatically process Data relating to the type of device used, the operating system used and the identifier of your device.

This information and data is collected automatically, in particular by cookies (performance and tracking cookies, functional cookies, technical cookies, navigation cookies, etc.) and web beacons. It may also be collected and analysed by third party applications and tools such as Google ReCaptcha.

The Cookies we use allow us to Process the following Personal Data ("Cookie Data"): 

- IP address;
- navigator;
- browser version;
- OS;
- operating system version;
- peripheral;
- screen resolution;
- refer to;
- type of reference;
- entry;
- entry page;
- the date and time of connection to the Site;
- duration of navigation;
- place of consultation of the Site;
- time spent on the Site;
- page consulted;
- the language of the transaction;
- language settings and preferences;
- data relating to the pages of the Site consulted;
- the links you click on on the Site; and
- the features or Services available to you on the Site.

Workshop will also record any information you enter in connection with your use of the Site.

You consent to the collection and processing by Workshop of the Personal Data referred to above under letter b) for the purpose of (i) optimising your user experience when using the Site, (ii) tracking and analysing for statistical purposes the traffic on the Site in order to improve its functionality and usability, (iii) ensuring the security of the Site.

c) Personal Data Processed through electronic communication protocols

In addition to the items detailed above, Workshop may Process information about your use of the Site through electronic communications protocols. Workshop will receive information from you related to your connection, such as network routing information (the location from which you are connecting), information about your equipment (the browser you are using), and the time and day of your connection.

7. Uses of your Personal Data

The following sections describe the different purposes for which Workshop processes your Personal Data and the different types of Personal Data that are collected for each purpose. Please note that not all of the Processing below will be relevant to every User.
In general, Workshop processes your Personal Data, in accordance with the applicable laws in Switzerland, for:

- provide you with the Services;
- enter into a contract with you;
- manage our business and operations; and
- to communicate with you and for other statistical purposes.

WORKSHOP also processes your Personal Data for security purposes and to ensure optimal use of the Site by all Users and Visitors.

Given the scope of Workshop’s activities, Workshop must also process some of your Personal Data to meet legal requirements and to comply with all applicable laws and regulations.

a) Consent

The following uses of your Personal Information are based on your Consent:

- data transmitted through the contact form;
- data from cookies.

WORKSHOP processes all the Personal Data mentioned above in the context of the provision of the Services.

This generally requires the processing of certain personal contact information and information regarding the subject matter of your requests which you consent to being processed.

You may revoke your Consent at any time for any processing of your Personal Data by Workshop.

Please note that the withdrawal of your Consent will not affect the lawfulness of the processing of your Personal Data based on your Consent prior to its withdrawal. WORKSHOP cannot guarantee that your use of the Site will be the same as it was before you withdrew your Consent.

b) Legitimate interest

By browsing the Site and/or using the Site, you acknowledge that Workshop has a legitimate interest in processing the following Personal Data for security purposes, in particular to ensure lawful use of the Site in full compliance with applicable laws and regulations:

- your geographical location;
- your location of the Site;
- the type of browser you are using;
- the name of your server;
- your IP address through which you access the Internet;
- the date and time you access the Site;
- the internet address of the websites, if any, from which you linked directly to the Site;
- the pages consulted on the Site;
- the links you click on on the Site; and
- the features or Services available on the Site you are visiting.

This Personal Data is processed by Workshop to prevent potentially prohibited or illegal activities.

This Personal Data is Processed by Workshop in order to determine who has interacted with the Site and to ensure that there is no cybersecurity threat and to have an initial verification of the User of the Site. If a cybersecurity threat does occur at some point such Personal Data would allow Workshop to identify the location of the threat.

You acknowledge that Workshop has a legitimate interest in your full compliance with this Privacy Policy.

c) Contract

Your request to be contacted by Workshop through the Site confirms that you consent to Workshop’s collection and processing of your Personal Data for the purpose of fulfilling your request.

Your Personal Information is absolutely essential to the performance of the contractual relationship between you and Workshop.

By providing us with your Personal Data, you understand and Consent that without it, we are unable to perform our services.

You also understand that this Personal Information allows Workshop to provide you with personalized support when needed.

d) In general

In general, Workshop processes your Personal Information primarily for the purpose of providing and improving the Site and providing a quality Service to Users.

