

## *LearnQuest Binding Corporate Rules*

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## 1. Contents

1.	Contents .....	2
2.	Purpose.....	4
3.	Scope .....	4
4.	Definitions .....	4
5.	Legal background .....	5
6.	LearnQuest Binding Corporate Rules .....	5
7.	Applicability .....	5
7.1.	LearnQuest Entities .....	5
7.2.	Categories of Individuals, Categories of Personal Data and Processing, Purposes, Recipients, Countries .....	6
8.	LearnQuest Commitments.....	6
8.1.	Being Ethical.....	6
8.2.	Being Lawful.....	6
8.3.	Being Fair and Transparent.....	7
8.3.1.	Providing notice, consent and choice .....	7
8.3.2.	The Information LearnQuest provides .....	7
8.3.3.	Collecting Information Indirectly.....	8
8.3.4.	Using Personal Data For New Purposes .....	8
8.3.5.	Exceptions When Collecting Personal Data Indirectly .....	8
8.4.	Respecting Individual's Right .....	8
8.4.1.	The Right to be Informed.....	8
8.4.2.	The Right to Access Their Personal Data Processed by LearnQuest .....	8
8.4.3.	The Right to Rectification.....	9
8.4.4.	The Right to Erasure.....	10
8.4.5.	The Right to Restrict Processing .....	10
8.4.6.	The Right to Data Portability .....	11
8.4.7.	The Right to Object .....	12
8.4.8.	The Rights in Relation to Automated Decision Making and Profiling .....	12
8.4.9.	Rights in Relation to Making Complaints with Supervisory Authorities and Brining Court Actions.....	12
8.5.	Following the Rules Processing Sensitive Data .....	12

8.6. How we Minimize Data Collection, Keep Data Accurate, Up to Date and Follow Retention Schedules.....	13
8.7. Protecting Personal Data .....	14
8.7.1. Measure to Control Access .....	14
8.7.2. Data Security Breaches .....	14
8.7.3. Arrangements with Vendors, Suppliers and Other Third Parties .....	14
8.8. Ensuring Compliance with Cross-border Transfer Requirements .....	14
9. Consequences of Non-Compliance.....	15
10. Publication of the BCR .....	15
11. Contact Information.....	15
12. Administration.....	15
12.1. Revision History .....	15
13. References .....	15
14. Annexes .....	16
14.1. Annex 1 – Categories of Individuals, Categories of Personal Data and Processing, Purposes, Recipients, Countries .....	16
14.2. Annex 2 – Supporting documentation and resources.....	23
14.2.1. Policies and Standards.....	23
14.2.2. Internal Guidelines and Global Templates.....	23
14.3. Annex 3 –COMPLAINT TREATMENT PROCEDURE and INDIVIDUALS REQUESTS .....	24
14.3.1. PURPOSE .....	24
14.3.2. WHO HANDLES REQUESTS AND COMPLAINTS? .....	24
14.3.3. MAKING A REQUEST .....	24
14.3.4. SUBMITTING A REQUEST .....	24
14.3.5. WHAT DO INDIVIDUALS NEED TO KNOW? .....	25
14.3.6. HOW LEARNQUEST MANAGES A REQUEST .....	26
14.3.7. ESCALATION OPTIONS .....	27
14.3.8. Manage complaints by LearnQuest .....	28
14.3.9. Record Keeping, reports and further action .....	28
14.3.10. Revision History .....	29
14.4. Annex 4: Compliance with LearnQuest’s BCR commitments .....	30
14.4.1. General.....	30
14.4.2. MANAGING DATA PRIVACY.....	30
14.4.3. MANAGING THE BCR.....	30
14.4.4. COOPERATING WITH THE SUPERVISORY AUTHORITIES .....	30

## 2. Purpose

Complying with data privacy laws is part of LearnQuest's Code of Ethics (COE). LearnQuest implements GDPR and other recognized standards or legal arrangements, such as Binding Corporate Rules (BCR) within its business practices.

The BCR was implemented for the reason to be compliant with requirements of the EU General Data Protection Regulation. The purpose of this document is to:

- explain LearnQuest's data privacy obligations and commitments
- define LearnQuest employees' responsibilities and accountability for data privacy
- describe individuals' rights under the Binding Corporate Rules (BCR)
- explain how LearnQuest handles complaints and/or queries relating to personal data processing
- provide information on how to contact LearnQuest regarding data privacy

## 3. Scope

This document defines obligations LearnQuest has in regards of data processing in scope of the BCR and explains how we comply with those responsibilities across participating entities through our corporate data privacy program by addressing ethical aspects and legal compliance, accountability, opportunities, and risk.

Our BCR apply to all personal data processed by LearnQuest as a data controller for our own purposes.

Our BCRs cover data processing activities where we act either as Data Controller or as Data Processor. Therefore, unless otherwise specified, the rules specified in our BCRs apply to both types of activities.

However, where the applicable legislation, for instance applicable national data protection law, requires a higher level of protection for Personal Information, it will take precedence over the BCRs

## 4. Definitions

Term	Abbr.	Definition
Organization, Company	LQ	LearnQuest Incorporated
Personal data	PD	means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
Personal data breach		A <b>personal data breach</b> is a security breach that can lead to accidental or deliberate loss, destruction, corruption, unauthorized disclosure, or alteration of <b>personal data</b> that can

		cause material or non-material damages to individuals. The most important part of this definition is that it <b>has to involve personal data</b> because, while all personal data breaches are security incidents, not all security incidents are necessarily personal data breaches!
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## 5. Legal background

Data privacy laws govern how LearnQuest handles personal data in many of the countries where we operate. Those laws define our legal status and obligations. Where LearnQuest determines the purpose, means and conditions of processing personal data, we are a decision maker, generally referred to as a “data controller”.

There are strict European Data Privacy Laws on transferring personal data outside the European Economic Area (EEA) to another country. These laws apply to all transfers of personal data outside the EEA, including internal transfers of data within a group of companies. Such transfers are generally only allowed if a substantially equivalent level of protection has been put in place using mechanisms which have been approved by European Regulators, unless certain exemptions apply.

## 6. LearnQuest Binding Corporate Rules

To comply with these European requirements, LearnQuest has implemented a set of data privacy rules known as Binding Corporate Rules (BCR), which are described in this document. These are legally binding and LearnQuest must integrate the requirements within our operation practices.

The BCR reflect the standards contained in European Data Privacy Laws (2018/679 EU - GDPR) and have been approved by most data privacy Regulators in Europe. Having the BCR means that all our subsidiaries which sign up to them must comply with the same internal set of rules – that there are appropriate and uniform data privacy safeguards in place across our organization. It also means that individuals’ rights stay the same no matter where individuals’ personal data is processed by LearnQuest. All LearnQuest employees bound by these BCR, irrespective of geographic location, abide by the same rules for processing personal data.

## 7. Applicability

LearnQuest’s BCR apply to all personal data processed by LearnQuest participating subsidiaries as a data controller for our own purposes such as recruitment, employment, or marketing. (See Annex 1 for more information about purposes and categories of individuals).

The BCR Commitments:

- a) require all LearnQuest entities and employees who collect, use and store personal data to understand the rules and their responsibilities when processing personal data;
- b) require all LearnQuest employees to understand how to respect and manage individuals’ rights
- c) in relation to their data

### 7.1. LearnQuest Entities

LearnQuest has offices in different countries. Personal data may be transferred or be accessible throughout LearnQuest’s global business and between its entities. For a full list of our entities (subsidiaries) which are signed up to the BCR and their locations, see Annex 1.

## 7.2. Categories of Individuals, Categories of Personal Data and Processing, Purposes, Recipients, Countries

The table in Annex 1 sets out information about

- 1) the categories of individuals,
- 2) the categories of personal data we may process about them; and
- 3) a description of the purposes for which we process personal information.

Our data privacy notices, and data privacy statements are where we provide specific information to individuals, for example, our privacy policy on the learnquest.com site.

## 8. LearnQuest Commitments

To protect personal data, LearnQuest and our employees comply with these commitments which are appropriately reflected in our core Data Privacy Policy, procedures, controls and guidance. LearnQuest's BCR entities/subsidiaries and employees who access, collect, delete, retrieve, store, or otherwise use personal data for any purpose, are "processing" that data and are responsible for understanding how data privacy impacts their role and their use of personal data using the data privacy resources LearnQuest provides.

