



## **PRIVACY NOTICE ON PERSONAL DATA PROTECTION REGARDING 360° Feedback Exercise**

The objective of this Notice is to inform you about the collection and processing of your personal data in line with the applicable Data Protection Regulation 2018/1725<sup>1</sup>.

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#### 1. **Why does F4E process my personal data? Whose data is processed?**

The data processing concerns the '360° feedback exercise'. The '360° feedback exercise' aims at helping managers and group leader learning about their leadership and managerial skills and enhance their own personal development in a professional context, thanks to the feedback of those who work the most with them. The 360° feedback exercise is used for development purpose.

The exercise is managed by People & Culture Unit (hereinafter P&C) and relies on two main elements:

- a 360° questionnaire as such (hereinafter referred to as '360° questionnaire'),
- complemented by a targeted add-on questionnaire focusing on emotional intelligence (hereinafter referred to as 'Emotional Intelligence Profile' or 'Eip3').

Upon completion of the exercise, each manager and group leader will use the outcome of the 360° and Eip3 to design his/her personal action plan and support his/her own professional development over time.

The different categories of persons potentially affected by the processing of personal data within the 360° feedback exercise are:

- Managers and group leaders subject to the 360° feedback exercise, hereinafter the 'feedback owner': members of the Senior Management team, Middle Managers and Group Leaders. Considering that the 360° feedback exercise contributes to the efficient management of the organisation as well as the continuous improvement of its leadership culture, the Senior Management team and Middle Managers' participation to the exercise as feedback owners is mandatory. Participation of Group Leaders as feedback owners is voluntary, in consideration of the fact that they do not formally belong to middle management.

Staff in probationary period or appointed since less than 6 months in the position are not included in the list of

participants. Furthermore, staff whose type of post or administrative position is known to be changing within the year the exercise is taking place are not included in the list of participants neither (e.g. staff members retiring or resigning, staff members reassigned to non managerial functions). Participation of group leaders is voluntary and only group leaders who confirm their will to participate to P&C within the required deadline may participate.

- Those who provide feedback, hereinafter the 'contributors': subordinates, peers, line manager, matrix contributors and others (the last category being subdivided in 'other internal stakeholder' which includes contributors employed by F4E or 'other external stakeholder' which includes stakeholders not employed by F4E).

## 2. What is the justification for the processing?

Processing of your data is necessary for the performance of F4E tasks on the basis of the F4E founding instrument and/or other legal instrument adopted on the basis thereof or for compliance with a specific legal obligation F4E is subject to.

It is based on:

Council Decision of 27 March 2007 "establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it" - 2007/198/Euratom, as last amended by Council Decision of 10 February 2015 (2015/224 Euratom), O.J. L 37, 13.2.2015, p.8, in particular Article 6 thereof;

Statutes annexed to the Council Decision (Euratom) No 198/2007 "establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it", as last amended on 10 February 2015, in particular Article 10 thereof;

Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS), in particular Article 24 of the Staff Regulations regarding professional development.

F4E Integrated Management System Standards (F4E\_D\_24LQJM) of 25/07/2012, standard n°4 on Human Resources and learning and development needs.

Change Agenda Steering Committee of 12 September 2022 (F4E\_D\_2STR6M) and 14 February 2023 (F4E\_D\_32CUE4) indicating that the 360° feedback exercise is compulsory for Senior Management team and middle managers and that it is voluntary for group leaders.

The Data Subject has access to Talogy Privacy Notice, annexed to F4E Privacy Notice.

## 3. Which data is F4E processing?

### a) General personal data:

Feedback owner: full name, birth date, job title, contract type, function group, grade, department, unit, group, seniority in the job and in F4E, gender, email address, IP address);

Contributors: full name, category (subordinates, peers, line manager, matrix contributors, others internal/external), gender, e-mail address and IP address.

### In the Talogy consent form approved to access the provider platform:

Name, surname, email address, gender, consent to the processing of data by Talogy

### In the individual 360° report:

-feedback on the managerial/leadership competencies of the feedback owner produced by the feedback owner himself / herself and by the contributors;

-appreciations of the contributors reflected as open comments or suggestions on the competencies of the manager concerned;

-individual outcome of the 360° (quantitatively and qualitatively). If there are less than 3 contributors in one of the category of peers, subordinates, matrix and/or others, the results are not presented by category (to protect anonymity). They will be included at aggregated level. There is always only one line manager who can therefore be identified.

