

Updated Terms and Conditions

Summary:

We are updating the SafetyCulture Terms and Conditions (<https://safetyculture.com/legal/terms-and-conditions/>).

The SafetyCulture Terms and Conditions will apply to your use of one or more SafetyCulture Services, including those branded 'EdApp' or 'SHEQSY'. EdApp and SHEQSY will adopt the SafetyCulture Terms and Conditions on and from the effective date of the updates.

Reason for changes:

SafetyCulture, known for its checklist app, has evolved into a workplace operations platform to help businesses to digitize all elements of their operations.

In addition to core functionalities of inspections, issue capture and corrective actions, customers can generate and share custom reports, communicate with team members, view performance and trends and keep a digital register of assets. Soon customers will also be able to train teams and stay connected with remote workers; all through SafetyCulture's workplace operations platform.

These changes require us to update the SafetyCulture Terms and Conditions.

EdApp and SHEQSY are adopting the SafetyCulture Terms and Conditions to reflect the alignment of our practices and processes across all of SafetyCulture's subscription services, and to enable customers to purchase and use multiple SafetyCulture Services pursuant to the one agreement.

The updates also support the use of AI technology within the platform.

If you have any questions or require additional information, please contact your Account Manager or our Customer Support team at support@safetyculture.io.

We have answered a number of FAQs below. These FAQs are not intended to capture all changes, so please ensure you review the updated Terms and Conditions in their entirety.

Frequently Asked Questions:

Will there be any change in the entity that provides the Services?

The Terms and Conditions are an agreement between you and the SafetyCulture entity that owns or operates the Services that you are using or accessing, as listed here: <https://safetyculture.com/legal/safetyculture-group/>.

There is no change to the existing entity that owns or operates the SafetyCulture Services that you use.

Will there be any changes to the way that SafetyCulture uses or accesses data?

This change does not have any impact on how any member of the SafetyCulture Group uses or accesses your existing data in SafetyCulture, EdApp and SHEQSY.

You can learn more about where SafetyCulture's stores your data here: [Help Centre](#).

Are there any substantive changes to the Terms and Conditions?

We have summarised the most notable changes below.

We have:

- made it explicit that our services are not directed at, nor to be used by, persons under 18 years of age;
- clarified that End User Accounts are managed by Admin Accounts;
- provided greater detail on how and why we use Your Data and intellectual property rights in Your Data;
- added a provision that allows us to use any feedback you or your users provide to us;
- added a warranty that you own all right, title and interest in Your Data;
- added a new section regarding the use of AI features within the Services;
- improved the rights of a party disclosing confidential information, including to whom it is disclosed, and the extent of information disclosed when legally compelled;
- clarified SafetyCulture's approach to privacy and security, and how we protect Your Data;

- removed the warranty regarding SafetyCulture's compliance with the software service description on the website. The removal of this warranty has minimal operational impact, given your rights under the Service Level Agreement (SLA). The SLA remains and has been broadened in scope (see further below);
- excluded your liability to us for consequential loss under the Terms and Conditions;
- clarified how and to whom notices will be sent;
- updated the dispute resolution provision to require all disputes to be resolved by arbitration on an individual basis (and not as a member of a class);
- added the right for you to assign your rights under the Terms and Conditions to an affiliate or subsidiary;
- added a right for us to name you as a customer and use your logo in our marketing materials;
- added a representation to be given by you that you are not on a U.S. government denied-party list, and you will not permit End Users to access or use the services in a U.S.-embargoed country or region;
- added new sections relating to California Data Protection Laws in our Data Protection Agreement;
- removed the Australian legal compliance appendix. We have incorporated the rights and obligations in this Appendix into other sections of the Terms and Conditions;
- broadened the application of the Service Level Agreement to include additional functionality within the Core Services; and
- added new appendices relating to your use of: EdApp, Training, SHEQSY, 24/7 security monitoring, and hardware supplied by SHEQSY.

When are the updated Terms and Conditions effective?

For existing customers, the updated Terms and Conditions are effective on and from 15 October 2023. If you continue to use the Services on or after 15 October 2023, you agree to the updated Terms and Conditions.

For new customers, the updated Terms and Conditions are effective immediately.

Do the updated Terms and Conditions apply to existing customers that have negotiated custom agreements?

No. The updated Terms and Conditions will not replace existing written agreements signed by both the customer and the relevant SafetyCulture Group member relating to use of SafetyCulture's Services.