

End User Data Privacy Policy

We value your trust and confidence and shall exercise reasonable efforts to protect your right to privacy. Please read the following carefully to understand our views and practices regarding personal data and how it will be treated. We also encourage you to review the National Privacy Commission [policy for safeguarding your data](#).

Mind You reserves the right to amend, revise and/or update this Privacy Policy from time to time without prior notice, but shall promptly publish any revisions on our website for your immediate guidance.

Definitions

1. **“Personal Data and Information”** – Where this Policy uses the words “Personal Data”, “Personal Information” and/or “Data Information”, it shall mean any information whether recorded in a material form or not, from which your identity is apparent or can be reasonably and directly ascertained by the parties or when put together with other information, would directly and certainly identify an individual. Such data includes your name, address, email address, telephone number, age, marital status, information issued by government agencies, and other information that may be used to enter into or help perform a contract we have with you, provide you with products and services, communicate with you, or meet any of the purposes agreed upon. Personal Data and Information does not include data where your identity has been removed.
2. **“Sensitive Personal Information”** – shall pertain to (1) race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations; (2) health, education, genetic or sexual life of a person; (3) civil, criminal or administrative proceedings; (4) unique identifiers issued by government agencies peculiar to an individual; or (5) specifically established by law as classified.
3. **“Data Processing”** – shall pertain to operations performed upon personal information such as collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure, or destruction of data.
4. **“Data Subject”** – refers to an individual whose personal information is processed.
5. **“Data Protection Officer”** – is the individual principally responsible for ensuring Mind You’s compliance with applicable laws and regulations for the protection of data privacy and security.
6. **“Consent of the Data Subject”** – refers to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of personal information about and/or relating to him or her. Consent shall be evidenced by written, electronic, or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.

7. **“Data Sharing”** – is the disclosure or transfer to a third party of personal data under the custody of a personal information controller or personal information processor. In the case of the latter, such disclosure or transfer must have been upon the instructions of the personal information controller concerned. The term excludes outsourcing, or the disclosure or transfer of personal data by a personal information controller to a personal information processor.
8. **“Personal Information Controller”** – refers to a person or organization who controls the collection, holding, processing, or use of personal information, including a person or organization who instructs another person or organization to collect, hold, process, use, transfer, or disclose personal information on his or her behalf.

Personal Data Collected

Mind You collects your Personal Data and Information when you voluntarily provide it to us. For example, you may give us (a) your email address if you choose to receive newsletters, updates, or other information from us; or (b) your contact information, and any other personal data you choose to include, if you email, text, or instant message us, or contact us through our websites; and/or (c) any personal data contained in, or included with feedback, comments, photos, videos, or other information you submit via online portals, forms, surveys, or interactive portions of our websites. However, please note that certain services cannot be made available to you without submitting certain pieces of information required for us to provide you with said service, e.g., Mind You requires your phone number in order to register the same in our system so that we may provide you with access to the same.

Apart from your voluntary submissions, we may be able to obtain personal data in various ways. These include instances where you:

- a. Enter into an agreement with us, whether or not written, including an employment contract, retainer agreement, or other contract to avail of our services, or supply or service contract;
- b. Submit to us any application, form, request, notice, or other document;
- c. Inquire after or apply for employment;
- d. Become an employee, officer, consultant, agent, supplier, or service provider of Mind You;
- e. Access browsers, visit, or use any of our websites, platforms, social media presence, and other online presence; or
- f. Otherwise, provide us with personal data, whether directly or through another person.

Technical Data Collected

Mind You collects technical data automatically, including cookies and similar technologies. Technical data refers to any information that is being generated

automatically by your visit and actions on our site and recorded by our system. The data is anonymous and is in no way linked to your personal information.

Mind You employs activity tracking technologies, such as but not limited to cookies, to track the activity on our website. Cookies are files with a small amount of data, which may include an anonymous unique identifier.