This individual report also reflects the results by competency areas and by statements within the competency area. On this basis, the external provider draws a series of operational conclusions (including, where appropriate, the highlighting of diverging perceptions for a single issue between categories of contributors).

### In the aggregated 360° report:

The provider prepares an analytical report on the aggregated results of the 360° questionnaires, including aggregated results by population (senior management team, middle management, group leader) as long as minimum participation thresholds are guaranteed. The absolute minimum for statistical representativity and protection of anonymity is 3. If there are less participants in a given category, there will be no statistics provided for that category and data will be aggregated. There is no group report foreseen regarding the Eip3 but the provider uses the outcome to feed its analysis.

### In the individual Eip3 report:

Individual outcome of the questionnaire filled by the feedback owner only and Emotional Intelligence profile based on the Eip3 dimensions.

**In the individual Personal Action Plan:**

The plan identifies the learning and development objectives (short-term and mid-term) stemming from the 360° feedback exercise. It is designed by the feedback owner, with the support of the external processor expert and it is to be endorsed by the feedback owner line manager. The plan also clarifies the means to achieve these objectives and how the feedback owner, with the support of the line manager, intends to follow-up on these objectives.

**b) Sensitive data (Article 10)**

Processing of sensitive data is not foreseen or expected. However, it is not excluded that a contributor in the exercise introduces sensitive data in his/her qualitative comments.

**4. Who has access to my data?**

The exercise involves two processors in addition to F4E:

- F4E contractor: ISQ
- and a sub-contractor of ISQ: Talogy

ISQ is not involved in the administration of the 360° feedback exercise. It is F4E provider through which F4E contracts Talogy services to administer the 360°. Talogy collects the questionnaires on the managers who participate to the exercise through its own platform and produce individual and group reports. It is also responsible for individual and groups debriefings, supporting the design of the personal actions plans as well as issuing analytical reports to the attention of the senior management, staff and P&C.

**External Processor Consent Form (to be filled on the provider platform by the feedback owners and contributors):**

**External Processor:**

- administrator of the platform.

**F4E recipients:**

- P&C representative to check that a feedback owner or contributor gave prior consent
- Feedback owner and contributor to consult own data

**360° and Eip3 questionnaires:**

- Emails are collected to retain privacy so that the feedback owner email contact can access their personal individual 360° and Eip3 questionnaires as well as their relevant line manager.

- Personal data is not verified by the external processor. It is collected so that the reports can be labeled with the persons' correct name/gender, and reports can be clearly identified as to whom they belong to.

- Talogy has access to the data contained in the questionnaires completed by the feedback owners concerned and by the contributors. The data in the questionnaires have no reference to the identity of the contributors, but they indicate the category of each respondent that makes the contributions (subordinates, peers, line manager, matrix or others interal/external). Contributors ignore the identity and the contents of the contributions made by others. Feedback owners are aware of the list of contributors that are invited to provide feedback but ignore who actually will have given feedback (except in the case of the line manager since there is only one). If there are less than 3 contributors in a given category, the results are not presented for this specific category in order to protect the anonymity of contributors. They will be included only at aggregated level.

- Talogy will contact contributors who did not provide feedback to a 360° and enquire as to the reasons why. The data will then be anonymized and information on the reasons will then be shared for information purpose as part of the analytical report that Talogy prepares. F4E has no access to personal data that could allow identifying those contributors who contributed or not.

**Individual Reports:**

**External Processor:**

- Talogy, in line with their privacy notice;
- Talogy project team and debriefers in charge of the 360° feedback exercise implementation at F4E;
- External Coach in case the feedback owner decides that s/he voluntarily wants to share the data with him/her for professional development purpose.

**F4E recipients:**

Talogy will send a secured link to each feedback owner, their line manager and the HR BPs so that they can access directly the individual report.

In addition, to further assist professional development of the feedback owners and contribute to the efficient management of F4E and the continuous improvement of

leadership, the following persons can access reports on a need-to-know basis:

- Head of Departments of the feedback owners: only for feedback owners assigned to their respective department;
- Head of P&C, Head of Administration Department and Director.

