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1. INTRODUCTION

ClipTraining is committed to conducting its business in accordance with all applicable Data Protection laws and regulations and in line with the highest standards of ethical conduct.

This policy sets forth the expected behaviors of ClipTraining Employees and Third Parties in relation to the collection, use, retention, transfer, disclosure, and destruction of any Personal Data belonging to a ClipTraining Contact (i.e. the Data Subject).

Personal Data is any information (including opinions and intentions) which relates to an identified or Identifiable Natural Person. Personal Data is subject to certain legal safeguards and other regulations, which impose restrictions on how organizations may process Personal Data. An organization that handles Personal Data and makes decisions about its use is known as a Data Controller. ClipTraining, as a Data Controller, is responsible for ensuring compliance with the Data Protection requirements outlined in this policy. Non-compliance may expose ClipTraining to complaints, regulatory action, fines and/or reputational damage.

ClipTraining's leadership is fully committed to ensuring continued and effective implementation of this policy and expects all ClipTraining Employees and Third Parties to share in this commitment. Any breach of this policy will be taken seriously and may result in disciplinary action or business sanction.

This policy has been approved by ClipTraining's Chief Executive Officer.

2. SCOPE

This policy applies to all ClipTraining Entities where a Data Subject's Personal Data is processed:

- In the context of the business activities of ClipTraining.
- For the provision or offer of goods or services to individuals (including those provided or offered free-of-charge) by ClipTraining.
- To actively monitor the behavior of individuals.
- Monitoring the behavior of individuals includes using data processing techniques such as persistent web browser cookies or dynamic IP address tracking to profile an individual with a view to:
 - Taking a decision about them.
 - Analyzing or predicting their personal preferences, behaviors, and attitudes.

This policy applies to all Processing of Personal Data in electronic form (including electronic mail and documents created with word processing software) or where it is held in manual files that are structured in a way that allows ready access to information about individuals.

This policy has been designed to establish a worldwide baseline standard for the Processing and protection of Personal Data by all ClipTraining Entities. Where national law imposes a requirement which is stricter than imposed by this policy, the requirements in national law must be followed. Furthermore, where national law imposes a requirement that is not addressed in this policy, the relevant national law must be adhered to.

If there are conflicting requirements in this policy and national law, please consult with Office of Data Protection for guidance.

The protection of Personal Data belonging to ClipTraining Employees is not within the scope of this policy. It is covered in the ClipTraining 'Data Protection for Employee Data' policy.

3. DEFINITIONS

Employee	An individual who works part-time or full-time for ClipTraining under a contract of employment, whether oral or written, express or implied, and has recognized rights and duties. Includes temporary employees and independent contractors.
Entity	Any ClipTraining division, department, or subsidiary.
Third Party	An external organization with which ClipTraining conducts business and is also authorized to, under the direct authority of ClipTraining, Process the Personal Data of ClipTraining Contacts.

Personal Data Any information (including opinions and intentions) which relates to an identified or Identifiable Natural Person.

Contact Any past, current or prospective ClipTraining customer.

Identifiable Natural Person Anyone 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 one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Data Controller A natural or legal person, Public Authority, Agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

ClipTraining Entity A ClipTraining division, department or office, including subsidiaries and joint ventures over which ClipTraining exercise management control.

Data Subject The identified or Identifiable Natural Person to which the data refers.

Process, Processed, Processing Personal Data or on sets of Personal Data, whether or not by automated means. Operations performed may include collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise

making available, alignment or combination, restriction, erasure or destruction.

Data Protection

The process of safeguarding Personal Data from unauthorized or unlawful disclosure, access, alteration, Processing, transfer or destruction.

Data Protection Authority

An independent Public Authority responsible for monitoring the application of the relevant Data Protection regulation set forth in national law.

Data Processors

A natural or legal person, Public Authority, Agency or other body which Processes Personal Data on behalf of a Data Controller.

Consent

Any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him or her.

Special Categories of Data

Personal Data pertaining to or revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership; data concerning health or sex life and sexual orientation; genetic data or biometric data.

Third Country

Any country not recognized as having an adequate level of legal protection for the rights and freedoms of Data Subjects in relation to the Processing of Personal Data.
Profiling Any form of automated processing of Personal

Data where Personal Data is used to evaluate specific or general characteristics relating to an Identifiable Natural Person. In particular, to analyses or predict certain aspects concerning that natural person's performance at work, economic situations, health, personal preferences, interests, reliability, behavior, location or movement.

Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.
Encryption	The process of converting information or data into code, to prevent unauthorized access.
Pseudonymisation	Data amended in such a way that no individuals can be identified from the data (whether directly or indirectly) without a "key" that allows the data to be re-identified.
Anonymization	Data amended in such a way that no individuals can be identified from the data (whether directly or indirectly) by any means or by any person

4. POLICY

4.1. Governance

4.1.1. Office of Data Protection

To demonstrate our commitment to Data Protection, and to enhance the effectiveness of our compliance efforts, ClipTraining has established an Office of Data Protection. The Office operates with independence and is staffed by suitably skilled individuals granted all necessary authority. The Office of Data Protection reports to ClipTraining's Chief Executive Officer who has direct access to the ClipTraining Board of Directors. The Office of Data Protection includes a designated Data Protection Officer (DPO) whose duties include:

- Informing and advising ClipTraining and its Employees who carry out Processing pursuant to Data Protection regulations, national law or Union based Data Protection provisions;
- Ensuring the alignment of this policy with Data Protection regulations, national law or Union based Data Protection provisions;
- Providing guidance with regards to carrying out Data Protection Impact Assessments (DPIAs);
- Acting as a point of contact for and cooperating with Data Protection Authorities (DPAs);
- Determining the need for notifications to one or more DPAs as a result of ClipTraining's current or intended Personal Data processing activities;
- Making and keeping current notifications to one or more DPAs as a result of ClipTraining's current or intended Personal Data processing activities;
- The establishment and operation of a system providing prompt and appropriate responses to Data Subject requests;
- Ensuring establishment of procedures and standard contractual provisions for obtaining compliance with this Policy by any Third Party who:
 - o provides Personal Data to ClipTraining
 - o receives Personal Data from ClipTraining
 - o has access to Personal Data collected or processed by ClipTraining.

4.1.2. Policy Dissemination & Enforcement

The management team of ClipTraining must ensure that all ClipTraining Employees responsible for the Processing of Personal Data are aware of and comply with the contents of this policy.

In addition, ClipTraining will make sure all Third Parties engaged to Process Personal Data on their behalf (i.e. their Data Processors) are aware of and comply with the contents of this policy. Assurance of such compliance must be obtained from all Third Parties, whether companies or individuals, prior to granting them access to Personal Data controlled by ClipTraining.

4.1.3. Data Protection by Design

To ensure that all Data Protection requirements are identified and addressed when designing new systems or processes and/or when reviewing or expanding existing systems or processes, each of them must go through an approval process before continuing.

ClipTraining must ensure that a Data Protection Impact Assessment (DPIA) is conducted, in cooperation with the Office of Data Protection, for all new and/or revised systems or processes for which it has responsibility. The subsequent findings of the DPIA must then be submitted to the Chief Risk Officer for review and approval. Where applicable, the Information Technology (IT) department, as part of its IT system and application design review process, will cooperate with the Office of Data Protection to assess the impact of any new technology uses on the security of Personal Data.

4.1.4. Compliance Monitoring

To confirm that an adequate level of compliance that is being achieved by all ClipTraining Entities in relation to this policy, the Office of Data Protection will carry out an annual Data Protection compliance audit for all such Entities. Each audit will, as a minimum, assess:

- Compliance with Policy in relation to the protection of Personal Data, including:
 - The assignment of responsibilities.
 - Raising awareness.
 - Training of Employees.
 - Data Security

- The effectiveness of Data Protection related operational practices, including:
 - Data Subject rights.
 - Personal Data transfers.
 - Personal Data incident management.

- Personal Data complaints handling.
- Personal Data Protection and Security

- The level of understanding of Data Protection policies and Privacy Notices.
- The currency of Data Protection policies and Privacy Notices.
- The accuracy of Personal Data being stored.
- The conformity of Data Processor activities.
- The adequacy of procedures for redressing poor compliance and Personal Data Breaches.

The Office of Data Protection, in cooperation with key business stakeholders from ClipTraining, will devise a plan with a schedule for correcting any identified deficiencies within a defined and reasonable time frame. Any major deficiencies identified will be reported to and monitored by the ClipTraining Executive Management team.

4.2. Data Protection Principles

ClipTraining has adopted the following principles to govern its collection, use, retention, transfer, disclosure and destruction of Personal Data:

➤ *Principle 1: Lawfulness, Fairness and Transparency*

Personal Data shall be processed lawfully, fairly and in a transparent manner in relation to the Data Subject. This means, ClipTraining must tell the Data Subject What Processing will occur (transparency), the Processing must match the description given to the Data Subject (fairness), and it must be for one of the purposes specified in the applicable Data Protection regulation (lawfulness).

➤ *Principle 2: Purpose Limitation*

Personal Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. This means ClipTraining must specify exactly what the Personal Data collected will be used for and limit the Processing of that Personal Data to only what is necessary to meet the specified purpose.

➤ *Principle 3: Data Minimization*

Personal Data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. This means ClipTraining must not store any Personal Data beyond what is strictly required.