Cookies are sent to your browser from a website and stored on your device. Other tracking technologies are also used, such as beacons, tags, and scripts, to collect and track information and to improve and analyze our websites.

Our platform will automatically collect, store, and use the following categories of data when you browse and search our site, provided you have consented to our use of cookies:

- a. technical information, for example, the type of device (and its unique device identifier) you use to access our site, the Internet protocol (IP) address used to connect your device to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system, mobile network information, and platform; and
- b. information about your visit to our site including the full Uniform Resource Locators (URL), clickstream to, through and from the website (including date and time), pages you viewed, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

Data Protection

To the extent that you supply Mind You with Personal Information, Mind You shall not disclose your identity or any other personally-identifiable information, except as permitted by and in accordance with such applicable professional rules and applicable privacy laws. In any instance of such permitted disclosure, Mind You hereby agrees to maintain the confidentiality of any Personal Data and Information disclosed to it.

Mind You shall only disclose your Personal Data and Information with your express consent, or otherwise in conformance with (i) any statement or policy that you provide concerning the use and disclosure of Personal Data and Information and (ii) applicable law.

By way of example and not limitation, in the event that Mind You is required to provide any other person or entity with your Personal Data and Information, Mind You hereby warrants that the disclosure of Personal Data and Information conforms to all applicable legislation and regulations in force, and asserts that it has rights and authorizations necessary to provide said Personal Data and Information to such other person or entity

for use within the context of the intended purpose. It is the exclusive responsibility of Mind You to complete the appropriate formalities to process and/or use any such Personal Data and Information. Mind You also agrees upon your demand to provide proof, satisfactory to you, of your consent to the disclosure and use of the Personal Data and Information.

Data Retention

Mind You warrants that Personal Information shall be retained only in accordance with its Data Retention Policy and applicable regulations. Communications such as emails and chat logs are preserved for two (2) years, or up to seven (7) years when required for legal, regulatory, or clinical purposes pursuant to NPC Advisory 2017-64, NPC Circular No. 16-01, and the Data Privacy Act of 2012.

Destruction of Personal and Data Information

Upon expiry of the applicable retention period, or upon an explicit deletion request from the data subject or contracting party (where legally permissible), Mind You will use commercially reasonable measures to:

1. Securely erase all storage media, devices, and systems where such Personal Information is processed;
2. Sanitize backup files, temporary files, and archival media once their retention timeline lapses; and
3. Provide written certification of destruction upon request.

Registration

Mind You shall register with the National Privacy Commission (NPC) and ensure that its registration is up-to-date and contains all necessary compliance documentation. Registration includes, but is not limited to, all automated processing operations, annual report on documented security incidents and personal data breaches, and service providers. Mind You warrants that it is contractually bound to comply with the applicable and relevant data laws and regulations, including the Data Privacy Act of the Philippines, its Implementing Rules and Regulations, and other NPC issuances.

Privacy Impact Assessment

In an earnest and sincere commitment to ensure compliance with applicable data privacy laws, Mind You agrees to guarantee that the highest level of security is implemented taking into account relevant factors, including but not limited to the nature

of the personal information to be protected, the risks represented by processing, the size of the organization, complexity of its operation, and the cost of security implementation.

Personal Information Processing

Mind You shall confirm that the processing of Personal Information complies with applicable data privacy laws, statutes, and regulations. Mind You shall guarantee that privacy principles of transparency, legitimate purpose, and proportionality are embedded and cascaded throughout the organization. Mind You further warrants that data processing shall meet the criteria for lawful processing prescribed under existing data privacy laws and regulations. It is the full and exclusive responsibility of Mind You to certify that privacy policies, training, and security clearances are in place.

Confidentiality, Integrity, and Availability of Personal Information

Mind You hereby agrees to maintain the confidentiality of any Personal Data and Information disclosed to it. Mind You shall ensure that you are apprised of your rights through privacy notices, and obtain and/or secure informed consent of the data subjects prior to its data collection and processing. Mind You hereby assumes responsibility to update data protection policies, and that regular drills for business continuity and security vulnerability scanning are in place.