The feedback owner is of course free to share his/her own report with additional recipients of his/her choice.

F4E access to the reports is maintained until the performance dialogue exercise assessing the performance of the year that follows the 360° is completed (for instance if the 360° takes place during year 'n', the access to the report is maintained until completion of the performance dialogue assessing the performance of year n+1). Except for the feedback owner who may retain copy of his/her own report at his/her own initiative, all other recipients shall destroy the copies of the reports (electronic or paper) they may have by this deadline.

**Individual Personal Action Plan stemming from the exercise:**

**External Processor:**

- Same as for individual report

**F4E recipients:**

Same as for individual report, in addition to P&C L&D Team so as to analyse L&D priorities and support the implementation at training/L&D level. Plan will be reflected in the L&D section of the following appraisal reports, which entails that recipients of the appraisal report (see relevant Privacy Notice F4E\_D\_267KZT) have access to the content of the plan.

**Aggregated Group Reports (no personal data included):**

**External Processor:**

- Talogy, in line with their privacy notice;
- Talogy project team and debriefers in charge of the 360° implementation at F4E;
- External coach: the data from the group report may be used for coaching purposes by any external coach working for leadership development programme at F4E.

**F4E recipients:**

- Aggregated analytical report will be shared with the Senior Management team and all staff so as to provide feedback on the exercise and foster a feedback culture.

**Report to P&C on tendencies for Learning & Development purpose (no personal data included):**

- This report will be prepared to the attention of P&C and will contain an analysis of the tendencies following the 360° feedback exercise, for Learning & Development purpose.

**F4E recipients:**

- P&C

**Finally, and irrespective of the type of documents, the following recipients have access to the personal data processed:**

- IDM Manager, if necessary for support and only for documents registered in IDM,
- ICT Officer responsible for the IT infrastructure, if required for technical support,
- If appropriate and necessary for monitoring or inspection tasks, access to personal data may be given to: DPO and Anti-Fraud & Ethics Officer, Head and/ or responsible officer of LSU, IAC, IDOC/investigation team, in so far that it is required for the implementation of their tasks.

**5. [How long does F4E store my data?](#)**

F4E access to the reports is maintained until the performance dialogue exercise assessing the performance of the year that follows the 360° is completed (for instance if the 360° takes place during year 'n', the access to the report is maintained until completion of the performance dialogue assessing to the performance of year n+1). Except for the feedback owner who may retain copy of his/her own report at his/her own initiative, all other recipients shall destroy the copies of the reports (electronic or paper) they may have by this deadline.

Talogy retains the data corresponding to a 360° feedback exercise only in so far that it is necessary to allow a comparison of results at aggregated level only between one 360° feedback exercise and the one immediately following. In any case retention lasts no longer than 3 years following completion of a concrete 360° feedback exercise. The exercise is deemed completed once all personal action plans are finalised. Personal data of the staff members not employed anymore by F4E or not part of the population encompassed in 360° feedback exercise should be deleted from Talogy server once a new exercise starts. In case of change of provider, F4E will contact Talogy to request the deletion of all the data from their server.

Personal Action Plan stored for L&D purpose as part of the L&D section of the appraisal reports are stored for a

similar duration as the appraisal report itself. Except for the feedback owner who may retain copy of his/her own plan at his/her own initiative, all other recipients shall destroy the copies of the plan (electronic or paper) they may have within the same deadline as the one applicable to the 360° feedback reports.

Group reports and Report to HR on Learning & Development contain no personal data and are therefore kept indefinitely so as to allow F4E to ensure comparison of managerial capability within the organisation over time and monitoring of Learning & Development strategy in that respect.

#### 6. Does F4E intend to transfer my data to third countries or International Organizations?

The 360° feedback exercise is administered by Talogy Belgium, which parent company is based in the USA. Furthermore, the 360° feedback exercise involves also a processing of data on the Cloud. Standard Protection Clauses (which form part of the contract) are therefore agreed with the provider. In line with these clauses, the access to TalogyTech shall be restricted to administrators based in the EU and in the UK. The adequacy decision with UK also applies. An adequacy decision from the European Commission applies to UK.