### 8.1. Being Ethical

It is our employees' overarching responsibility to be ethical and comply with data privacy laws by complying with these BCR Commitments, our Data Privacy Policy, (any related policies, procedures, and guidance) and by acting with integrity and processing personal data in a way which is consistent with LearnQuest's core values.

### 8.2. Being Lawful

LearnQuest processes personal data for specified and lawful purposes which are clearly explained to individuals when we process their data. Lawful Processing means that LearnQuest will not process personal data, unless one of the following conditions applies:

- a) the individual concerned has consented to the processing.
- b) LearnQuest processes the data to:
  - (1) perform, or take steps with a view to enter into, a contract with the individual concerned.
  - (2) comply with a legal obligation which LearnQuest is subject to.
  - (3) protect the vital interests of individuals in a 'life or death' situation; or
  - (4) perform a task in the public interest or to exercise official authority.
- c) LearnQuest needs to carry out such processing to pursue LearnQuest's Legitimate Interests, except where such interests are overridden by the interests or fundamental rights and freedoms of the individual concerned; or in circumstances permitted by applicable data privacy laws.

LearnQuest will not use personal data for new purposes without following our internal procedures to verify that such processing can take place lawfully by taking the following into account:

- (1) links between the current purposes and the further purposes and respective processing.
- (2) the context of the original data collection, with a particular focus on the relationship between LearnQuest and individuals.
- (3) the nature of the personal data, in particular, if the data in question is sensitive personal data.
- (4) possible consequences for individuals if their data are processed further; and
- (5) appropriate safeguards which may include encryption or pseudonymization.

## 8.3. Being Fair and Transparent

### 8.3.1. Providing notice, consent and choice

LearnQuest provides individuals with information (for example, in a data privacy notice or privacy statement) to explain how their data will be processed by LearnQuest to ensure fair and lawful processing. The information is made easily accessible to individuals and is provided in a clear, transparent manner using plain and intelligible language.

### 8.3.2. The Information LearnQuest provides

An individual has the right to know about LearnQuest's processing of their personal data and to verify whether that processing is lawful. The information LearnQuest will provide to individuals shall include the following:

- a) the name of the relevant data controller and their contact details.
- b) the contact details of the Data Privacy Officer or designated data privacy contact.
- c) the purposes for which we intend to use such data including the legal basis for processing the data (where we have relied on the legal basis, we will explain what that legal basis is);
- d) the recipients or categories of recipients of the data.
- e) any relevant information about international transfers of the data, in particular; the existence/absence of an adequacy decision/safeguards in place and where to obtain a copy of a relevant decision, if available.
- f) the retention period and/or any relevant retention criteria.
- g) information about the individuals' rights (e.g., access, rectification, erasure, restriction, objection and portability);
- h) information about any automated decisions/profiling including the logic involved and significance of such processing for the individual.
- i) the individual's right to withdraw consent, if applicable.
- j) the right to lodge a complaint with the supervisory authority.
- k) the consequences of failing to supply data where the processes relate to a statutory or contractual requirement; and

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- I) any additional information LearnQuest deems necessary to process the data fairly and lawfully.

Where LearnQuest has already provided this information, we will not continually provide it as part of each subsequent interaction with the individual, unless failure to do so would infringe these rights.

#### **8.3.3. Collecting Information Indirectly**

Where collecting personal data about an individual indirectly (for example, from a publicly available source), LearnQuest will inform the individual that LearnQuest is holding the data and what it intends to do with the data after obtaining it. LearnQuest will also provide individuals with any additional information necessary to process the data fairly, transparently and lawfully. This information will include the categories specified above (a-l).

LearnQuest will provide this information as part of the initial communication with the individual or where a disclosure is being made to another recipient before or when the first disclosure is made, but at the latest within one month of obtaining the data.

#### **8.3.4. Using Personal Data For New Purposes**

LearnQuest will make sure that information to individuals is also provided where existing personal data is going to be used in a new way, or for incompatible purposes prior to the commencement of such processing.

#### **8.3.5. Exceptions When Collecting Personal Data Indirectly**

When we collect information indirectly, there are some exceptions. The information referred to in categories a-l will not be provided to the individual by LearnQuest, if:

- a) the individual already has the information; or
- b) the effort involved would be disproportionate; or
- c) there are laws or professional secrecy obligations which LearnQuest is subject to which require obtaining or disclosing the data or that require the data and information about the data, remain confidential.

In determining what does or does not constitute a ‘disproportionate effort’, LearnQuest will balance the amount of effort required against the amount, if any, of a prejudicial effect to the individual if such information was not provided to them.

### **8.4. Respecting Individual’s Right**

Individuals have rights in relation to their personal data processed by LearnQuest. We respect these rights and have processes in place to recognize and respond to individuals wishing to exercise these rights. Our employees have guidance to follow when handling individuals’ rights requests.

#### **8.4.1. The Right to be Informed**

This right has been covered in detail above [See Three - Being fair and transparent].

#### **8.4.2. The Right to Access Their Personal Data Processed by LearnQuest**

1. An individual has the right to request access to the personal data we process about them.  
When LearnQuest receives such a request, we will first take reasonable steps to:
  - a) identify the individual making the request.

- b) decide whether LearnQuest is processing their personal data; and
  - c) ask for specific information to help locate that data.
2. LearnQuest will provide the individual with the following information:
- a) whether data is held and if so, the relevant purpose, together with an indication of the source of the data if known.
  - b) the categories of personal data.
  - c) the recipients of the data, including recipients located in other countries and details of the appropriate safeguards in place for the transfer of their data to other countries;
  - d) any automated decision-making or profiling applied to the personal data and the significance of such processing.
  - e) how long the data will be retained or the retention criteria
- LearnQuest will also make the individuals aware of their rights to request rectification, erasure, restrictions on use of the data by LearnQuest or the right to object and their right to lodge a complaint with a supervisory authority.
3. LearnQuest will provide a copy of this information within **one month** of receiving an individual's request, or within any specific period (if one month or less but no more than one month) that may be required by local law in any country. LearnQuest will generally provide the information in a commonly used electronic format unless there is a compelling reason to provide it in another format.
  4. LearnQuest may, however, refuse to provide an individual with information where disclosure of that information would reveal information about another individual (in which case, LearnQuest will provide as much of the information as possible without revealing information about the other individual). LearnQuest may decide that it is reasonable to provide the information without the other individual's agreement or may decide, given the circumstances, to obtain the consent of the individual to release the information. In addition, in some countries localized guidance may provide other legitimate reasons which we would need to take into consideration, for refusing an individual's request for access, in accordance with local data protection law.
  5. Where LearnQuest refuses to comply with a request, we will explain our reasons for doing so to the individual and inform them of their right to complain to a supervisory authority and/or seek judicial remedy within one month of receiving our refusal to comply with the request.

#### **8.4.3. The Right to Rectification**

An individual may request that LearnQuest correct their personal data if the data is inaccurate or incomplete.

- a) If LearnQuest has disclosed the data to a recipient, we will inform the recipient of the request where feasible to do so. An individual may request information about the recipients from LearnQuest.
- b) If LearnQuest agrees that the data is incorrect or incomplete, we will delete, correct, or amend the data.

- c) If we do not agree that the data is incorrect or incomplete, LearnQuest will inform the individual and explain their right to complain to a supervisory authority and to seek judicial remedy.
- d) LearnQuest will keep a record that the individual considers the data to be inaccurate or incomplete.

#### **8.4.4. The Right to Erasure**

LearnQuest will abide by a request from an individual to erase their personal data under the following conditions as specified within privacy laws:

- a) the personal data is no longer necessary for the purpose for which they were collected or otherwise processed; or
- b) an individual withdraws consent and there are no other legal grounds for processing; or
- c) an individual objects to the processing and we have no overriding Legitimate Interests for continuing to process their data; or
- d) the personal data is being unlawfully processed; or
- e) the data must be erased to comply with a legal obligation applicable to LearnQuest as a data controller; or
- f) the personal data is processed in relation to the offer of information society services to a child

There are circumstances when LearnQuest can refuse an erasure request; these include:

- a) exercising the right of freedom of expression and information.
- b) complying with a legal obligation applicable to LearnQuest as a data controller or for the performance of a public interest task or exercise of official authority.
- c) for public health reasons or for purposes in the public interest.
- d) for archiving purposes in the public interest, scientific research, historical research, or statistical purposes; or
- e) for the establishment, exercise or defense of legal claims.