➤ *Principle 4: Accuracy*

Personal Data shall be accurate and, kept up to date. This means ClipTraining must have in place processes for identifying and addressing out-of-date, incorrect and redundant Personal Data.

➤ *Principle 5: Storage Limitation*

Personal Data shall be kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the Personal Data is processed. This means ClipTraining must, wherever possible, store Personal Data in a way that limits or prevents identification of the Data Subject.

➤ *Principle 6: Integrity & Confidentiality*

Personal Data shall be processed in a manner that ensures appropriate security of the Personal Data, including protection against unauthorized or unlawful Processing, and against accidental loss, destruction or damage. ClipTraining must use appropriate technical and organizational measures to ensure the integrity and confidentiality of Personal Data is maintained at all times.

➤ *Principle 7: Accountability*

The Data Controller shall be responsible for, and be able to demonstrate compliance. This means ClipTraining must demonstrate that the six Data Protection Principles (outlined above) are met for all Personal Data for which it is responsible.

4.3. Data Collection

4.3.1. Data Sources

Personal Data should be collected only from the Data Subject unless one of the following apply:

- The nature of the business purpose necessitates collection of the Personal Data from other persons or bodies.

- The collection must be carried out under emergency circumstances in order to protect the vital interests of the Data Subject or to prevent serious loss or injury to another person.

If Personal Data is collected from someone other than the Data Subject, the Data Subject must be informed¹ of the collection unless one of the following apply:

- The Data Subject has received the required information by other means.
- The information must remain confidential due to a professional secrecy obligation
- A national law expressly provides for the collection, Processing or transfer of the Personal Data.

Where it has been determined that notification to a Data Subject is required, notification should occur promptly, but in no case later than:

- One calendar month from the first collection or recording of the Personal Data
- At the time of first communication if used for communication with the Data Subject
- At the time of disclosure if disclosed to another recipient.

4.3.2. Data Subject Consent

ClipTraining will obtain Personal Data only by lawful and fair means and, where appropriate with the knowledge and Consent of the individual concerned. Where a need exists to request and receive the Consent of an individual prior to the collection, use or disclosure of their Personal Data, ClipTraining is committed to seeking such Consent.

The Office of Data Protection, in cooperation with the organization's General Counsel, the designated Chief Risk Officer/the Chief Information Security Officer, the Chief Executive Officer, and other relevant business representatives, shall establish a system for obtaining and documenting Data Subject Consent for the collection, Processing, and/or transfer of their Personal Data. The system must include provisions for:

- Determining what disclosures should be made in order to obtain valid Consent.
- Ensuring the request for consent is presented in a manner which is clearly distinguishable from any other matters, is made in an intelligible and easily accessible form, and uses clear and plain language.
- Ensuring the Consent is freely given (i.e. is not based on a contract that is conditional to the Processing of Personal Data that is unnecessary for the performance of that contract).
- Documenting the date, method and content of the disclosures made, as well as the validity, scope, and volition of the Consents given.
- Providing a simple method for a Data Subject to withdraw their Consent at any time.
- *GDPR-002-Cliptraining* is ClipTraining's Supplemental Data Privacy notice

4.3.3. Data Subject Notification

ClipTraining will, when required by applicable law, contract, or where it considers that it is reasonably appropriate to do so, provide Data Subjects with information as to the purpose of the Processing of their Personal Data.

When the Data Subject is asked to give Consent to the Processing of Personal Data and when any Personal Data is collected from the Data Subject, all appropriate disclosures² will be made, in a manner that draws attention to them, unless one of the following apply:

- The Data Subject already has the information
- A legal exemption applies to the requirements for disclosure and/or Consent.

The disclosures may be given orally, electronically or in writing. If given orally, the person making the disclosures should use a suitable script or form approved in advance by the Office of Data Protection. The associated receipt or form should be retained, along with a record of the facts, date, content, and method of disclosure.

4.3.4. External Privacy Notices

Each external website provided by ClipTraining will include an online 'Privacy Notice' and an online 'Cookie Notice' fulfilling the requirements of applicable law. Refer to ClipTraining's 'Internet Privacy Notice' and 'Internet Cookie Notice' standard templates for guidance. All Privacy and Cookie Notices must be approved by the Office of Data Protection prior to publication on any ClipTraining external website.

4.4. Data Use

4.4.1. Data Processing

ClipTraining uses the Personal Data of its Contacts for the following broad purposes:

- The general running and business administration of ClipTraining Entities.
- To provide services to ClipTraining customers.
- The ongoing administration and management of customer services.

The use of a Contact's information should always be considered from their perspective and whether the use will be within their expectations or if they are likely to object. For example, it would clearly be within a Contact's expectations that their details will be used by ClipTraining to respond to a Contact request for information about the products

and services on offer. However, it will not be within their reasonable expectations that ClipTraining would then provide their details to Third Parties for marketing purposes.