Any request to exercise one of those rights should be directed to the Controller ([HR-DataProtection@f4e.europa.eu](mailto:HR-DataProtection@f4e.europa.eu)). Where you wish to exercise your rights in the context of one or several specific processing operations or files, please provide their description and reference(s) in your request.

Exceptions based on Article 25 of Regulation 2018/1725 may apply [See Governing Board Decision of 9 December 2019<sup>2</sup>]. In that case, the data subject shall be informed of the principal reasons for applying such restrictions.

#### 8. Contact details of the Data Protection Officer

You may contact the Data Protection Officer (DPO) of F4E ([DataProtectionOfficer@f4e.europa.eu](mailto:DataProtectionOfficer@f4e.europa.eu)) with regard to issues related to the processing of your personal data under Regulation 2018/1725.

#### 9. Right of recourse

You have the right of recourse to the European Data Protection Supervisor ([EDPS@edps.europa.eu](mailto:EDPS@edps.europa.eu)), if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by F4E.

7. What are my rights in relation to my data and how can I exercise them?

You have the right to access your personal data, to correct any inaccurate or incomplete data, to request restriction or erasure, or to object to the processing, pursuant to Articles 14(3) and 17-23 of Regulation 2018/1725.

May 2023

*(Based on template version F4E\_D\_2CJF8A v1.9)*

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<sup>1</sup> Regulation 2018/1725 of 23 October 2018 “on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data”. O.J 21.11.2018, L295/39. This Privacy Notice is in line with Article 14 and 15 of that Regulation (Principle of Transparency).

<sup>2</sup> [O.J., 10.02.2020, L 37/18.](#)



Welcome to Talogy's Privacy Policy. Please read this Privacy Policy.

Talogy, Inc. (herein referred to as "**Talogy**", "**us**", "**we**", "**our**") provides assessment and talent management solutions ("**Services**") and products ("**Products**") to a range of private and public sector organizations. Talogy has acquired leading testing technology and workforce assessment companies around the globe that now operate under the Talogy brand.

Talogy takes its obligation to protect your privacy and personal information very seriously. Most of the Services that Talogy offers are provided to organizations ("**Clients**") under a legally binding contract and these organizations use our Services to assess candidates (in many cases, their employees) for their own business purposes. This Privacy Policy (the "**Policy**") is aimed at informing such candidates as well as our Clients, contractors, partners and users of our Site (collectively, "**you**", "**your**") as to how Talogy collects, uses, shares and otherwise processes information from our clients, partners, candidates and users of the Talogy website (the "**Site**") including any personal information or other information from which we can identify you ("**Personal Data**") when you visit our Site or assessment platforms. This Policy applies in all regions across the globe in which Talogy operates and covers the Personal Data of candidates, Clients, contractors, partners, and users of our Site.

By visiting our Site, or using any of our Services, you agree that your Personal Data will be handled as described in this Policy unless agreed upon otherwise in your contract with Talogy. If you do not agree to the terms in this Policy, you must not use our Sites. Your use of our Site or Services, and any dispute over privacy, is subject to this Policy and our Terms and Conditions, including its applicable limitations on damages and the resolution of disputes or any service-specific terms made available to you when you sign up for the Services. Our Terms and Conditions are incorporated by reference into this Policy. If you have any questions or complaints in relation to this Policy, you may contact our Data Protection Officer [here](#).

## Information We Collect

Based on the Services provided to you or our Clients, we may process the following categories of Personal Data about you as necessary to provide such Services. You can obtain details of the specific categories of information collected by contacting us. Please refer to the Your Legal Rights section below.