LearnQuest will inform any recipients about the erasure request unless this would require a disproportionate effort. Where LearnQuest has made the data public, it will take reasonable steps, (taking into account cost and technology), to inform other recipients of the data to erase links to, copies or replication of those personal data.

LearnQuest will comply with any legally specified timeframes within data privacy laws for complying with such requests.

#### **8.4.5. The Right to Restrict Processing**

LearnQuest will agree to restrict processing an individual's data when one of the following applies:

- a) If an individual, contests the accuracy of the data, LearnQuest will restrict using the data until the accuracy can be verified.

- b) The processing is unlawful and the individual requests a restriction of use rather than erasure of their data.
- c) LearnQuest no longer needs to process the personal data, but the individual requires the data to establish, exercise or defend a legal claim; or
- d) In circumstances where an individual has objected to the processing (which was necessary for purposes in the public interest or LearnQuest's Legitimate Interests) and LearnQuest is considering whether LearnQuest's interests override the interests of the individual.

If there is a restriction on processing, LearnQuest has the right to retain the data we will refrain from processing for unlawful purposes but may continue to use the data for legitimate purposes.

LearnQuest will inform any recipients of the personal data about the restriction unless it is disproportionate to do so. An individual can request information about the identity of the recipients from LearnQuest. If LearnQuest lifts the restriction on processing, the individual will be informed.

#### **8.4.6. The Right to Data Portability**

An individual has the right to request portability of personal data which they provided to LearnQuest, if:

- a) the processing is based on the individual's consent or for the performance of a contract, and
- b) the processing is automated.

This right only applies to data an individual has provided to LearnQuest.

If the personal data includes data about other individuals, LearnQuest will take steps to ensure providing the information would not affect the rights and freedoms of other individuals.

LearnQuest will:

- a) provide the information free of charge and in a structured, commonly used and machine-readable format,
- b) transfer the information directly to another data controller at the request of the individual, where technically feasible,
- c) respond to the request within one month,
- d) notify the individual within one month of receiving the request if we cannot respond within one month, explaining the reasons for the delay,
- e) respond within 2 months where a response has been delayed,
- f) inform an individual within one month of receiving their request if we cannot respond to such a request and make them aware of their right to make a complaint to the supervisory authority and/or seek judicial review

#### **8.4.7. The Right to Object**

An individual has the right to object (under certain circumstances) to processing of their data by LearnQuest. LearnQuest will abide by any valid request from an individual who objects to the processing of their data by LearnQuest.

Direct marketing objections – LearnQuest has systems and processes in place to record an individual's request not to use their data for direct marketing purposes and for profiling as it relates to direct marketing.

Objecting to scientific or historical purposes – LearnQuest has systems and processes in place to manage an individual's request to object to their data being used for scientific research, historical research or statistical purposes.

Under certain circumstances, there may be grounds for LearnQuest to continue certain types of processing where we can demonstrate that our Legitimate Interests override the rights of an individual or in instances where the processing is necessary for the establishment, exercise or defense of legal claims.

LearnQuest will respond to an individual's request within the specified timeframe. Where we cannot process an objection, a notification explaining the reasons why will be sent.

#### **8.4.8. The Rights in Relation to Automated Decision Making and Profiling**

LearnQuest doesn't carry out an automated decision about an individual using technology specifically designed for decision-making purposes.

#### **8.4.9. Rights in Relation to Making Complaints with Supervisory Authorities and Brining Court Actions**

Individuals have the right to come directly to LearnQuest for resolution of their complaint, to register a complaint directly with the relevant supervisory authority - this is a choice between the supervisory authority in the EU Member State where the individual habitually resides, their place of work or place of the alleged infringement. Individuals also have the right to make a claim against LearnQuest before the competent court of the EU Member State where they habitually reside or where LearnQuest has an establishment. We encourage and welcome individuals to come to LearnQuest first to seek resolution of any complaint.

### **8.5. Following the Rules Processing Sensitive Data**

Certain categories of personal data referred to as "sensitive" or "special" are subject to additional legal requirements because they carry higher risks for an individual if misused or processed incorrectly. The definition of sensitive data varies by country but can include:

Ethnic or racial origin, political opinions, religious or other similar (philosophical) beliefs, trade union and similar memberships, physical/mental health or disability details (including pregnancy or maternity information), gender identity or expression, sexual orientation, biometrics and genetics data, criminal or civil offenses; geo-location data, communications data, financial data, government, social security and similar IDs.

Where LearnQuest collects these types of data we will only do so, if:

- a) the individual concerned has given their explicit consent that we may do so, based on a full understanding of why the data is being collected, or
- b) LearnQuest needs to do so to meet our obligations or exercise our rights under employment, social security, and social protection law, or

- c) in exceptional circumstances such as where the processing is necessary to protect the vital interests of the individual concerned, or
- d) the processing relates to personal data which are manifestly made public by the individual, or
- e) the processing is necessary for the establishment, exercise, or justification of legal claims, or
- f) the processing is for reasons of substantial public interest, or
- g) it is necessary to process the data for the purposes of preventative or occupational medicine, for the assessment of the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or the management of health/social care systems and services mandated by law or in relation to a contract with a health professional subject to suitable safeguards, or
- h) in circumstances permitted by applicable data privacy laws.
- i) LearnQuest will not use personal data, including sensitive personal data, for new purposes without following our internal procedures to verify that such processing can take place lawfully.

LearnQuest will always treat any collection, use or storage of sensitive data with more scrutiny as such data requires additional privacy, legal and security safeguards. LearnQuest will not process sensitive data without following our internal procedures to verify that such processing can take place. These procedures include conducting a Data Protection Impact Assessment (DPIA) or privacy review, when required, and following any recommendations to institute additional protective measures for sensitive data recommended by our internal data privacy and security teams. LearnQuest will consult with the Competent Supervisory Authority, where required to do so.

LearnQuest may in exceptional circumstances, rely on consent given on behalf of the individual, for example, by a company employee or on behalf of a family member or dependent where this is permitted by law. In these circumstances and where relevant to do so, LearnQuest will provide sufficient information for the employee to provide to family members.

## **8.6. How we Minimize Data Collection, Keep Data Accurate, Up to Date and Follow Retention Schedules**

LearnQuest has procedures in place to only collect personal data that is relevant and reasonably required to achieve a specific purpose. Where feasible and appropriate, we consider using anonymous, pseudonymized or aggregated data instead of personal data.

LearnQuest has controls, procedures and systems to verify that personal data is accurate, up to date and relevant to achieve a specific purpose. Relevant guidance is made available to our employees for amending data which is inaccurate, when required.

LearnQuest does not retain personal data for longer than necessary. We maintain specific records management and retention policies and procedures, so that personal data are deleted after a reasonable time according to the purposes they were obtained, or in accordance with legal/regulatory specified retention requirements.

When LearnQuest no longer needs to retain, there are procedures for the secure disposal of personal data.

## 8.7. Protecting Personal Data

LearnQuest maintains organizational, physical and technical security arrangements for all the personal data it holds. LearnQuest has protocols, controls and relevant policies, procedures and guidance to maintain these arrangements; taking into account the risks associated with the categories of personal data and the processing we undertake.

### 8.7.1. Measure to Control Access

There are protocols in place to prevent unauthorized access and where appropriate, we have access control procedures to limit access to personal data; to authorized individuals. Where relevant, we observe restrictions on disclosures applicable under relevant laws, contractual arrangements or relevant to LearnQuest's processing; including when we share data with vendors, suppliers and partner organizations.

### 8.7.2. Data Security Breaches

LearnQuest has procedure and protocols in place for managing and responding to data security breaches. All instances of suspected or known breaches where there may have been inappropriate access to or an unauthorized disclosure of personal data must be reported immediately to Data Protection Officer (**DPO is established as an outsourced service – provided by Versa Systems**). In addition, where required notifying individuals without undue delay where the breach is likely to cause significant risks to the rights and freedoms of individuals. There are also procedures for notifying other relevant bodies about breaches when legally required to do so in certain jurisdictions or when LearnQuest considers it appropriate.

