

Leadership Reality Check, LLC

Privacy Policy

Last Updated Date: July 25, 2023

I. Introduction

Leadership Reality Check, LLC (“LRC”) provides a web-based software platform (the “LRC Platform”) that allows leadership coaches to automate the qualitative feedback process. Leadership coaches (“Invitees”) use the LRC Platform to create surveys, gather data and generate reports. Coached individuals and individuals invited by coaches to provide feedback about coached individuals (“Invitees”) use the LRC Platform to provide data. At LRC, data privacy is important to us. This LRC Privacy Policy (“Privacy Policy”) details our privacy practices for the activities described in this Privacy Policy. Please take the time to read this Privacy Policy carefully in order to understand how we collect, share, and otherwise process information relating to individuals (“Personal Data”), and to learn about your rights and choices regarding our processing of your Personal Data.

If you are a California resident, please review the section of this Privacy Policy for California residents.

In this Privacy Policy, “LRC,” “we,” “our,” and “us” each mean Leadership Reality Check, LLC. and any LRC affiliate(s) involved in the activities herein described. If you have questions or complaints regarding our Privacy Policy or privacy practices, please contact us at: Attn: Chief Privacy Officer, Leadership Reality Care, LLC, email address: info@backbayec.com.

III. The Personal Data We Collect from You

Our Data Collection Activities

This Privacy Policy applies to the collection of Personal Data that we collect in the following ways, as detailed in this section.

We collect information about you when you provide it to us, when you interact with our LRC Platform and electronic systems, and when other sources provide it to us, as further described below.

Information you provide to us.

Based on our current practices, we collect the following categories of information about you:

Contact and Professional Data: We collect contact and/or professional data about you through communications, including communications from you through the LRC Platform. For example, in registering with and using the LRC Platform, you provide contact and professional information to us. Typically, contact data may include your first and last name and contact methods, such as telephone number, email address, and office or other mailing address, and professional data includes details such as the company you are affiliated with, your job title, and company URL. We may also collect your username and password. From Invitees, we may collect all of the above information, plus address (street, city, state, country).

Information that is Automatically Collected

We and third-party vendors working on our behalf may use automated means to collect information about you, your computer or other device that you used to access the LRC Platform, and your use of the LRC Platform. These automated means include common technologies such as cookies or similar technologies. These technologies help us analyze trends, administer the LRC Platform, track Users' movements around the LRC Platform, gather demographic information about our User base as a whole, and otherwise provide you with relevant content (e.g., by gathering your zip or postal code). We may receive reports on an individual as well as aggregated basis based on the use of these technologies by LRC, and any third-party vendors acting on LRC's behalf.

Contract and Payment Data: We may receive contract details (like signatures) from you or your organization and use payment processing services to collect payment and billing information, which may contain Personal Data such as billing name, billing address and payment card details, in connection with some of our products and services.

Device Data, Usage Data, Metadata, and Diagnostic Data We Collect

Explanation of Personal Data Relating to your Device and Use of the LRC Platform

Like most websites, applications, and software across the Internet, LRC collects certain Personal Data related to your device (“Device Data”) and use of the LRC Platform (“Usage Data”). This type of data collection allows us to better understand how individuals use, and the performance of, our LRC Platform. For example, we may collect metadata about you, including technical data about your performance or use of our LRC Platform. We may also collect device data about you to help us determine that Users from one type of device use our LRC Platform in different ways than Users of a different type of device, which in turn allows us to troubleshoot and investigate the performance of our LRC Platform, improve our LRC Platform, such as by making sure that Users have a more efficient user experience. We may collect such Device Data and User Data as part of the services we provide to customers as well as in connection with your use of the LRC Platform.

One common technology we use to collect metadata that may be considered Personal Data is our use of cookies. Cookies are small text files that are placed on your web browser and that help us recognize your browser or device as a unique visitor in different ways based on the type of cookie. We only use “essential cookies.” “Essential cookies” are those required for website functionality and security. For example, authentication, security, and session cookies may be required for our LRC Platform to work.

Ancillary Data

As described above, our LRC Platform collects Personal Data, Device Data and Usage Data. Our collection of these types of data enables us to provide and innovate upon the LRC Platform, which in turn allows us to act as a service provider to our customers and to continuously improve upon the services we provide to our customers and users. In conjunction with the products we make available to our customers, we may collect additional data, such as user-agent and browser version, IP address, the URLs you visit, logs of your usage and click activities, logs about your login history, identity confirmation, and device data (such as whether your device is managed by an administrator, the operating system installed on the device, certain device configurations, and similar device or version information). Collectively, we refer to this data as “Ancillary Data”. LRC uses Ancillary Data to improve security and to provide and improve our products to customers, including to better understand customer behavior in order to create new features and provide threat-related insights for our customers.