- **Identity Information**, including, but not limited to first and last name, address, phone number, date of birth, email address, nationality, state identification number, social security number, digital photographs, video, audio, signatures, and optionally, ethnicity.
    - **Remote Proctoring:** We may collect Identity Information through remote proctoring. We provide a service whereby Clients who conduct examinations outside of our examination centers use our remote proctoring service. This service requires the users to log onto our Remote Proctoring platform. The user takes the examinations while being monitored through their webcam, microphone and through their computer's desktop which are all accessible to a remote examiner. We collect Identity Information for identity verification, conducting the examination, fraud prevention, security and integrity, and as otherwise required by law.
  - **Contact Information**, including, but not limited to email address, phone number, billing address and delivery address.
  - **Financial Information**, including, but not limited to bank account and payment card details.
  - When strictly required for the purposes of providing the Services, we may also collect the following:
    - **Sensitive Information**, including age, race, religion, creed, sex, gender identity and expression, sexual orientation, and criminal convictions and offences;
    - **Biometric Information**, including fingerprint images and facial images; or
    - **Medical Information**, including exam results or examination candidates' requests for examination accommodations.
  - **Professional or Employment-related Licensure Information**, including, but not limited to: license application information, license activity, license history, information relating to continuing education credits, public complaints, board actions taken against a licensee, or any public actions taken against a licensee by regulatory boards or agencies ("**Licensee Updates**").
  - **Transaction Information**, including, but not limited to details about payments to and from you by us and other details about Products and Services you have purchased from us.
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- **Technical Information**, including, but not limited to internet protocol (IP) addresses, your login information, browser type and version, and operating system and platform information. Information about our use of cookies can be found here: <https://www.talogy.com/en/legal/cookies-policy/>.
- **Usage Information**, including information about how you use our Site, Products and Services.
- **Marketing and Communications Information**, including your preferences in receiving marketing information from us and our third parties along with your communication preferences.
- **Recruitment Data**, including your curriculum vitae, information on references and other information you provide us during the recruitment process, and results of any reference cheques and background cheques conducted as part of the recruitment process.
- **Assessment Data**, including your responses to assessments and the resulting reports.

## Purposes of Processing

We may use your Personal Data for one of the following activities:

- Provide Services to you and our Client as agreed in the contract;
- For recruitment purposes in cases where you have applied for a job with us;
- When you have opted-in, for marketing purposes;
- For internal analysis and research to help us improve our Products and Services;
- Keeping accounts and financial records related to any business or other activity carried on by us; and
- Sending relevant administrative information such as notices related to product, service, or policy changes.

## Third Party Disclosures

We do not share your Personal Data with third parties for their own marketing purposes.

We may disclose your Personal Data internally, within entities of the Talogy Group, and externally, with the Client, and other third parties as set forth below. When we disclose



Personal Data, the recipient is required to keep that Personal Data confidential, secure and process the Personal Data only for the specific purpose for which they are engaged:

- **Clients:** We share your information, including results of your assessment, job demographics, and other information about you with the Client who engaged us to provide the Services.
- **Government and Professional Licensing Agencies:** We disclose Personal Data, Exam Information, Licensure Updates, and other information relating to regulatory boards or state governments for inclusion in their files and records. In addition, we may also disclose such information to licensing agencies or professional associations, for a fee, for inclusion in their files and records. In certain states, licensees' Personal Data, Exam Information, and Licensure Updates are considered information that is in the public domain.
- **Sub-Processors/Service Providers:** We share information with our sub-processors, including Talogy Group companies and other third-party providers who provide services to us. A list of our sub-processors can be found here: <https://www.talogy.com/en/legal/sub-processors/>.
- **Law Enforcement/Public Authorities:** We may be required to disclose information to public authorities, regulators, or governmental bodies, as required by the applicable law or regulation, under a code of practice or conduct, where necessary to facilitate any investigation, or where we believe that disclosure is appropriate to protect our rights and interests or the rights and interests of third parties.
- **Corporate Transactions:** If we are acquired by, or merge with another company, any of our assets are transferred to another company, or bankruptcy proceeding ensues, we may transfer the information we have collected from you to the other party.

## Security Measures

We have put in place various electronic safeguards and managerial processes designed to prevent unauthorized access or disclosure, maintain data integrity, and ensure the appropriate use of Personal Data. We use industry best practices and guidance from sources such as the National Institute of Standards and Technology ("**NIST**"), Payment Card Industry ("**PCI**"), standards promulgated by the Centre for Internet Security ("**CIS**"), and International Standards Organization ("**ISO**"), ISO/IEC 27001:2013 (Security techniques — Information security management systems — Requirements) to design

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and maintain our information security program. We maintain Personal Data, exam data, and Licensee Updates on secured computers and all Clients, exam candidates, and employer accounts are password protected. No such security or safeguards are 100% effective, but we will take commercially reasonable efforts to employ security measures designed to protect the information. No Personal Data is knowingly disclosed to third parties except as described herein. Unfortunately, since data transmission over the internet cannot be completely secure, we cannot ensure or warrant the security of any information transmitted to us.