LearnQuest maintains a record of data security breaches which includes details about the breach incident, the effects (if any) on individuals, LearnQuest or any other party, and remedial action necessary to resolve the breach. LearnQuest will make these records available to the relevant supervisory authority in accordance with applicable laws.

### 8.7.3. Arrangements with Vendors, Suppliers and Other Third Parties

LearnQuest recognizes that adequate security is important where it arranges for outside service providers (also known as "data processors") to process personal data on our behalf. LearnQuest entities, as the data controllers, will enter into contractual arrangements with all our service providers that process personal data on our behalf, in compliance with any specific processor obligations, relevant security provisions and requirements as per any applicable data privacy laws.

## 8.8. Ensuring Compliance with Cross-border Transfer Requirements

Data privacy laws place restrictions on transfers of personal data across borders for any type of processing (collection, use, storage, etc.). These restrictions also apply to internal transfers of personal data within LearnQuest across the countries where we operate, and to transfers of personal data to vendors, suppliers, partners or other third parties located in different countries.

LearnQuest has guidance in place to ensure that appropriate safeguards including contractual arrangements where needed, are put in place for transfers of personal data to countries which do not have data protection laws or whose laws do not provide a level of protection which corresponds to the standards recognized by, or offered within the EU. This guidance includes information on when to apply the correct safeguards and contractual arrangements BEFORE any cross-border transfers take place.

LearnQuest has put in place procedures for implementing these safeguards to cover our day-to-day processing, for example, pseudonymization via these BCR for internal transfers, or procurement contracts that include the relevant obligations conferred upon processors or sub-processors as specified in privacy laws and other mechanisms. Our safeguards include sufficient protections to guard against any onward transfer of data to controllers or processors which are not part of the BCR.

## 9. Consequences of Non-Compliance

If LearnQuest fails to meet our data privacy obligations as a data controller and under the BCR, we may cause risks or harm to individuals resulting in fines, penalties, criminal sanctions, loss of business and adverse publicity. We therefore take compliance very seriously.

## 10. Publication of the BCR

The LearnQuest BCR is made available via the learnquest.com website to external parties and internally via the LearnQuest Sharepoint. Upon request, we will also e-mail an electronic PDF version of the BCR to an individual.

## 11. Contact Information

Question relating to the BCR and other data privacy topic should be send to the following email address: [Privacy.Compliance@learnquest.com](mailto:Privacy.Compliance@learnquest.com)

## 12. Administration

### 12.1. Revision History

Changes are effective from the date to which they were performed.

<b>Ver.</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>
1.0	2021-12-01		Initial version
2.0	2022-04-01		Second version

## 13. References

This section lists the sources consulted to create this policy.

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## 14. Annexes

### 14.1. Annex 1 – Categories of Individuals, Categories of Personal Data and Processing, Purposes, Recipients, Countries

This table sets out the types of individuals we may process personal data about, the categories of personal data we may process about them, and the purposes for which we process personal information. This table is intended to be a generic summary. It does NOT mean we process this data about all these types of individuals.

Type	Explanation
Categories of individuals	<ol style="list-style-type: none"><li>1. LearnQuest employees (past and present) - includes permanent and contracting staff [temporary or casual workers, freelancers, contractors, trainees].</li><li>2. Non-employee workers including volunteers, assignees, advisors, consultants, agents and other professional experts, secondees, apprentices, interns, alumni, other third parties.</li><li>3. Individuals identified by the aforementioned data subjects as dependents and beneficiaries, including insured spouses and partners, children, guardians and parents, family members and contact persons for emergencies.</li><li>4. Job applicants, candidates, and pre-hires.</li><li>5. Client contacts, current and past contacts, and prospects - including employees, officers, agents, consultants and other professional experts.</li><li>6. Vendor, supplier contacts.</li><li>7. Members of the press and other organizations (including charities, educational institutions, Regulators, business intermediaries, etc.).</li><li>8. Website users and complainants, correspondents and enquirers.</li><li>9. Individuals attending our events.</li><li>10. Shareholders.</li><li>11. Other third parties.</li></ol>
Categories of personal data and processing	<b>Personal details (employment context)</b> - Name, preferred pronoun, all types of contact details (such as e-mail, phone numbers, physical home and place of work address), gender, date of birth, place of birth, national identification number, social security number and health insurance number, insurance information, internal company employee or id numbers, marital/civil partnership status, domestic partners, dependents, disability status, emergency contact information, ethnic origin, minority flag, biometric data (such as facial images, voice recognition/patterns, iris patterns or fingerprints), photograph, and images/footage captured on CCTV or other video systems, footage/voice recordings captured during events/sessions (including recording of virtual or live workshops or similar events), smart building controls and metric systems used for data analytics, driver license number, car details and other necessary data for use of company cars (including clearing, damage events),