Your Personal Data will be used for:

1. (i) to offer all the functionalities of the Site to Users;
2. (ii) to enable the proper execution of all features of the Site;
3. (iii) interact with Users;
4. (iv) respond to User feedback;
5. (v) provide the Services and enable the performance of the Contract.

WORKSHOP will also process your Personal Data for the purpose of:

- continually improve the Site and/or the Services;
- for commercial use on its own account;
- to carry out studies and accumulate statistical data on the habits of the Users;
- Produce anonymous provisional reports for internal use and/or for external partners;
- answer your emails;
- prevent possible illegal or illicit activities;
- ensure the security of the Site; and
- any other purpose that will be expressly indicated to the Users at the time of Processing.

With your consent, Workshop may communicate with you to better define your expectations in relation to the Services offered by Workshop.
f) Interaction and communication

Your contact data, i.e. name, first name, postal and e-mail addresses, telephone number, will be used for:

- answer your questions and emails;
- to better respond to your requests;
- any communication required in connection with the Site and its functionality.

g) Internal research, analysis and security

You consent to us Processing your Personal Data as listed in section 6 for statistical purposes and to produce anonymous reports for internal use.

h) Other legal grounds

We may also disclose your Personal Information to third parties in the following cases:

- in the presence of a legal obligation;
- in the context of a procedure;
- in response to a request from a judicial or administrative authority;
- to protect our rights, data, safety or property or the public;

i) System reporting and maintenance

For operational and maintenance purposes, Workshop or a third party may collect files that record your activity on the Site (system logs) or use other Personal Data (such as IP or MAC addresses) for this purpose.

8. Sharing and communication of Data

a) To subcontractors

Your Personal Data may be made accessible to persons in charge of the operation of the Site (administration, sales, marketing, legal, system administration) or to third parties (such as technical service providers, hosting, computer maintenance) mandated by Workshop to process this Personal Data. The updated list of these external parties can be requested at any time from the Data Controller.

Workshop undertakes to ensure that Personal Data processed by authorised third parties will be processed in accordance with this Privacy Policy.

Although Workshop may share your Personal Information with its service providers, such as the web host or webmaster of the Site, we require that the Processing of your Personal Information is limited and carried out in accordance with the Privacy Policy.

b) To meet a legal obligation or defend our rights

Your Personal Data may also be shared to respond to requests from lawful governmental authorities or when required by applicable law, court order or government regulation, as well as when deemed appropriate for audits or to investigate or respond to a security claim or threat, or otherwise to defend the interests of Workshop.

9. Hosting of your Personal Data

Workshop will not transfer your Personal Data to other companies located abroad without obtaining your prior consent or sufficient contractual guarantees.
Your Personal Data will be hosted on the servers of Metanet AG, Josefstrasse 218, 8005 Zürich

10. Security

The security of your Personal Information is important to Workshop.

Workshop will treat your Personal Data appropriately and take all reasonable technical and organisational measures to prevent unauthorised access, disclosure, modification or destruction of your Personal Data.

Workshop uses technology and security measures that meet the applicable standards in Switzerland to protect your personal information from unauthorized access, misuse, disclosure, loss or destruction. Industry standard firewalls and password protection measures are also used to protect your Identifiable Information.

However, you acknowledge that the use of the Internet is by definition not secure and that it involves risks for your Personal Information. Workshop makes every effort to protect your Personal Information, but cannot guarantee or warrant that the Information you provide to Workshop is secure and protected from breach, theft and unauthorised access by third parties, for which we accept no liability.

It is your responsibility to ensure that the machine you use is properly secured and protected against malicious software such as Trojan horses, computer viruses and worms. You are aware that without adequate security measures (including a secure web browser configuration and up-to-date anti-virus software) there is a risk that the Personal Data and passwords you use to protect access to your Personal Data may be disclosed to unauthorised third parties.

In the event that your Personal Data has been improperly accessed or appropriated by an unauthorised person or if there is reason to believe that it has been improperly accessed or appropriated, Workshop is required by applicable law to notify you and will promptly notify you of any such breach by email or notice and inform you of the Personal Data involved.

11. Rights of the persons concerned

As a User, you may at any time request Workshop if it Processes Personal Data about you, receive a copy of the Processed Data (for which purpose Workshop will require a copy of an official form of identification) as well as subsequently instruct Workshop to correct any erroneous Personal Data and/or to delete any Personal Data.