Data Breach Reporting

In any instance of data breach, Mind You assumes responsibility to ensure that the designated Data Protection Officer (DPO) shall promptly notify you and NPC when sensitive personal information may be used to enable identity fraud and are reasonably believed to have been acquired by an unauthorized person, which the DPO believes may pose a real and/or potential risk or serious harm to any data subject. Mind You warrants that the notification shall be prompt and descriptive of the nature of the breach, the possible sensitive personal information involved, and the measures taken by the DPO to address the breach. Notification shall in no case exceed seventy-two (72) hours from discovery of breach.

Transparency

Mind You warrants that you will be made aware of the nature, purpose, and extent of the processing of your personal data, including the risks and safeguards involved, the identity of the personal information controller, your rights as a data subject, and how these can be exercised. Any information and communication relating to the processing of personal data will be made accessible, using clear and plain language.

Personal Data Users

For purposes of this Policy, Mind You is the Personal Information Controller (PIC) for the information that we collect when you visit our website. This means that Mind You decides how your data is used and is responsible for looking after it in accordance with the Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, and its Implementing Rules and Regulations.

Access to your personal data within Mind You's platform will be provided only to authorized staff members or third parties on a need-to-know basis as part of their work in connection with the operation of the website/service.

Third Party Data Sharing

Mind You may employ professional services from companies and independent contractors to facilitate or complement the operations of our platform by performing certain tasks, such as, but not limited to, legal services, customer service, technical maintenance, monitoring, email management and communication, database management, billing and payment processing, reporting, and analytics.

All professional service providers are required by Mind You to take appropriate security measures to protect your Personal Information in line with our policies. Service providers are not permitted to use your data for their own purposes. We permit them to process your data only for specified purposes and in accordance with our instructions.

Where there is a need to share your Personal Information with third parties, we will seek to share only the minimum amount necessary for carrying out the outsourced process.

Third-Party Tools

Mind You employs third-party tools to monitor and analyze the use of our platform and services, and to automate certain processes related to the development and operation of the platform.

Analytics

Mind You uses Google Analytics, HotJar, Facebook Pixel, Zoho PageSense, and other tracking platforms to track platform use and traffic. Google Analytics, HotJar, Facebook Pixel, and other tracking platforms make up our web analytics service offered to Mind You. Mind You uses the data collected to track and monitor the use of our websites. This data is shared with other online services that require the data to perform their operations. Mind You may use the collected data to contextualize and personalize the ads of its own advertising network.

Records

Mind You employs data specialists and Zoom for recording your interactions or use of

our platform, which helps us deliver a better user experience by understanding end-user behavior. Data acquired by data specialists and Proxy.me is anonymous.

Data specialists and Zoom will be used in the development of the user interface and streamlining of the platform's programming and operational pipeline to optimize the platform and refine the overall service with the end goal of improving end-user experience. For more information on the privacy practices of data specialists and Zoom, please visit <https://explore.zoom.us/en/privacy/> for safeguarding your data.

Data and Information Use

Your Personal Information may be used for the following purposes:

- To facilitate account creation, user authentication, and platform access.
- To manage your account, provide responsive customer support, and ensure the delivery of quality services.
- To contact you or provide you with information, alerts, and suggestions that are related to the service.
- For billing-related purposes.
- To contact you, either ourselves or the appropriate authorities, should we, a psychologist, or a practitioner have reasonable grounds to believe that you or any other person may be at risk or may be involved in a criminal act as either a perpetrator or a victim.
- To match you with a psychologist or any related practitioners.
- To enable and facilitate the psychologist or any other practitioner's services.
- To supervise, administer, and monitor the service.
- To measure and improve the quality, the effectiveness, and the delivery of our services.
- To market the platform for the best practitioner services for you.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To comply with applicable state and federal laws, including, but not limited to, laws related to protecting client and public health and safety.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our websites, third-party sites, and via email or text message (with your consent, where required by law).