ClipTraining Will Process Personal Data in accordance with all applicable laws and applicable contractual obligations. More specifically, ClipTraining will not Process Personal Data unless at least one of the following requirements are met:

- The Data Subject has given Consent to the Processing of their Personal Data for one or more specific purposes.
- Processing is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the Data Subject prior to entering into a contract.
- Processing is necessary for compliance with a legal obligation to which the Data Controller is subject.
- Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller.
- Processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a Third Party (except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject, in particular where the Data Subject is a child).

There are some circumstances in which Personal Data may be further processed for purposes that go beyond the original purpose for which the Personal Data was collected. When making a determination as to the compatibility of the new reason for Processing, guidance and approval must be obtained from the Office of Data Protection before any such Processing may commence.

In any circumstance where Consent has not been gained for the specific Processing in question, ClipTraining will address the following additional conditions to determine the fairness and transparency of any Processing beyond the original purpose for which the Personal Data was collected:

- Any link between the purpose for which the Personal Data was collected and the reasons for intended further Processing.
- The context in which the Personal Data has been collected, in particular regarding the relationship between Data Subject and the Data Controller.
- The nature of the Personal Data, in particular whether Special Categories of Data are being Processed, or whether Personal Data related to criminal convictions and offences are being processed.
- The possible consequences of the intended further Processing for the Data Subject.

- The existence of appropriate safeguards pertaining to further Processing, which may include Encryption, Anonymization or Pseudonymisation.

4.4.2. Special Categories of Data

ClipTraining will only Process Special Categories of Data (also known as sensitive data) where the Data Subject expressly consents to such Processing or where one of the following conditions apply:

The Processing relates to Personal Data which has already been made public by the Data Subject.

The Processing is necessary for the establishment, exercise or defense of legal claims.

The Processing is specifically authorized or required by law.

The Processing is necessary to protect the vital interests of the Data Subject or of another natural person where the Data Subject is physically or legally incapable of giving consent.

Further conditions, including limitations, based upon national law related to the Processing of genetic data, biometric data or data concerning health.

In any situation where Special Categories of Data are to be processed, prior approval must be obtained from the Office of Data Protection and the basis for the Processing clearly recorded with the Personal Data in question.

Where Special Categories of Data are being Processed, ClipTraining will adopt additional protection measures. ClipTraining may also adopt additional measures to address local custom or social expectation over the Processing of Special Categories of Data.

4.4.3. Children's Data

Children¹ are unable to Consent to the Processing of Personal Data for information society services². Consent must be sought from the person who holds parental responsibility over the child. However, it should be noted that where Processing is lawful under other grounds, Consent need not be obtained from the child or the holder of parental responsibility.

Should any ClipTraining Entity foresee a business need for obtaining parental consent for information society services offered directly to a child, guidance and approval must

be obtained from the Office of Data Protection before any Processing of a child's Personal Data may commence.

- ClipTraining *GDPR Consent Form* can be used.

4.4.4. Data Quality

ClipTraining will adopt all necessary measures to ensure that the Personal Data it collects and Processes is complete and accurate in the first instance, and is updated to reflect the current situation of the Data Subject.

The measures adopted by ClipTraining to ensure data quality include:

- Correcting Personal Data known to be incorrect, inaccurate, incomplete, ambiguous, misleading or outdated, even if the Data Subject does not request rectification.
- Keeping Personal Data only for the period necessary to satisfy the permitted uses or applicable statutory retention period.
- The removal of Personal Data if in violation of any of the Data Protection principles or if the Personal Data is no longer required.
 - Restriction, rather than deletion of Personal Data, insofar as:
 - a law prohibits erasure.
 - erasure would impair legitimate interests of the Data Subject.
- The Data Subject disputes that their Personal Data is correct and it cannot be clearly ascertained whether their information is correct or incorrect.

4.4.5. Profiling & Automated Decision-Making

ClipTraining will only engage in Profiling and automated decision-making where it is necessary to enter into, or to perform, a contract with the Data Subject or where it is authorized by law.

Where ClipTraining utilizes Profiling and automated decision-making, this will be disclosed to the relevant Data Subjects. In such cases the Data Subject will be given the opportunity to:

- Express their point of view.
- Obtain an explanation for the automated decision.
- Review the logic used by the automated system.
- Supplement the automated system with additional data.
- Have a human carry out a review of the automated decision.
- Contest the automated decision.
- Object to the automated decision-making being carried out.

ClipTraining must also ensure that all Profiling and automated decision-making relating to a Data Subject is based on accurate data.