	<p>insurances), government-issued ID number; military status and rank; emergency contact details; usage/account details of cards for restaurants and vending machines; information obtained through the use of surveys; investigations, complaints and grievances data including as part of the business ethics line; mergers and acquisitions data, work anniversary.</p> <p><b>Personal details [clients &amp; prospects]</b> - Name, all types of contact details (such as salutation, job title, e-mail, phone numbers, physical home, and place of work address), contact preferences, preferred language for communications, marketing preferences, data relating to goods and services provided or obtained, relationship with LearnQuest [prospect, client, alumni now client]; data related to events [invitations, attendance, relevant costs].</p> <p><b>Personal details (vendors, service providers, suppliers, payees and intermediaries, legal services data)</b> – Name, all types of contact details (such as salutation, job title, e-mail, phone numbers, physical home and place of work address); preferred language for communications; data related to invitations for business trips or other business events (e.g., itinerary, costs); entity tax identification number and commercial registry registration number; entity nationality; entity bank details and payment related information, bill to and ship addresses, billing currency; VAT (or equivalent) number; customer/vendor/supplier number or other unique identifier; country registration number, where applicable; information derived from the deployment and use of information systems and tools including from third parties; records related to the provision and management of products or returns, provision of services, accounts and internal administration and accounting; curriculum vitae; time and expense records concerning the provision of services; operational data; details of relationship with LearnQuest.</p> <p><b>Other individuals [alumni, corporate citizenship/outreach, website visitors]</b> - Name, all types of contact details (such as salutation, job title, e-mail, phone numbers, physical home and place of work address), contact preferences, preferred language for communications, marketing preferences, data relating to interaction or relationship with LearnQuest - enquiry, complaint, site visit, application for award, grant, educational initiative, competition.</p> <p><b>Documentation required under immigration laws</b> - Citizenship, passport data, professional work visa, details of residency or work permit (a physical copy and/or an electronic copy).</p> <p><b>Compensation and payroll</b> - Remuneration details (including historic pay, base pay and bonus or incentive pay, salary banding, frequency of payments), pay deductions, tax codes, insurance codes and statutory and voluntary contributions, benefits, loans, overtime and shift work, compensation type, pay frequency, salary reviews and performance appraisals, banking details including credit card details [both company and personal where the employee has used this], working time records (including vacation and other absence records, leave status, hours worked and department standard hours), pay data and termination date, compensation details, offers, reductions/reimbursements, employee/capital-forming investments,</p>
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	<p>expense descriptions, amounts claimed, cost type, approval and pre-approvals, data required to support expenses claims including bills, receipts, documents, interests in businesses and equity holdings.</p> <p><b>Leaves of absence</b> - Vacation, statutory leaves and voluntary leaves (including maternity and paternity leaves, sabbaticals), justification for paid absences (including education, family events, social activities, children and other dependents' care). Data relating to administration or leave (including start date, end date, temporary suspension), illness including accidents at work and occupational health (in accordance with local law). Dates (beginning, end and duration).</p> <p><b>Pension records</b> - Monthly pension, yearly pension, capital sums, deferred compensation sums, type of pension plan; other data related to pension fund (including enlistment and discharges, contribution data and insurance period in the statutory Social Security).</p> <p><b>Position and contractual information</b> - Description of current position, job title, corporate status, career level, management category, job code, job function(s), legal employer entity, location, LearnQuest contact(s), employee identification number, terms and conditions of employment or contract, membership of the board of directors, information on extent of shareholding, work history, hire/re-hire and termination date(s) and reason, information from exit interviews/termination documents, length of service, executive management responsibility, trade union membership, retirement eligibility, promotions and disciplinary records, date of transfers, and reporting manager(s) information.</p> <p><b>Work location &amp; relocation</b> - Working address, place of work (including workplace office, home office, shared desk, external work), workplace indicator, work location code, branch office, sales office, building, room, locker, relocation information (including international assignment flag, assignment data and dates, current assignment, future assignment, country, tax reconciliation, foreign tax); employment permits (including date); visa country, visa expiration date, mobility preferences, termination date and reason code; assignment responsibility, assignment job title, tasks; employee's willingness to travel or relocate.</p> <p><b>Talent management information</b> – Details contained in letters of application and resume/CV or other provided documents (previous employment background, education history, professional qualifications, any technical specializations or qualifications, trade licenses, language and other relevant skills, certification, certification expiration dates), information of recruitment interviews/check lists, legal prerequisites for employment, information necessary to complete a background check, details on performance decisions and outcomes, performance feedback and warnings, e-learning/training programs, internal and external certifications and membership of professional associations, performance and development reviews (including information you provide when asking for/providing feedback, creating priorities, updating your input in relevant tools, comments from/re. counsellors/counselees), willingness to relocate, driver's license and car ownership information,</p>
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	<p>assessment information and information used to populate employee biographies</p> <p><b>Management records</b> - Details of any shares of common stock or directorships, stock purchase plans, stock purchase eligibility and contribution, stock options information.</p> <p><b>Website, tools, systems, apps</b> - Information required to access LearnQuest systems, tools and applications such as System ID, LAN ID, e-mail account, instant messaging account, mainframe ID, previous employee ID, previous manager employee ID, system passwords, access logs, access rights, security level, activity logs, office Wi-Fi connection logs, office access credential data, employee status reason, branch state, country code, previous company details, aggregated/hashed professional email/calendar/IM meta-data, previous branch details, and previous department details, and electronic content produced using LearnQuest systems, information derived from the deployment and use of information systems and tools including from third parties; tracking data including data from cookies and other technology, visitor logs, IP addresses, individual posts into chat rooms, blogs, circles, comments, systems' recordings such as web meetings, calls and webinars.</p> <p><b>Sensitive data</b> - Certain types of sensitive information when permitted by local law, such as health/medical information (including data required to mitigate health and safety risks – including during a health crisis), trade union membership information, religion, and race or ethnicity, information on criminal convictions and offences. LearnQuest collects this information for specific purposes, such as health/medical information in order to accommodate a disability or illness and to provide benefits; to get access to and/or to use certain tools or premises; background checks (where permissible under local laws); religion or church affiliation in countries such as Germany where required for statutory tax deductions; and diversity-related personal data (such as race or ethnicity) in order to comply with legal obligations and internal policies relating to diversity and anti-discrimination. LearnQuest will only use such sensitive information for the purposes provided by law.</p> <p><b>Advertising, marketing and public relations</b> - Promoting and providing products and services to actual and potential customers; advertising, marketing and PR related activities; communications; compliance; business operations; research, complaints and enquiries handling; management of business relationships and other activities; other services.</p> <p><b>Accounts and records data, data relating to vendors, service providers, suppliers, payees and intermediaries, legal services data</b> - Order management, including billing, credit analysis, shipping, account maintenance, and internal administration and accounting for all commercial relationships; managing and analyzing sales and demand; communications; business operations; customer relationship management (e.g., CRM); conducting internal audits and other internal control activities relating to contract; management with customers, suppliers, vendors, subcontractors and business partners; compliance; due diligence for anticorruption and anti-bribery</p>
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	<p>purposes; reporting activities to fulfil finance and accounts requirements; risk management and corporate audits and; internal investigations; legal filing and reporting; purchase order and payment; computer system security, including ensuring adequate level of protection of the personal data stored therein; other services on an ad-hoc basis.</p> <p><b>Data relating to mergers, ventures, and acquisitions</b> - Management and employment information, compensation and payroll data, business operations, customer relationship management, compliance; due diligence, reporting activities to fulfil finance and accounts requirements; risk management and corporate audits and assessments; legal filing and reporting; computer system security, including ensuring adequate level of protection of the personal data stored therein.</p>
Purposes for which LearnQuest uses personal information	<p>Scheduling</p> <p>Talent Acquisition / Recruitment</p> <p>Management and administration of employees</p> <p>Facilitating communication (including in case of emergencies)</p> <p>Operating and managing LearnQuest's business operations</p> <p>Employee engagement, performance management and professional development</p> <p>Financial planning, payroll, fund management and accounting</p> <p>Business and market development</p> <p>Advertising, marketing, and public relations</p> <p>Building and managing external relationships</p> <p>Maintaining relationships with former employees and Alumni relations</p> <p>Planning and delivery of business integration capabilities</p> <p>Compliance, audit and insurance purposes, including supplier and customer due diligence</p> <p>Internal and external investigations including liaison with law enforcement/other government agencies where required to do so by law</p> <p>Litigation management</p> <p>Travel management</p> <p>Knowledge management</p> <p>Reporting to data privacy supervisory authorities - routine reporting and breach notification</p> <p>Liaising with regulators/government departments for routine reporting requirements under law – tax, social security, benefits, national ID programs</p>

<b>Recipients</b>	<p><b>LearnQuest entities</b> - LearnQuest entities which are signed up to the BCR or other LearnQuest entities/affiliates outside the BCR using a different transfer mechanism.</p> <p><b>Professional advisors</b> - Accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors in all of the countries in which LearnQuest operates.</p> <p><b>Service providers</b> - Companies that provide products and services to LearnQuest such as payroll, pension scheme, benefits providers, human resources services, performance, training, expense management, IT systemssuppliers and support, advertising and marketing, security and performance monitoring, third parties assisting with equity compensation programs, credit card companies, medical or health practitioners, trade bodies and associations, and other service providers.</p> <p><b>Public and governmental authorities</b> - Entities that regulate or have jurisdiction over LearnQuest such as regulatory authorities, law enforcement,public bodies, and judicial bodies.</p> <p><b>Corporate / commercial transaction</b> - A third party in connection with any proposed or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Accenture business, assets or stock (including in connection with any bankruptcy or similar proceedings). A third party in connection with any proposed or actual client project.</p>
<b>Countries to which transfers may be made</b>	<p>Many of our corporate systems are operated from the US. However, as a global company we transfer to countries worldwide, inside and outside the EEA.</p> <p><b>Parent Company:</b> LearnQuest Incorporated 1900 Market Street, Suite 800 Philadelphia, PA 19103-3517 USA FEIN: 23-2854836</p> <p><b>LearnQuest Entities (Subsidiaries):</b> LearnQuest SRO Olivova 2096/4, Postal Code: 110 00 Prague 1, Czech Republic CZ24250821</p> <p>LearnQuest France SAS 4 Rue De Marivaux 75002 Paris, France FR24 800737041</p> <p>LearnQuest Deutschland GmbH Hindenburgstraße 37 51643 Gummersbach, Germany DE291623483</p> <p>LearnQuest Espana S.L. Calle Doctor Fleming 3 9 D 28036 Madrid, Spain NIF: B87005104</p>

	<p>DPT Consulting Group, ULC 1969 Upper Water St Halifax, NS B3J2V1 Canada 801502238</p> <p>LearnQuest Australia Pty Ltd Level 28, 1 Market Street Sydney, NSW 2000 Australia ABN: 87165086251</p> <p>LearnQuest India Private Limited 42 High Street, # 775, 100ft Road Indiranagar, Bangalore-560038 Karnataka, India PAN: AACCL7445H</p> <p>LearnQuest Singapore Pte Ltd 77 Robinson Road #16-00 Robinson, 77 Singapore TIN: 201334157H</p>
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## 14.2. Annex 2 – Supporting documentation and resources

This section lists some of the resources, guidance documents and information available to LearnQuest employees to help them comply with the BCR and understand how LearnQuest processes their personal data. Data privacy documents and other relevant documents are made available via our internal site and resources to employees. These documents are not part of the BCR and are not available for external publication but would be made available to supervisory authorities where required.

They include:

**LearnQuest Code of Ethics:** LearnQuest's Code of Ethics shapes the culture and defines the principles of our company.

**LearnQuest Global Data Privacy Statement:** The statement explains how and why LearnQuest processes personal data, who has access to the data and how employees can exercise their rights in relation to their data. The Statement provides an overview of LearnQuest's most common processing activities. Specific processing activities may be subject to a separate and tailored privacy statement.