IV. How We Use Your Personal Data

How we use the Personal Data that we collect depends, in part, on how you choose to communicate with us, how you use our LRC Platform and interact with us, and any preferences you have communicated to us. In general, we use your Personal Data as is necessary to run our business, provide our services to you, and carry out our day-to-day activities. In addition to the uses identified elsewhere in this Privacy Policy, we may use your Personal Data to accomplish the following tasks (and we have done so during the 12 months preceding the effective date of this Privacy Policy):

For the purpose of communicating with you about our LRC Platform and facilitating other interaction. We may use your Personal Data, such as contact data, Device Data, Ancillary Data, and metadata, to send you communications, notices, updates, security alerts, and administrative messages regarding our products and services that may be useful to you and your organization. We will respond to your questions, provide tailored communications based on your activity and interactions with us, and help you use our products and services effectively. We also use Personal Data to communicate with you for various purposes, including to provide you with account updates (about your subscription, settings, security, billing, feature and product updates, technical issues, certifications, and other similar content). You cannot unsubscribe from non-promotional and transactional communications.

For the purpose of supporting safety, security, and managing operations. We use Personal Data, such as contact data, Device Data, Ancillary Data and other metadata, about you and your use of our LRC Platform to verify accounts and activity, monitor suspicious or fraudulent activity, assist our customers in their monitoring of suspicious or fraudulent activity, and identify violations of policies regarding the use of our LRC Platform. We may also combine Ancillary Data with other data we receive for safety, security, and to manage our business operations. We also process Personal Data, such as contact data, for security and operations management reasons. We also use Personal Data to provide our customers with the LRC Platform service, complete transactions, provide support and other service to the customer account, detect and prevent fraud, for audit and compliance purposes, and to comply with applicable law.

For the purpose of marketing our products and services. We use your Personal Data, such as contact data, Ancillary Data, and other metadata about how you use the LRC Platform to send promotional communications that may be of specific interest to you and your organization, including by email and by displaying LRC marketing communications on other organizations' websites and applications, as well as on third-party platforms like Facebook, Twitter, and Google. These communications are aimed at encouraging engagement and maximizing the benefits that you and your organization can gain from LRC's products and services, including

information about new products and features, survey requests, newsletters, and events that we think may be of interest to you and your organization.

For the purpose of analyzing, predicting, and improving results and operations. We use Personal Data to analyze and predict results (such as those arising from our sales and marketing efforts and product usage and consumption), improve the performance of our websites, products and services and customer support, identify potential customers, opportunities, and potential new product areas, ascertain trends, improve our websites' functionality, improve our security, and provide us with general business intelligence, including through the use of machine learning technology. We may also combine the metadata and usage information collected on our LRC Platform with other information to help further the purposes described in the previous sentence.

For the purpose of processing payments. We process Personal Data, such as contact information, contract-related data, financial information, biographical information, and payment information to process payments to the extent that doing so is necessary to complete a transaction and perform our contract with you or your organization.

Other purposes for our legitimate interests: Where required by law or where we believe it is necessary to protect our legal rights, interests, or the interests of others, we may use your Personal Data in connection with the management of our business, including but not limited to, for operational purposes, business intelligence (such as to understand subscription consumption), website and product improvement, legal claims, compliance, regulatory, and audit functions, protecting against misuse or abuse of our products and services, and protecting personal property or safety. For example, we may review compliance with applicable usage terms in our customer contracts, assess capacity requirements for our products, websites, and offices, improve your user experience, respond to requests by you for support or for contact, or identify customer opportunities. Furthermore, we use Administrator Data to provide technical support.

Other purposes with your consent: We may use your Personal Data if you have given us consent to do so for a specific purpose not listed above. For example, we may publish testimonials or featured customer stories to promote our products and services or record phone calls for quality and training purposes, with your permission.

If we process your Personal Data for a purpose other than those set out above, we will provide you with information prior to such processing.

Creation and Use of Combined Data, De-Identified Data, and Aggregated Data

As permitted by law and by LRC's agreements with applicable LRC vendors, LRC, and any third-party vendors acting on LRC's behalf, may aggregate and/or de-identify your Personal Data and/or combine your Personal Data with other information maintained or available to LRC and use or disclose such information as follows:

We may use aggregated, de-identified, or combined Personal Data to communicate with you about the LRC Platform and/or our products and services and disclose such aggregated, de-identified, or combined Personal data to LRC vendors in connection with providing the LRC Platform.