4.4.6. Digital Marketing

As a general rule ClipTraining will not send promotional or direct marketing material to a ClipTraining Contact through digital channels such as mobile phones, email and the Internet, without first obtaining their Consent. If ClipTraining wishing to carry out a digital marketing campaign without obtaining prior Consent from the Data Subject, Cliptraining must first have it approved by the Office of Data Protection.

Where Personal Data Processing is approved for digital marketing purposes, the Data Subject must be informed at the point of first contact that they have the right to object, at any stage, to having their data Processed for such purposes. If the Data Subject puts forward an objection, digital marketing related Processing of their Personal Data must cease immediately and their details should be kept on a suppression list with a record of their opt-out decision, rather than being completely deleted.

It should be noted that where digital marketing is carried out in a 'business to business' context, there is no legal requirement to obtain an indication of Consent to carry out digital marketing to individuals provided that they are given the opportunity to opt-out.

4.5. Data Retention

To ensure fair Processing, Personal Data will not be retained by ClipTraining for longer than necessary in relation to the purposes for which it was originally collected, or for which it was further Processed.

The length of time for which ClipTraining Entities need to retain Personal Data is set out in the ClipTraining 'Personal Data Retention Schedule' in the Data Retention Policy (DRP-001). This takes into account the legal and contractual requirements, both minimum and maximum, that influence the retention periods set forth in the schedule. All Personal Data should be deleted or destroyed as soon as possible where it has been confirmed that there is no longer a need to retain it.

4.6. Data Protection

ClipTraining will adopt physical, technical, and organizational measures to ensure the security of Personal Data. This includes the prevention of loss or damage, unauthorized alteration, access or Processing, and other risks to which it may be exposed by virtue of human action or the physical or natural environment.

The minimum set of security measures to be adopted by ClipTraining is provided in the ClipTraining 'Information Security Policy'. A summary of the Personal Data related security measures is provided below:

- Prevent unauthorized persons from gaining access to data processing systems in which Personal Data Are Processed.
- Prevent persons entitled to use a data processing system from accessing Personal Data beyond their needs and authorizations.
- Ensure that Personal Data in the course of electronic transmission during transport cannot be read, copied, modified or removed without authorization.
- Ensure that access logs are in place to establish whether, and by whom, the Personal Data was entered into, modified on or removed from a data processing system.
- Ensure that in the case where Processing is carried out by a Data Processor, the data can be Processed only in accordance with the instructions of the Data Controller.
- Ensure that Personal Data is protected against undesired destruction or loss.
- Ensure that Personal Data collected for different purposes can and is processed separately.
- Ensure that Personal Data is not kept longer than necessary.

4.7. Data Subject Requests

The Office of Data Protection will establish a system to enable and facilitate the exercise of Data Subject rights related to:

- Information access.
- Objection to Processing.
- Objection to automated decision-making and profiling.
- Restriction of Processing.
- Data portability.
- Data rectification.
- Data erasure.

If an individual makes a request relating to any of the rights listed above, ClipTraining will consider each such request in accordance with all applicable Data Protection laws and regulations. No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be unnecessary or excessive in nature.

Data Subjects are entitled to obtain, based upon a request made in writing to the Office of Data Protection and upon successful verification of their identity, the following information about their own Personal Data:

- The purposes of the collection, Processing, use and storage of the Personal Data.
- The source(s) of the Personal Data, if it was not obtained from the Data Subject;
- The categories of Personal Data stored for the Data Subject.
- The recipients or categories of recipients to whom the Personal Data has been or may be transmitted, along with the location of those recipients.
- The envisaged period of storage for the Personal Data or the rationale for determining the storage period.
- The use of any automated decision-making, including Profiling.
- The right of the Data subject to:
 - object to Processing of their Personal Data.
 - lodge a complaint with the Data Protection Authority.
 - request rectification or erasure of their Personal Data.
 - request restriction of Processing of their Personal Data.

All requests received for access to or rectification of Personal Data must be directed to the Office of Data Protection, who will log each request as it is received. A response to each request will be provided within 30 days of the receipt of the written request from the Data Subject. Appropriate verification must confirm that the requestor is the Data Subject or their authorized legal representative. Data Subjects shall have the right to require ClipTraining to correct or supplement erroneous, misleading, outdated, or incomplete Personal Data.

If ClipTraining cannot respond fully to the request within 30 days, the Office of Data Protection shall nevertheless provide the following information to the Data Subject, or their authorized legal representative within the specified time:

- An acknowledgement of receipt of the request.
- Any information located to date.
- Details of any requested information or modifications which will not be provided to the Data Subject, the reason(s) for the refusal, and any procedures available for appealing the decision.
- An estimated date by which any remaining responses will be provided.

- An estimate of any costs to be paid by the Data Subject (e.g. where the request is excessive in nature).
- The name and contact information of the ClipTraining individual who the Data

It should be noted that situations may arise where providing the information requested by a Data Subject would disclose Personal Data about another individual. In such cases, information must be redacted or withheld as may be necessary or appropriate to protect that person's rights.