### 14.2.1. Policies and Standards

- LearnQuest Privacy Policy
- Personal Data Breach Notification
- General Personal Data Protection Policy
- Data Protection Impact Assessment

### 14.2.2. Internal Guidelines and Global Templates

LearnQuest also has guidelines and standard templates to use when creating contracts or obtaining consent for data processing and in various other circumstances. The templates can be obtained by employees from the LearnQuest internal site. Not all employees have access to everything. Access is restricted in some instances to legal and compliance teams.

The templates may be reviewed by local counsel and localized as necessary to meet legal requirements of specific jurisdictions. These include, but are not limited to:

- **General Global Notice:** for use when consent is not required.
- Consent and Notice Template and Guidance: for use when consent is required.
- Right-To-Erasure Request Form
- LEARNQUEST\_PRIVACY\_STATEMENT

Notice: privacy statement for the LearnQuest.com website

- **Vendor Templates:** Data Privacy Schedules (different schedules have been produced for different scenarios involving vendor processing of LearnQuest personal data)

## 14.3. Annex 3 –COMPLAINT TREATMENT PROCEDURE and INDIVIDUALS REQUESTS

### 14.3.1. PURPOSE

This document explains LearnQuest's procedures for handling individuals' rights requests (IRR) under applicable data privacy laws, for example, subject access and data privacy complaints [referred to jointly as requests]. It does not govern how LearnQuest handles non-data privacy requests, which are managed separately.

This procedure applies where LearnQuest is a data controller and to all LearnQuest entities which are signed up to LearnQuest's Binding Corporate Rules (BCR).

### 14.3.2. WHO HANDLES REQUESTS AND COMPLAINTS?

LearnQuest has a **Data Privacy Director**, a **Data Privacy Officer** (DPO-an external function provided by Versa Systems), who will primarily deal with requests.

### 14.3.3. MAKING A REQUEST

Individuals or their representatives may only make a request relating to certain individual's data and only where LearnQuest processes his/her information as a data controller (for example, in relation to current and former employees, job applicants, client contacts, supplier/vendor contacts and website users whose personal data is processed by LearnQuest). Anyone can make a complaint about a data privacy issues. These procedures do not apply where LearnQuest operates as a data processor.

### 14.3.4. SUBMITTING A REQUEST

An individual can submit a request where he/she wishes to exercise the following rights given to individuals under applicable data privacy laws or the BCR (explanation is in chapter 7 – Respecting Individuals Rights within the BCR Commitments or the Definitions):

- Right of Access.
- Right to Rectification.
- Right to Restrict Processing.
- Right to Erasure.
- Right to Data Portability.
- Right to Object.
- Rights in relation to automated decision making and profiling.
- Rights in relation to making data privacy complaints

or submit a data privacy complaint where the individual considers:

- a breach of the applicable data privacy laws or regulations has taken place or
- there is non-compliance with the BCR.

An individual can exercise his/her rights regardless of whether he/she makes a complaint to LearnQuest or a supervisory authority.

#### **14.3.5. WHAT DO INDIVIDUALS NEED TO KNOW?**

Request format: Requests should be made in writing and preferably, electronically using the case management tool (current LearnQuest employees only) or by email to

[Privacy.Compliance@learnquest.com](mailto:Privacy.Compliance@learnquest.com).

Requests can also be sent by post clearly marked for the attention of the Data Privacy Officer,

**LearnQuest Incorporated, 1900 Market St Suite 800, Philadelphia, PA 19103, USA**

Requests can be made via one of the local LearnQuest offices but should clearly be marked for the attention of the Data Privacy Officer, care of the Legal Department to ensure the request is routed correctly.

**Request type:** Individuals can submit more than one request at a time and should consider submitting them together along with details of their requested outcome.

**Identity verification:** Individuals will usually be asked to verify their identity providing suitable identification documentation when this is necessary.

**Personal information required by LearnQuest:** Individuals will be asked to provide some of their personal data necessary to deal with their request (unless this has already been provided as part of an initial communication), for example:

- a) Contact details
- b) Information necessary to facilitate the request, for example:
  - the data to be corrected or deleted
  - information in support of an access request, for example, information to help LearnQuest locate the relevant data where the requested data relates to LearnQuest's electronic mail systems
- c) their preferred outcome or resolution

**Self-service options:** In some instances, individuals (both internal and external) will be able to partially manage their requests themselves, for example, setting their marketing preferences through self-service tools, where available.

**Appointing a representative:** Individuals may choose to appoint a representative to act on their behalf and LearnQuest may need to seek additional information to verify this appointment before proceeding with the request and/or disclosing any information.

**Communications:** Upon receipt of a request, LearnQuest will send an acknowledgement.

LearnQuest may need to communicate with individuals at various intervals to resolve a request. These will generally be made electronically unless LearnQuest and the individual/their representative have chosen another method of communication.

**Closing a request:** LearnQuest will inform individuals when their request has been dealt with and the relevant outcome. Section 14.3.6.B provides an overview of how we respond. A request will be considered closed, provided individuals require no further action.

**Escalating a request:** If an individual requires additional action to be taken or is dissatisfied with the outcome, they can escalate the matter. Additional action may include opening a new request, asking for an additional review, or escalating the matter as a complaint. If the matter is escalated as a complaint, LearnQuest will manage this in line with section 7 of this procedure.

#### 14.3.6. HOW LEARNQUEST MANAGES A REQUEST

This section explains the LearnQuest procedure for managing requests. This procedure is without prejudice to any provisions and requirements of applicable national laws and regulations, including but not limited to labor laws.

##### A. ASSIGNING DPO

A DPO was established as an external function which is provided by Versa Systems s.r.o. There is contract between LearnQuest and Versa Systems. DPO handles requests in compliance with the BCR and applicable data privacy laws using this procedure and the internal processes and guidance which support this procedure.

##### B. REQUEST MANAGEMENT

Details relating to requests are generally held in a central case management tool with managed access. In some instances, details about a request may be logged and held locally where there are local law requirements which require LearnQuest to hold and process the data locally.

DPO generally follow the same process for handling all request types which can be summarized as follows:

**Assessing requests:** The DPO will decide how best to manage the request and which departments, or functions need to be involved. If an individual makes multiple requests or the request is complex, the DPO may request additional resources and/or expert advice.

**Action required:** For each case, LearnQuest has a set of associated actions for the DPO to follow to manage the request and where relevant, apply any exceptions. The DPO will also assign relevant actions to individuals from LearnQuest functions or suppliers who must fully co-operate with the DPO in a timely manner.

**Documenting decisions:** For record keeping purposes, we maintain a record of relevant decisions which are documented within the Case Management Tool.

**Timeline:** For most requests, LearnQuest will respond within one month of receipt or according to the specified timeframe (if one month or less but no more than one month) under applicable data privacy laws. This excludes the time it takes to verify an individual or their representative's details or waiting for further information from the individual to process their request. For some requests, data privacy laws provide circumstances where LearnQuest has the option to allow an additional **two months** to respond. Individuals will be made aware of LearnQuest's delayed response time and the reasons why as soon as LearnQuest becomes aware of a delay.

**Responding to an individual about their request:** Where the request has been dealt with, the individual will be informed and supplied with any relevant information/evidence relevant to the request. IRRs are generally resolved as follows:

- a) *Subject Access requests:* LearnQuest will provide the individual with a copy of the information as required under relevant privacy laws. Where the request has been made electronically, we will provide the information securely in a commonly used electronic format unless the individual requests an alternative format with which we can reasonably and securely comply.
- b) *Data portability requests:* LearnQuest will provide the information in a structured, commonly used and machine-readable format and securely transfer the information directly to another data controller at the request of the individual, where this is technically feasible.
- c) *Rectification, erasure, restriction:* If the request is assigned a DPO and where the request is justified, the DPO will instruct the relevant department or function to correct, complete,

- restrict or erase the data. In some instances, the individual will have self-service options to manage this themselves and it may not be necessary to assign a DPO.
- d) **Objections:** The DPO will ask the departments or functions concerned to record such an objection on the relevant system, stop using the data in question, or where applicable, delete the relevant data and cease using the individual's data for these purposes. Where an individual can manage their own marketing/communications preferences, the DPO will highlight this to the individual, however an individual still has the right to ask LearnQuest to manage these on their behalf.
- e) **Automated Decisions:** The DPO will report back to the individual on the outcome of their investigation, including an explanation of the decision and where applicable, be given the opportunity to offer their opinion and/or challenge the decision.