We limit access to your Personal Data to those employees, agents, contractors, sub-processors and other third parties who have a business need to know. They will only process your Personal Data on our instructions, and they are subject to a duty of confidentiality.

We have procedures put in place to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **Location and Retention**

The location of the servers where your Personal Data is stored will be dependent on the specific Services provided by us to the Client and governed by the contract between us and the Client. Please refer to our list of sub-processors for further information on the locations where your Personal Data may be processed by our sub-processors.

We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your Personal Data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you or our Client.

To determine the appropriate retention period for Personal Data, we consider the amount, nature and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data, whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other retention requirements.

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You have the right to request that we delete your information. Please see “Your Legal Rights” below for further information.

Unless agreed otherwise, we may use your Personal Data after anonymization (so that it can no longer be identified as your information) for research or statistical purposes, in which case we may use this information for a reasonable period of time without further notice to you. We may also use your Personal Data as part of statistical, aggregated data for research purposes in a pseudonymized form, if approved by our Client.

## International Transfers

We may share your Personal Data within the Talogy Group for the purposes stated above. This may involve transferring your information outside the European Economic Area (“**EEA**”). Whenever we transfer your Personal Data outside of the EEA, we ensure a similar degree of protection is afforded to it by implementing the following safeguards:

**Standard Contractual Clauses.** We operate globally and may transfer your personal information to Talogy Group Companies or third parties in locations around the world for the purposes described in this privacy policy. Therefore, your Personal Data may be processed outside your jurisdiction, including in countries and jurisdictions that are not subject to an adequacy decision by the European Commission or your local legislature or regulator, and that may not provide for the same level of data protection as your jurisdiction. Wherever your Personal Data is transferred, stored, or processed by us, we will take reasonable steps to safeguard the privacy of your Personal Data. These steps may include implementing standard contractual clauses or an alternative mechanism for the transfer of data as approved by the European Commission or other applicable regulators or legislators. Where required by applicable law, we will only share, transfer, or store your Personal Data outside of your jurisdiction with your prior consent or other lawful means of transfer. For more information on how we may transfer Personal Data, please see our Schrems II notice

here: <https://www.talogy.com/en/legal/notices/schrems/>.

**Intra-Group Transfer Agreement.** All relevant Talogy Group Companies across the globe have entered into an intra-group transfer agreement committing to compliance with the General Data Protection Regulation 2016/679 (“**GDPR**”) as set out in the European Commission’s standard contractual clauses for data transfers.

**Other International Transfers.** Personal Data may be processed outside your jurisdiction by our sub-processors. Please refer to [our list of sub-processors](#) and the locations where Personal Data may be processed by the sub-processors. We ensure that our sub-processors offer an adequate level of protection to the Personal Data by entering into appropriate agreements committing them to compliance with GDPR and other applicable laws.

## Legal Bases for Processing

We process your Personal Data in accordance with the contract with our Client, the GDPR and the California Consumer Privacy Act (“**CCPA**”). Based on the specific circumstances, the legal basis for our processing is one of the following:

- **Performance of a Contract.** We collect and process Personal Data for the purposes of the performance of a contract with you or our Client.
- **Consent.** In certain cases where required under the law, we process your Personal Data based on your specific and informed consent. For example, where you have opted-in to receive our marketing information, we may use your information to send you news and newsletters, special offers, and promotions, or to otherwise contact you about Products or Services or information we think may interest you.
- **Legitimate Interest.** We process Personal Data where it is necessary for our legitimate interests (or those of a third party). This includes activities related to everyday business operations, such as invoice processing, business planning, and handling client service-related queries and complaints, and other activities such as recruitment.
- **Legal Obligation.** We process your Personal Data when we need to comply with a legal obligation, meet our on-going regulatory and compliance obligations, including in relation to recording and monitoring communications, disclosures to tax authorities, financial service regulators and other regulatory and governmental bodies, and to investigate security incidents and prevent crime.
- **Other bases.** We may rely on other legal bases for processing as set out in the contract with the Client.