Any User may also withdraw, at any time, his or her Consent to the Processing of his or her Personal Data.

If you wish to make use of any of these rights, please contact Workshop at the following e-mail address: info@workshop4.ch. You may be asked to attach a copy of an official identification document (identity card, driving licence or passport).

The exercise of these rights is free of charge, unless your request is unfounded or excessive, in particular if you have already exercised this right several times in the last twelve months or if your request generates a large volume of work for Workshop. In such cases, Workshop reserves the right to charge you an administrative fee.

Workshop may refuse, restrict or postpone the disclosure of your Personal Data where it is entitled to do so, in particular if such disclosure would significantly affect the rights and freedoms of third parties.

Note that any information copied by Workshop may remain in our backup system for some time after your request for deletion.

12. Protection of your Personal Data by design and by default

Workshop will implement, both at the time of determining the means of processing and at the time of the processing itself, appropriate technical and organisational measures, such as anonymisation or, where this is not possible, pseudonymisation, which shall enable the implementation of the data
protection principles, including minimisation, in an effective manner and incorporate the necessary safeguards into the Processing of Personal Data to protect your rights.

Workshop will implement the necessary technical and organisational measures to ensure that, by default, only the Personal Data necessary for the performance of the envisaged Processing are collected.

This obligation applies to the amount of Personal Data that Workshop processes, the extent of the processing, the retention period and access to it. These measures ensure that, by default, your Personal Data is not made accessible to any number of third parties without your intervention.

13. How long we keep your Personal Data

In accordance with the relevant legislation, Workshop will retain your Personal Data for 10 years from the end of the contract with you, subject to a different period being agreed by mutual consent.

14. Data deletion and backup systems

In principle, any Personal Data that has been collected through the Site will be deleted at the request of the User or by closing down the Site, unless there is a legal obligation to retain such data.

All data processed through the website can be stored and remain stored at least temporarily even after the website has been closed, especially in the case of backup systems. Anonymous information or anonymised data can be stored without any limitation.

Workshop is of course not responsible for Personal Information that has been shared on or referenced by sites other than the Site.

15. Links

If some pages of the Site contain links to third party sites or pages, those sites or pages do not have the same privacy policy as this Privacy Policy.

If you choose to visit any of these third party sites or pages, you will be redirected to those third party sites or pages. Workshop has no control over such third party sites or pages and therefore recommends that you refer to the privacy statements of such sites or pages for their procedures for collecting, using and disclosing Personal Information.

16. Compliance with laws and law enforcement

In the event of a legal obligation, Workshop cooperates with government and legal officials to enforce and comply with the law. In this case, Workshop will transmit all of your Personal Data to government, judicial and private party officials as it deems useful and necessary to comply with its legal obligations to respond to legal actions or proceedings (including, without limitation, subpoenas with fines), to defend the property and rights of Workshop, to protect public safety or any person, to prevent or inhibit any activity that may be considered or have the potential to be unlawful or subject to criminal prosecution. About compliance please contact: info@workshop4.ch.

17. Contact Workshop

Workshop endeavours to answer all your questions in relation to your requests and to the processing of your Personal Data. You can contact Workshop by mail at Workshop 4.0 SA, route de la Gemmi 67, 3960 Sierre or by email at info@workshop4.ch.

If you believe that your Personal Data has been processed unlawfully or that Workshop has failed to meet your expectations in this regard, you may complain to the relevant authority. We encourage you to contact Workshop with any complaints or concerns, but you are entitled to address your concerns directly to the relevant authority.

18. Applicable law and jurisdiction
The Privacy Policy, as well as all matters arising out of or in connection with it (including non-contractual disputes or claims and their interpretation), shall be governed by Swiss law, to the exclusion of conflict of laws rules.

All disputes, claims or differences between a User or Visitor and Workshop concerning any matter relating to this Privacy Policy shall be submitted exclusively to the competent courts of the Canton of Valais, Switzerland, subject to appeal to the Swiss Federal Court. However, Workshop retains the right to institute proceedings at the domicile/head office of the User or Visitor or before any other competent court or authority, both in Switzerland and abroad, Swiss law remaining applicable.