**Refusing a request:** There may be exceptions within applicable privacy or other laws where LearnQuest has legal grounds to reject or only partially comply with a request. For example:

- the information requested is subject to legal proceedings or is part of an ongoing law enforcement investigation and LearnQuest is prohibited from disclosing the information, or
- LearnQuest has received a request to erase an individual's information, but LearnQuest is obliged to retain the information in compliance with overriding legal requirements such as employment or tax law.

DPOs will apply any relevant exceptions on a case-by-case basis and maintain a record of such decisions. The DPO will inform the individual (unless prohibited to do so) that LearnQuest is unable to respond to his/her request and specify the reasons for the decision (unless prohibited to do so) explaining where the individual can seek alternative recourse via a supervisory authority or the courts.

**Closing a Request:** The request will then be closed, and a corresponding record retained pending any further action and in line with LearnQuest's Retention Policy. In the event the individual contests the outcome or makes a complaint, the DPO will follow LearnQuest's escalation processes as outlined below.

**Escalating a Request:** The DPO will explain to an individual that in the event they are dissatisfied with the outcome, they may consider the escalation options explained in section 6 of this procedure.

### **C. ADDITIONAL CONSIDERATIONS**

- a) **Onward notifications:** For requests where LearnQuest may be required to inform other LearnQuest and/or third-party entities of the request, the DPO will instruct the department or function concerned to communicate the matter to those entities, unless such operation is impossible or involves a disproportionate effort.
- b) **Requests sent elsewhere within LearnQuest – what happens?** Any LearnQuest function which receives a request should forward it to [Privacy.Compliance@learnquest.com](mailto:Privacy.Compliance@learnquest.com) without undue delay to enable LearnQuest to process the request within the legally specified timeframe.

If a request is not referred to the appropriate team at all or with enough time to manage the request within the specified timeframe. As soon as it becomes aware, LearnQuest will look to take appropriate action to prevent this from happening again.

#### **14.3.7. ESCALATION OPTIONS**

**Making a complaint to LearnQuest:** Individuals have the right to come directly to LearnQuest for resolution of their complaints which will be dealt with in accordance with this procedure and our corresponding internal processes and guidance. We encourage and welcome

individuals to come to LearnQuest first to seek resolution of any complaint. Individuals can make a complaint directly to LearnQuest by following the same process specified in section 4.2.

**Making a complaint to a supervisory authority:** Individuals also have the right to register a complaint directly with the relevant supervisory authority. In some complex situations, LearnQuest may have already consulted with a supervisory authority before reaching its decision. If this is the case, LearnQuest will make the individual aware of this. This could be the supervisory authority where the individual lives or works or where the alleged data privacy infringement occurred. It is up to the individual to decide which supervisory authority they wish to deal with. A full list of all the EU Member State supervisory authorities is available [here](#).

**Making a claim:** Individuals can also make a claim against LearnQuest via a competent court subject to local laws. LearnQuest has the right to object where we have such rights. The competent court is recognized as being in the member state of the European Union where the individual (habitually) resides or where the relevant LearnQuest controller has an establishment. It is up to the individual to decide which competent court they would look to register a claim with.

#### **14.3.8. Manage complaints by LearnQuest**

**General procedure:** Complaints are generally managed by LearnQuest in the same way as IRRs and in line with the process referred to in section 14.3.6.B.

**Specific requirements:** There are some additional steps LearnQuest takes in relation to complaints. If a complaint is made against one or more specific individual(s) or, if during the review of a complaint, it becomes clear that an individual may be responsible for a breach of the BCR, our Data Privacy Policy or national laws, LearnQuest will need to investigate. Any such investigation will be conducted in line with our internal procedures. Where necessary and so as not to prejudice the rights of the individual complainant or the rights of the individual who is the subject of the complaint, the DPO will seek further advice and guidance as required from other relevant parties including external legal or other professionals.

Individuals who are implicated in a data privacy investigation will be notified with a copy of any relevant procedures. This notification will not be made where it would prejudice the conduct and the outcome of the investigation.

**Resolving Complaints:** Where a specific complaint is justified, the DPO shall use reasonable efforts to resolve the situation which led to the complaint. LearnQuest will take any appropriate action against any individual who has breached the BCR, our Data Privacy Policy or applicable data privacy laws and regulations, in accordance with any applicable national laws and regulations, including but not limited to employment laws.

#### **14.3.9. Record Keeping, reports and further action**

**General:** LearnQuest will maintain details relevant to the request including communications and documentation in accordance with its Retention Policy or in line with any applicable local law requirements. For exceptional circumstances, such as litigation, retention may be longer and will be decided on a case-by-case basis. LearnQuest maintains these records for its own compliance purposes

and in the event the individual escalates their request or complaint to a supervisory authority or engages in legal proceedings against LearnQuest.

LearnQuest keeps information including logs of the number and types of requests we receive and how we respond. Some of the information will be communicated internally to help improve our procedures and if required, to provide this information to the supervisory authorities.

**Specific reports:** Upon closing a request, it may be necessary to produce a report where further action is required internally, for example, where we may need to revise our practices and procedures. The criteria for any such report and subsequent outcomes are a decision for the Global Data Privacy Team.

**Corrective action:** LearnQuest monitors requests carefully. If it becomes apparent that LearnQuest needs to change the way it processes personal data, LearnQuest will take reasonable steps and institute a corrective action program to comply with the BCR.

**Recipients:** The DPO decides on a case-by-case basis, and after consulting the Global Data Privacy Team where appropriate, on the recipients of a report. The recipients of the report have a right to communicate their observations, especially where LearnQuest may need to take further action to prevent a similar situation in the future.

#### **14.3.10. Revision History**

Changes are effective from the date to which they were performed.

<b>Ver.</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>
1.0	2021-12-01		Initial version
2.0	2022-04-01		Second version

## 14.4. Annex 4: Compliance with LearnQuest's BCR commitments

### 14.4.1. General

The purpose of this Annex is to set out the rules and the procedures to be followed by all LearnQuest entities employees to ensure compliance with the BCR Commitments. The BCR and this Annex don't apply to personal data processed by LearnQuest on behalf of and upon the instructions of clients of LearnQuest during the provision of client delivery services.

### 14.4.2. MANAGING DATA PRIVACY

To help manage our data privacy program, LearnQuest has a Global Data Privacy Team led by a CEO, Global Data Privacy. We also have a Data Privacy Officer (DPO / external function provided by Versa Systems s.r.o company). Across the regions where we operate, we have a Data Privacy Network which includes Data Privacy & Information Security Coordinators supported by local Compliance team, each with specific responsibilities and accountability for data privacy management.

The responsibilities for different aspects of data privacy compliance and monitoring are shared across the team to oversee and ensure compliance with the BCR and applicable data privacy laws and regulations at international, regional, and country level.

Due to the global and complex nature of LearnQuest's operations, routine reporting and reporting on individual investigations and/or breaches are all dealt with both globally and locally.

### 14.4.3. MANAGING THE BCR

Day-to-day responsibilities for managing the BCR sits with the Global Data Privacy Team and DPO. This includes routine monitoring and reporting. Routine auditing of the BCR is managed separately by other functions such as our internal audit and compliance monitoring teams. Collectively, their duties are to:

- a) be responsible for maintaining the BCR and ensuring they are modified when required to do so to reflect regulatory changes, alterations to the LearnQuest corporation structure or any other changes which should be reflected within the BCR;
- b) maintain a full list of the BCR members and ensure this list is up to date.
- c) develop audit controls for the BCR;
- d) monitor compliance with the BCR;
- e) record and track all changes and updates to the BCR and the rationale for the updates and provide this information, where necessary, to LearnQuest BCR entities or the Supervisory Authorities, as required or as part of our annual update.
- f) communicate with the Competent Supervisory Authority and BCR entities, if a proposed change to the BCR either affects the level of protection offered by the BCR or significantly affects the BCR, in particular, its binding nature; and
- g) communicate any other relevant matters to the Competent Supervisory Authority or other supervisory authorities where necessary.