## Your Legal Rights

Privacy Rights for Data Subjects in the European Union

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The GDPR sets forth certain rights to EU residents. Talogy is committed to full compliance with the GDPR.

Under the GDPR, we are a data processor of a candidate's Personal Data with respect to most Services provided to our Clients. Our Client or the relevant organization in the supply chain determines the purposes and means of the processing and is the data controller. The contract with our Client sets out our mandate to process your Personal Data in such instances. We may also act as data controllers in instances where we provide Services directly to you and where we determine the purposes and means of processing your Personal Data.

If you are a data subject under the GDPR, you have the following rights in relation to your Personal Data.

- **Request access to your Personal Data**
- **Request correction of your Personal Data**
- **Request erasure of your Personal Data**
- **Object to processing of your Personal Data**
- **Request restriction of processing of your Personal Data**
- **Request transfer of your Personal Data**
- **Right to withdraw consent**

To exercise any of these rights, please submit a request to us by emailing our Data Protection Officer through our [Privacy Portal](#). In cases where we are a data processor, we can only forward your request to our Client for instructions on how best to respond to your request. We encourage you to contact the data controller directly to exercise your rights.

#### Privacy Rights for California Citizens

Talogy is committed to full compliance with the CCPA. Any terms defined in the CCPA have the same meaning when used in this section.

Generally, we are a "Service Provider" as defined under the CCPA with respect to our practices in managing your Personal Data. The organization that has engaged us to provide the Services is the "Business" (as defined under the CCPA) and our mandate to process your Personal Data is based on the contract between us and the Business. For



example, if you are taking a licensing examination, the licensing agency is the Business that has contracted with Talogy, the Service Provider, to deliver your examination. In such cases, we encourage you to contact the Business to exercise your rights with respect to such Personal Data.

The CCPA provides California residents with specific rights regarding their Personal Data:

- **Request access to your Personal Data and data portability.**
- **Request deletion of your Personal Data.**
- **Right to Opt-Out of the Sale of Personal Data.**

To exercise any of these rights, please submit a verifiable consumer request by either:

- Calling us at: [1-800-733-9267](tel:1-800-733-9267)
- Emailing our Data Protection Officer through our [Privacy Portal](#)

We will not discriminate against you for exercising any of the foregoing rights under CCPA. You will not have to pay a fee to access your Personal Data or to exercise any of the other rights under CCPA. Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request. You may only make such a request twice within any 12-month period. Your request must provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Data. As a security measure, we may need to request specific information from you to help us confirm your identity.

We try to respond to all legitimate requests under CCPA within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you.

#### Personal Data Sales Opt-Out and Opt-In

We may engage in marketing campaigns in order to introduce new products or services that may be of interest to our current or prospective Clients. Where required by applicable law, we will only engage in such marketing communications if the individual has opted into these communications. Individuals may opt-out of the processing of their Personal Data by exercising their right to withdraw consent and the right to object to the processing of their information. To opt-out of commercial emails, simply click the link labelled "unsubscribe" at the bottom of any email sent by us. Please note that even



if you opt-out of commercial emails, we may still need to contact you with important transactional information about your account or a scheduled exam in order to fulfil a contractual obligation. For example, we will still send assessment confirmations and reminders, information about center changes and closures, and information about assessment results even if commercial emails have been opted-out (or not opted-in).

## **Third-Party Links**

Our Site may provide links to third-party websites. We have no control over third parties, and we assume no responsibility for the availability, content, accuracy or privacy practices of other websites, services or goods that may be linked to, or advertised on, such third-party websites. We suggest that you review the privacy policies and the terms and conditions of the third-party websites to get a better understanding of what, why and how they collect and use any personally identifiable information.

## **Children**

Our Site is not designed to attract anyone under the age of 16 and children under the age of 16 are not permitted to access or use our Site. In limited circumstances and in specific markets, a Client may contract with us to provide examinations to candidates under the age of 16. Additional relevant information will be provided to such candidates through the Client or at the time of or prior to the provision of Services.

## **Updates to Privacy Policy**

We reserve the right to amend or change this Policy from time to time. We encourage you to visit and review this Policy periodically. We will post our revised Policy on our website and update the revision date below to reflect the date of the changes. By continuing to use our website after we post any such changes or updates, you accept the Policy as modified.