Security

While using any Internet-based service carries inherent security risks that cannot be 100% prevented, our systems, infrastructure, encryption technology, operation, and processes are all designed, built, and maintained with your security and privacy in mind. We apply industry standards and best practices to prevent any unauthorized access,

use, and disclosure, and strive to be more than compliant with all applicable data privacy regulations.

Your Rights

a. Right to Object

As a Data Subject, you have the right to indicate your refusal to the collection and processing of your Personal Information, including processing for direct marketing, automated processing, or profiling. You also have the right to be informed and to withhold your consent to further processing in case there are any changes or amendments to information given to you. Once you have notified us of the withholding of your consent, further processing of your Personal Information will no longer be allowed, unless collection and processing are undertaken pursuant to any lawful basis or criteria.

b. Right to Access

Upon your request, you may be given access to your Personal Information that we collect and process. You also have the right to request access to the circumstances relating to the processing and collection of your Personal Information, insofar as allowed by law.

c. Right to Rectification

You have the right to dispute any inaccuracy or error in your personal data and may request us to immediately correct it. Upon your request, and after the correction has been made, we will inform any recipient of your personal data of its inaccuracy and the subsequent rectification that was made.

d. Right to Erasure or Blocking

In the absence of any other legal ground or overriding legitimate interest for the lawful processing of your Personal Information, or when there is substantial proof that your Personal Information is incomplete, outdated, false, or has been unlawfully obtained, you may request us to suspend, withdraw, or order the blocking, removal, or destruction of your personal data from our filing system. We may also notify those who have previously received your processed Personal Information.

e. Right to Damages

You have the right to be indemnified for any damages sustained due to inaccurate, incomplete, outdated, false, unlawfully obtained, or unauthorized use of your personal data, taking into account any violation of your rights and freedoms as a Data Subject, as provided by law.

f. Right to Data Portability

In case your Personal Information was processed through electronic means and in a structured and commonly used format, you have the right to obtain a copy

of your Personal Information in such electronic or structured format for your further use, subject to the guidelines of the NPC with regard to the exercise of such right.

g. Transmissibility of Rights of the Data Subject

In case of the death of a Data Subject, or in case of a Data Subject's incapacity or incapability to exercise legal rights, the Data Subject's lawful heirs and assigns may invoke the Data Subject's rights in place of the Data Subject.

The rights mentioned herein are not applicable if Personal Information is processed only for scientific and statistical research purposes, and without being used as a basis for carrying out any activity or taking any decision regarding you as the Data Subject. Your rights as a Data Subject are also subject to other limitations provided by law.

The law requires you to exercise your rights as described in this Policy in a reasonable and non-arbitrary manner, and with due regard to the rights of other parties. All requests, demands, or notices that you may make under this Policy or applicable law must be made in writing and duly received by Mind You.

Data Protection Officer

The Data Protection Officer (DPO) is the individual principally responsible for ensuring Mind You's compliance with applicable laws and regulations for the protection of data privacy and security. The DPO is responsible for the supervision and enforcement of this Policy, and the relevant contact details are as follows:

Data Protection Officer:
Aerol Buenaventura
aerol.buenaventura@mindyou.com.ph

Inquiries and Notices

For any inquiry related to this Policy, please contact our Data Protection Office through the contact details indicated above.

All requests, demands or notices which a Data Subject may send or submit to us under this Policy must be in writing, should be addressed to the Data Protection Officer using the contact details above, and will be deemed duly given (i) on the date delivery if delivered personally; (ii) on the third Business Day following the date of sending if delivered by a nationally recognized next-day courier service and the service has confirmed delivery; or (iii) if given by electronic mail, when such electronic mail is transmitted to the email address specified above and the appropriate confirmation has been received by the sender via email.