Detailed guidance for dealing with requests from Data Subjects can be found throughout this document.

4.8. Law Enforcement Requests & Disclosures

In certain circumstances, it is permitted that Personal Data be shared without the knowledge or Consent of a Data Subject. This is the case where the disclosure of the Personal Data is necessary for any of the following purposes:

- The prevention or detection of crime.
- The apprehension or prosecution of offenders.
- The assessment or collection of a tax or duty.
- By the order of a court or by any rule of law.

If ClipTraining Processes Personal Data for one of these purposes, then it may apply an exception to the Processing rules outlined in this policy but only to the extent that not doing so would be likely to prejudice the case in question.

If any ClipTraining Entity receives a request from a court or any regulatory or law enforcement authority for information relating to a ClipTraining Contact, you must immediately notify the ClipTraining Legal Counsel and Office of Data Protection who will provide comprehensive guidance and assistance.

4.9. Data Protection Training

All ClipTraining Employees that have access to Personal Data will have their responsibilities under this policy outlined to them as part of their staff induction training. In addition, ClipTraining will provide regular Data Protection training and procedural guidance for their staff.

The training and procedural guidance set forth will consist of, at a minimum, the following elements:

- ✓ The Data Protection Principles set forth in Section 4.2 above.
- ✓ Each Employee's duty to use and permit the use of Personal Data only by authorized persons and for authorized purposes.
- ✓ The need for, and proper use of, the forms and procedures adopted to implement this policy.
- ✓ The correct use of passwords, security tokens and other access mechanisms.
- ✓ The importance of limiting access to Personal Data, such as by using password protected screen savers and logging out when systems are not being attended by an authorized person.
- ✓ Securely storing manual files, print outs and electronic storage media.
- ✓ The need to obtain appropriate authorization and utilize appropriate safeguards for all transfers of Personal Data outside of the internal network and physical office premises.
- ✓ Proper disposal of Personal Data by using secure shredding facilities.
- ✓ Any special risks associated with particular departmental activities or duties.

4.10. Data Transfers

ClipTraining Entities may transfer Personal Data to internal or Third Party recipients located in another country where that country is recognized as having an adequate level of legal protection³ for the rights and freedoms of the relevant Data Subjects. Where transfers need to be made to countries lacking an adequate level of legal protection (i.e. Third Countries), they must be made in compliance with an approved transfer mechanism⁴

ClipTraining Entities may only transfer Personal Data where one of the transfer scenarios list below applies:

- The Data Subject has given Consent to the proposed transfer.
- The transfer is necessary for the performance of a contract with the Data Subject.
- The transfer is necessary for the implementation of pre-contractual measures taken in response to the Data Subject's request.

³ For a list of countries recognized as having an adequate level of legal protection see Appendix B.

⁴ For a list of Third Country transfer mechanisms recognized as providing adequate protection see Appendix B.

- The transfer is necessary for the conclusion or performance of a contract concluded with a Third Party in the interest of the Data Subject.
- The transfer is legally required on important public interest grounds.
- The transfer is necessary for the establishment, exercise or defense of legal claims.
- The transfer is necessary in order to protect the vital interests of the Data Subject.

4.10.1. Transfers between ClipTraining Entities

In order for ClipTraining to carry out its operations effectively, there may be occasions when it is necessary to transfer Personal Data from one ClipTraining system to another, or to allow access to the Personal Data from an overseas location. Should this occur, ClipTraining remains responsible for ensuring protection for that Personal Data.

ClipTraining handles the transfer of Personal Data, where the location of the recipient Entity is a Third Country, using the Binding Corporate Rules transfer mechanism. Binding Corporate Rules provide legally binding, enforceable rights on Data Subjects with regard to the Processing of their Personal Data and must be enforced by ClipTraining, including ClipTraining Employees.

When transferring Personal Data to another ClipTraining Entity located in a Third Country, you must:

- Ensure that the recipient is included on the approved list of ClipTraining Entities subject to the ClipTraining 'Binding Corporate Rules Agreement'. The approved list is held and maintained by the Office of Data Protection.
- Only transfer the minimum amount of Personal Data necessary for the particular purpose of the transfer (for example, to fulfil a transaction or carry out a particular service).
- Ensure adequate security measures are used to protect the Personal Data during the transfer (including password-protection and Encryption, where necessary).

4.10.2. Transfers to Third Parties

ClipTraining will only transfer Personal Data to, or allow access by, Third Parties when it is assured that the information will be processed legitimately and protected appropriately by the recipient. Where Third Party Processing takes place, ClipTraining will first identify if, under applicable law, the Third Party is considered a Data Controller or a Data Processor of the Personal Data being transferred.