### 14.4.4. COOPERATING WITH THE SUPERVISORY AUTHORITIES

#### A. GENERAL PROCEDURES

All LearnQuest entities have a duty to cooperate with the relevant Supervisory Authority (SA) for information or inspection. Each LearnQuest entity will comply with their advice on any issues relating to the BCR, (any advice would be subject to legal review to consider any factors which inhibit the entity's ability to comply and where relevant, we would discuss alternative legal

remedies with the SAs), be helpful to be audited by the SA, if required, or provide audit results and reports, if asked to do so. No transfer will be made to an LearnQuest entity under the BCR until they have signed the LearnQuest Intercompany Agreement and are effectively bound by the BCR. However, we may use other transfer mechanisms to facilitate transfers until they join the BCR. Changes to the BCR entity list will be reported to all LearnQuest entities signed up to the BCR.

#### *B. REPORTING ISSUES TO THE COMPETENT SUPERVISORY AUTHORITY*

**Routine reporting:** LearnQuest will report routine updates to the BCR along with an updated list of LearnQuest BCR entities as part of its annual update and in line with requirements specified in the section: [Managing the BCR.](#)

**Conflicts between local laws and the BCR:** LearnQuest has a duty to inform the supervisory authorities of any conflict between local law requirements and the BCR where this conflict would have a substantial adverse effect on the guarantees provided under the BCR. LearnQuest entities have a duty to report such conflicts to the Global Data Privacy Team as soon as they become aware. This includes any legally binding requests for disclosure of personal data to a law enforcement or other security agency as explained in the next section.

**Disclosure and transfer requests:** All LearnQuest entities agree that transfers of personal data to any public authority or body cannot be massive, disproportionate, and indiscriminate.

All LearnQuest entities must report any such disclosure requests to the LearnQuest Global Data Privacy Team. The Data Privacy Team will then inform the Competent Supervisory Authority about the request, the identity of the requesting party and the legal basis for the request [unless we are prohibited or temporarily prevented from doing so under criminal law provisions specifying confidentiality during a law enforcement investigation].

All LearnQuest entities must endeavor to have the prohibition on notification waived as soon as possible to provide the SA with as much information as possible to be able to evidence their efforts to do so. All LearnQuest entities must keep a record of these disclosure requests it receives. These records should include details about the disclosure, the categories of data requested, the identity of the requestor [unless prohibited by law to retain this information] and any other relevant information. The LearnQuest entities must provide the Competent Supervisory Authority with an annual update of these records.

#### *C. SUPERVISION OF DATA PRIVACY COMPLIANCE ACCOUNTABILITY*

Everyone who works for or on behalf of LearnQuest is:

- responsible and accountable for processing personal data ethically and lawfully.
- expected to comply with LearnQuest's policies and Data Privacy Policy when processing personal data; and
- expected to understand the data privacy requirements which have relevance to the personal data they process on behalf of LearnQuest using our policies, guidance, and training material.

LearnQuest also has processes and procedures in place to manage and monitor our compliance with data privacy requirements. We have appropriate technical and organizational measures to meet these requirements. Everyone at LearnQuest is expected to follow our processes and comply with our procedures and measures

#### *D. TRAINING*

LearnQuest maintains a data privacy training program for all our employees. All LearnQuest employees who regularly process personal data will be given appropriate and timely data privacy training. If required to do so, LearnQuest will provide the supervisory authorities with examples of our training program.

#### *E. RECORD KEEPING AND EVIDENCE*

LearnQuest maintains electronic records and evidence of our data processing activities and compliance, in the event that we need to show individuals, auditors, supervisory authorities, other public authorities and clients how we meet our obligations. These records are held and maintained by different functions with regular reporting channels into the Global Data Privacy Team responsible for checking compliance with the BCR and our data privacy policies and procedures. Our employees understand that they are accountable for maintaining evidence and records where these responsibilities are applicable to their roles.

#### *F. COMPLIANCE WITH LOCAL LAWS*

In addition to complying with the BCR, each LearnQuest entity is responsible for taking such additional action as may be desirable or necessary to comply with the data privacy laws and regulations in the country where it operates.

Upon the request of another LearnQuest entity or the LearnQuest Global Data Privacy Team, an LearnQuest entity will supply a copy of such laws and regulations to the requesting party. In addition, to the extent that an LearnQuest entity from time to time adopts internal procedures designed to promote compliance with such local laws and regulations, it will provide the Global Data Privacy Team with a copy of such procedures.

In the event a conflict arises in the future due to new local laws and the BCR, the BCR do not override the laws where LearnQuest operates and to which LearnQuest is subject. The relevant LearnQuest entities will issue instructions to its employees on how to proceed in the interim period until the conflict is resolved.

#### *G. PRIVACY BY DESIGN - BUILDING PRIVACY INTO OUR PROJECTS, TOOLS AND APPLICATIONS*

LearnQuest considers data privacy as an integral component of the design, development, operation and management of new projects, tools, applications, internal services and offerings which process personal data. To this end, there is internal guidance and processes on how to incorporate privacy as an essential part at the beginning of the design and development stages. When LearnQuest engages vendors and partner organizations as part of any design, development, and implementation work, we have procedures in place to ensure privacy by design is an integral component.

#### *H. PRIVACY BY DEFAULT*

LearnQuest will use or adopt privacy as the default setting when designing, developing, operating, and implementing new tools, apps and other technology used by LearnQuest and its employees. LearnQuest will ask its vendors and partner organizations to do the same.

#### *I. DATA PROTECTION IMPACT ASSESSMENTS AND PRIVACY REVIEWS*

Data Protection Impact Assessments (DPIAs) and privacy reviews are assessment tools used by LearnQuest to assess privacy and security risks as part of our risk mitigation procedures. We use DPIAs where this is a mandatory requirement for certain types of processing which carry a high risk or have greater implications for rights and freedoms of individuals. The outcome of a DPIA is to identify the necessary measures to minimize risk and comply with the GDPR. LearnQuest will

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consult with the Competent Supervisory Authority prior to processing taking place, when required to do so.

Not all processing requires a DPIA. In these instances, LearnQuest has a process to initiate privacy reviews to assess our own practices, service offerings, technology to mitigate risks and allow for privacy integration through measures such as privacy by design or adopting privacy as the default setting. The outcome of a privacy review may also be the need for a DPIA.

LearnQuest has internal processes in place to manage DPIAs and privacy reviews. All entities are required to act on the outcome of a DPIA or review to help mitigate any privacy risks, including the implementation of additional measures to mitigate those risks.

#### *J. AUDITS*

LearnQuest has a privacy compliance audit program. The purpose of the audits is to assess our compliance with our internal procedures and practices, applicable data privacy laws and the BCR.

Different aspects of our auditing program address data privacy compliance. Audits will generally carry out at regular intervals or if necessary to conduct an assessment outside of the regular schedule. Audits are conducted by the external professional company – Versa Systems.

LearnQuest conducts regular reviews and regular risk assessments for data privacy. There are also regular information security audits. LearnQuest has developed a series of audit cross check controls against which to monitor our data privacy compliance. These controls cover compliance with the commitments we make in the BCR, our data privacy policies, procedures and processes and compliance with data privacy laws.

All entities agree to be audited by the Supervisory Authorities if required to do so. During the audit, each LearnQuest entity shall cooperate with the auditor/s and shall disclose to the auditors all information or documents as may be required for the assessment.

The results of all the audit findings relating to the personal data management shall be made available to the DPO, CEO, and any relevant LearnQuest function. Upon request, the results will be made available to supervisory authorities.

Audit follow up procedures will include a corrective action plan based on the audit findings and procedures for ensuring the corrective action is implemented.

#### *K. LIABILITY*

LearnQuest has addressed liability within its Intercompany Agreement (ICA). The ICA includes provisions which deal with how LearnQuest assigns responsibilities, remedies, and liabilities under the BCR.

#### *L. EMPLOYEE VIOLATIONS OF THESE BCR, LEARNQUEST POLICIES OR PROCEDURES AND RAISING CONCERN*

Violations of the BCR may lead to disciplinary action (up to, and including, termination of employment). While LearnQuest retains discretion as to how to respond to any violation of the BCR any disciplinary process will be undertaken in accordance with all applicable local laws and other legal requirements. Employees who have concerns about any issue that they believe (or suspect) may violate any law or violate LearnQuest's Code of Ethics, the BCR or LearnQuest policies, have right to speak up and we want them to speak up.