We may also use and disclose de-identified Personal Data, de-identified aggregated Personal Data, and/or de-identified combined Personal Data for any business purpose, which may include, without limitation, improving our products and services, conducting analytics such as evaluating our LRC Platform and developing additional benefits, programs, and services, and disclosing to LRC vendors for analytics purposes.

V. Personal Data Disclosed by LRC and Data You Choose to

Disclose to Other Entities

Personal Data Disclosed by LRC

In the course of doing business (and over the 12 months preceding the effective date of this Privacy Policy), LRC may disclose Personal Data as described below.

Service Providers. For all categories of information that we collect, we disclose Personal Data to our vendors for various business purposes, including, but not limited to, data storage, video conferencing, auditing interactions with users, debugging our LRC Platform, security purposes, internal research and gleaning insights through machine learning, artificial intelligence, short-term uses such as credit verification, payment processing, IT services, quality control and safety, as well as to perform other services on our behalf.

Protection of Rights, Security and Fraud Detection. For all categories of data we collect, we disclose your Personal Data for business purposes to protect our customers and Users, to secure our physical and intellectual property, and to prevent or investigate security or fraudulent attempts against our Users through our platform.

Law Enforcement and Legal Requests. For all categories of data we collect, we may disclose Personal Data to comply with applicable law or to respond to valid legal requests, such as a subpoena, from law enforcement, or other authorities.

With our Affiliates, Related to Corporate Transactions, and Provision of Professional Services. For all categories of data we collect, we disclose Personal Data to our affiliates and subsidiaries for business purposes, including any service providers and agents that work on our behalf. For example, we may disclose your Personal Data to support service providers with whom we have in place agreements to protect your Personal Data. We may also disclose your information as required for us to carry out a corporate transaction, such as a merger, sale of assets, or other disposition or business combination involving all or part of our company. We will also disclose your Personal Data to our professional service providers (for example, our auditors, insurance providers, financial service providers, and legal advisors) as needed for us to run our business.

Platform, Training, and Community Analytics Data. We disclose Ancillary Data, such as metadata (for example, unique identifiers and Usage Data), collected through our LRC Platform with analytics service providers for our business purposes, such as to provide a better user experience and improve our products and services.

Advertising and Marketing. We share your Personal Data, such as metadata and contact data, with third-party advertising and marketing providers, such as professional associations, educational institutions, consulting firms and other technology vendors, to allow us to better reach our customers and prospective customers, and to sell our products and services. In some circumstances, we may ask you to consent to directly disclosing your Personal Data with these third parties prior to sharing your Personal Data, such as via a consent banner on our website. For details on your choices with respect this sharing or disclosure, please see Your Information Choices below. For specific details on these companies' privacy practices, please visit their privacy policies.

Anonymous or De-identified Usage Data. We may disclose anonymized or aggregated usage data or security threat information with third parties or the public. For example, this may include disclosing trends regarding organizations' use of LRC's products and services to customers and prospective customers. The data disclosed in this category is not Personal Data.

VI. LRC's Security Posture & Measures Taken

Security is a critical priority for LRC. We maintain industry-standard administrative, technical, and physical safeguards designed to prevent unauthorized access to Personal Data.

However, no security system is perfect, and due to the inherent nature of the Internet, we cannot guarantee that data, including Personal Data, is absolutely safe from intrusion or other unauthorized access by others. You are responsible for protecting your password(s) and other authentication factors, as well as maintaining the security of your devices.

VII. International Data Transfers

Your Personal Data may be collected, transferred to, processed, and stored by us in the United States, and by our affiliates, service providers, and third parties that are based in other countries. The addresses of our offices where LRC and its affiliates are located can be found online at info@backbayec.com. Some of the countries where your Personal Data may be processed, including the United States, are not subject to an adequacy decision by the European Commission or your local legislature and/or regulator, and may lack data protection laws as comprehensive as or may not provide the same level of data protection as your jurisdiction, such as the European Economic Area, the United Kingdom, or Japan. For example, as of the effective date of this policy, the United States does not have a federal privacy law that covers all types of data; however, privacy is regulated by federal and state agencies and by various state laws. [In light of regional differences, LRC has put in place various safeguards and the security measures described above. For example, when we share Personal Data, we take reasonable steps so that the recipient of your Personal Data offers an adequate level of data protection, for example, by entering into the appropriate agreements containing relevant data protection.

VIII. Children

LRC's Platform is not directed at children. We do not knowingly collect Personal Data from children under the age of 18 or permit such children to use the LRC Platform. If you are a parent or guardian and believe that your child has provided us with Personal Data without your consent, please contact us by using the information in the "How to Contact Us" section, below, and we will take steps to delete such Personal Data from our systems. We reserve the right to delete Personal Data we otherwise discover on the LRC Platform belonging to any child under the age of 18.