Where the Third Party is deemed to be a Data Controller, ClipTraining will enter into, in cooperation with the Office of Data Protection, an appropriate agreement with the

Controller to clarify each party's responsibilities in respect to the Personal Data transferred.

Where the Third Party is deemed to be a Data Processor, ClipTraining will enter into, in cooperation with the Office of Data Protection, an adequate Processing agreement with the Data Processor. The agreement must require the Data Processor to protect the Personal Data from further disclosure and to only Process Personal Data in compliance with ClipTraining instructions. In addition, the agreement will require the Data Processor to implement appropriate technical and organizational measures to protect the Personal Data as well as procedures for providing notification of Personal Data Breaches.

When ClipTraining is outsourcing services to a Third Party (including Cloud Computing services), they will identify whether the Third Party Will Process Personal Data on its behalf and whether the outsourcing will entail any Third Country transfers of Personal Data. In either case, it will make sure to include, in cooperation with the Office of Data Protection, adequate provisions in the outsourcing agreement for such Processing and Third Country transfers.

The Office of Data Protection shall conduct regular audits of Processing of Personal Data performed by Third Parties, especially in respect of technical and organizational measures they have in place. Any major deficiencies identified will be reported to and monitored by the ClipTraining Executive Management team.

4.11. Complaints Handling

Data Subjects with a complaint about the Processing of their Personal Data, should put forward the matter in writing to the Office of Data Protection. An investigation of the complaint will be carried out to the extent that is appropriate based on the merits of the specific case. The Office of Data Protection will inform the Data Subject of the progress and the outcome of the complaint within a reasonable period.

If the issue cannot be resolved through consultation between the Data Subject and the Office of Data Protection, then the Data Subject may, at their option, seek redress through mediation, binding arbitration, litigation, or via complaint to the Data Protection Authority within the applicable jurisdiction.

4.12. Breach Reporting

Any individual who suspects that a Personal Data Breach has occurred due to the theft or exposure of Personal Data must immediately notify the Office of Data Protection providing a description of what occurred. Notification of the incident can be made via gdpr@cliptraining.com by calling (888)-611-CLIP (2547).

The Office of Data Protection will investigate all reported incidents to confirm whether or not a Personal Data Breach has occurred. If a Personal Data Breach is confirmed, the Office of Data Protection will follow the relevant authorized procedure based on the criticality and quantity of the Personal Data involved. For severe Personal Data Breaches, the ClipTraining Group General Counsel will initiate and chair an emergency response team to coordinate and manage the Personal Data Breach response.

5. Data Transfers

All exports of data from within the European Economic Area (EEA) to non-European Economic Area countries (referred to in the GDPR as ‘third countries’) are unlawful unless there is an appropriate “level of protection for the fundamental rights of the data subjects”.

The transfer of personal data outside of the EEA is prohibited unless one or more of the specified safeguards, or exceptions, apply:

5.1. An Adequacy Decision

The European Commission can and does assess third countries, a territory and/or specific sectors within third countries to assess whether there is an appropriate level of protection for the rights and freedoms of natural persons. In these instances, no authorization is required.

Countries that are members of the European Economic Area (EEA) but not of the EU are accepted as having met the conditions for an adequacy decision.

A list of countries that currently satisfy the adequacy requirements of the Commission are published in the Official Journal of the European Union. http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index_en.htm or https://ec.europa.eu/info/law/law-topic/data-protection_en

5.2. Privacy Shield

If ClipTraining wishes to transfer personal data from the EU to an organization in the United States, it should check that the organization is signed up with the Privacy Shield framework at the U.S. Department of Commerce. The obligation applying to companies under the Privacy Shield are contained in the “Privacy Principles”. The US DOC is responsible for managing and administering the Privacy Shield and ensuring that companies live up to their commitments. In order to be able to certify, companies must have a privacy policy in line with the Privacy Principles e.g. use, store and further transfer the personal data according to a strong set of data protection rules and safeguards. The protection given to the personal data applies regardless of whether the personal data is related to an EU resident or not. Organizations must renew their “membership” to the Privacy Shield on an annual basis. If they do not, they can no longer receive and use personal data from the EU under that framework.

Assessment of adequacy by the Data Protection Officer in making an assessment of adequacy, the exporting controller should take account of the following factors:

- the nature of the information being transferred;
- the country or territory of the origin, and final destination, of the information;
- how the information will be used and for how long;

- the laws and practices of the country of the transferee, including relevant codes of practice and international obligations; and
- the security measures that are to be taken as regards the data in the overseas location.

5.3. Binding corporate rules

ClipTraining may adopt approved binding corporate rules for the transfer of data outside the EU. This requires submission to the relevant supervisory authority for approval of the rules that ClipTraining is seeking to rely upon.