IX. How Long Does LRC Keep Your Data?

We will retain your Personal Data for a period of time that is consistent with the original purpose of the data collection, or as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We determine the appropriate retention period for Personal Data by considering the amount, nature and sensitivity of your Personal Data processed, the potential risk of harm from unauthorized use or disclosure of your Personal Data and whether we can achieve the purposes of the processing through other means, and on the basis of applicable legal requirements (such as applicable statutes of limitation).

X. Your Information Choices

Your Privacy Choices

In the above sections, we describe how we may collect, use and share your Personal Data for providing relevant content and advertising. Below, we describe how you may unsubscribe, opt out, or otherwise modify settings related to our processing of your Personal Data.

Direct Email Marketing.

If you wish to withdraw from direct email marketing communications from LRC, you may click the “unsubscribe” button included in our emails. Please note, you cannot unsubscribe from critical transactional emails that are related to our provision of our online Service (such as those related to security and your LRC account).

Direct Marketing – Phone or Postal Mailings. If you wish to withdraw from phone call or postal mail marketing communications from LRC, please request to do so through by sending an email request to info@backbayec.com.

Cookie Preferences. We only use essential cookies, which you may not opt out of if you wish to use the LRC Platform.

Note that any choice with regards to cookie-based advertising only applies to the web browser through which you exercise that choice. You will continue to see advertising, including potentially from LRC, even if you opt-out of personalized advertising.

XI. Information for California Residents

California Do-Not-Track Disclosure Requirements (for California Users)

We are committed to providing you with meaningful choices about the information collected on our Site for third-party purposes. However, we do not recognize or respond to browser initiated Do Not Track signals, as the Internet industry is currently still working on Do Not Track standards, implementations, and solutions.

Your California Privacy Rights (for California Users)

California law permits customers of LRC who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please write us:

Leadership Reality Check, LLC

email: info@backbayec.com.

We will provide a list of the categories of personal information, if any, disclosed to third parties during the immediately preceding calendar year for third-party direct marketing purposes, along with the names and addresses of these third parties. This request may be made no more than once per calendar year. We reserve our right not to respond to requests submitted other than to the email or postal address specified above. You should put "California Privacy Rights" in the subject line and in your request. You must provide us with specific information regarding yourself so that we can accurately respond to the request.

Children; Special California Notice

The LRC Platform is not directed to children under the age of 18, and children under the age of 18 years of age are not eligible to use it. Protecting the privacy of children is very important to us. Through the LRC Platform, we do not collect Information from people we actually know are under 18 years of age, and no part of the LRC Platform is designed to attract people under 18 years of age. If we later learn that an individual has provided us with their information through the LRC Platform and they are under 18 years of age, we will take steps to remove that User's Information from our databases and to prevent the User from utilizing the LRC Platform.

If you are a California resident under the age of 18 and are a registered User of our LRC Platform, you may request that we remove from our LRC Platform any content you post to our LRC Platform that can be accessed by any other User (whether registered or not). Please note that any content that is removed from our LRC Platform may still remain on our servers and in our systems. To request removal of content under this provision, please send an email to

info@backbayec.com and provide us with a description of the content and the location of the content on our LRC Platform, and any other information we may require in order to consider your request. Please note that removal of content under this provision does not ensure complete or comprehensive removal of the content or information posted on the LRC Platform by you.

Uses and Disclosures as Required or Permitted by Law, Including Research, Health Care Operations, and Public Health

To the extent not prohibited by law or precluded by LRC's agreements with customers, LRC, and any third-party vendors acting on LRC's behalf, may use and disclose your Information as required or permitted by law, which may include disclosures to the applicable LRC customer or regulatory authorities having jurisdiction over LRC and its vendors.

Retention of Personal Data

Personal data will be retained only for so long as reasonably necessary for the purposes set out in this Privacy Policy, considering criteria such as applicable rules on statute of limitations and at least the duration of your use of our LRC Platform. Personal Data may persist in copies made for backup and business continuity purposes for additional time.

If you would like to make a request and exercise your rights described above, please contact us via the listed in the section below.

XII. How to Contact LRC

If you would like to contact us with questions or concerns about our privacy policies and practices, you may contact us via email:

Email: info@backbayec.com

XIII. Changes to the Policy

This Privacy Policy may be updated from time to time, to reflect changes in our practices, technologies, additional factors, and to be consistent with applicable data protection and privacy laws and principles, and other legal requirements. If we do make updates, we will update the "effective date" at the top of this Privacy Policy webpage. If we make a material update, we may provide you with notice prior to the update taking effect, such as by posting a conspicuous notice on our website or by contacting you using the email address you provided.