5.4. Model contract clauses

ClipTraining may adopt approved model contract clauses for the transfer of data outside of the EEA.

5.5. Exceptions

In the absence of an adequacy decision, Privacy Shield membership, binding corporate rules and/or model contract clauses, a transfer of personal data to a third country or international organization shall only take place on one of the following conditions:

- the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards;
- the transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request;
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person;
- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defense of legal claims; and/or the transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent.

6. Policy Maintenance

All inquiries about this policy, including requests for exceptions or changes should be directed to the Office of Data Protection via e-mail DPO@cliptraining.com

6.1. Publication

This policy shall be available to all ClipTraining Employees via means as deemed appropriate by the ClipTraining Office of Data Protection.

6.2. Effective Date

This policy is effective as of 01/01/2021

6.3. Revisions

The Office of Data Protection is responsible for the maintenance and accuracy of this policy. Notice of significant revisions shall be provided to ClipTraining Employees through the Human Resources department. Changes to this policy will come into force when published on and available to all ClipTraining employees.

7. Related Documents

Listed below are documents that relate to and are referenced by this policy.

- GDPR Right To Erasure Request Form
- ESA-001-Cliptraining
- DC-001-Cliptraining
- DRP-001-Cliptraining
- GDPR Consent Form
- GDPR Parent Consent and Withdrawal Form
- SSP-001-Cliptraining

Appendix A

Information Notification to Data Subjects

The table below outlines the various information elements that must be provided by the Data Controller to the Data Subject depending upon whether or not Consent has not been obtained from the Data Subject.

Information Requiring Notification	With Consent	Without Consent
<ul style="list-style-type: none"> The identity and the contact details of the Data Controller and, where applicable, of the Data Controller's representative. 		
<ul style="list-style-type: none"> The original source of the Personal Data, and if applicable, whether it came from a publicly accessible source. 		
<ul style="list-style-type: none"> The contact details of the Data Protection Officer, where applicable. 		
<ul style="list-style-type: none"> The purpose(s) and legal basis for Processing the Personal Data. 		
<ul style="list-style-type: none"> The categories of Personal Data concerned. 		
<ul style="list-style-type: none"> The recipients or categories of recipients of the Personal Data. 		
<ul style="list-style-type: none"> Where the Data Controller intends to further Process the Personal Data for a purpose other than that for which the Personal Data was originally collected, the Data Controller shall provide the Data Subject, prior to that further Processing, with information on that other purpose. 		
<ul style="list-style-type: none"> Where the Data Controller intends to transfer Personal Data to a recipient in a Third Country, notification of that intention and details regarding adequacy decisions taken in relation to the Third Country must be provided. 		
<ul style="list-style-type: none"> The period for which the Personal Data will be stored, or if that is not possible, the criteria used to determine that period. 		
<ul style="list-style-type: none"> Where applicable, the legitimate interests pursued by the Data Controller or by a Third Party. 		
<ul style="list-style-type: none"> The existence of Data Subject rights allowing them to request from the Data Controller- information access, objection to Processing, objection to automated decision-making and profiling, restriction of Processing, data portability, data rectification and data erasure. 		
<ul style="list-style-type: none"> Where Processing is based on Consent, the existence of the right to withdraw Consent at any time, without affecting the lawfulness of Processing based on Consent before its withdrawal. 		
<ul style="list-style-type: none"> The right to lodge a complaint with a Data Protection Authority. 		
<ul style="list-style-type: none"> The existence of automated decision-making (including Profiling) along with meaningful information about the logic involved and the significance of any envisaged consequences of such Processing for the Data Subject. 		
<ul style="list-style-type: none"> Whether the provision of Personal Data is a statutory or contractual requirement, a requirement necessary to enter into a contract, as well as whether the Data Subject is obliged to provide the Personal Data and if so the possible consequences of failure to provide such data. 		

Appendix B

Adequacy for Personal Data Transfers

The following are a list of countries recognized as having an adequate level of legal protection for the rights and freedoms of Data Subjects in relation to the Processing of their Personal Data.

EU Countries

(Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK)

Iceland

Liechtenstein

Norway

Andorra

Argentina

Canada (commercial organizations)

Faeroe Islands

Guernsey

Israel

Isle of Man

Jersey

New Zealand

Switzerland

Uruguay

United States (Privacy Shield certified organizations)

The following are a list of Third Country transfer mechanisms that can provide adequate protection when transfers are made to countries lacking an adequate level of legal protection.

Appropriate safeguards

- Model Clauses
- Binding Corporate Rules
- Codes of Conduct
- Certification Mechanisms

Derogations

- Explicit Consent
- Compelling Legitimate Interests
- Important reasons of Public Interest
- Transfers in response to a foreign legal requirement
- DPA approved contracts between Data Controllers and Data Processors