

## PRIVACY POLICY

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are, how and why we collect, store, use, and share your personal information. It also explains your rights in relation to your personal information and how to contact us or supervisory authorities in the event you have a complaint.

By using our website, you signify your assent to our Privacy Policy. If you do not agree with this Privacy Policy, please do not use our site. Your continued use of this site following the posting of changes to these terms will mean you accept those changes.

We collect, use and are responsible for certain personal information about you. When we do so we are subject to various laws in the United States and the General Data Protection Regulation which applies across the European Union (including in the United Kingdom), and we are responsible as "controller" of that personal information for the purposes of those laws.

1. **Key Terms.** It would be helpful to start by explaining some key terms used in this policy:

We, us, our	eTrainetc, LLC and its subsidiaries and affiliates.
You, your	Subscriber or Authorized User
Personal information	Any information relating to an identified or identifiable individual
Module(s)	Both custom developed and predeveloped simulations, applications, and assessments for knowledge, knowledge application, confidence analysis, and assessment using our proprietary software platform
Subscriber	The entity that has accessed and/or purchased either a Trial Version of the Software or has entered into a Master Subscription Service Agreement with us.
Authorized User	Any person designated to access and use the Software or Third Party Software through the Subscriber.

2. **Personal Information We Collect About You.** We may collect and use the following personal information that identifies, relates to, describes, is reasonable capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household:

<b>Categories of Personal Information</b>	<b>Specific Types of Personal Information Collected</b>
Identifiers (e.g., a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers)	<ul style="list-style-type: none"> <li>• Name</li> <li>• Email address</li> </ul>
Information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.	<ul style="list-style-type: none"> <li>• Name</li> <li>• Email address</li> </ul>
Internet or other electronic network activity information (e.g., browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement)	<ul style="list-style-type: none"> <li>• Some of our web pages use cookies (small data files that are transferred from a web server to your browser). You may modify your browser to reject cookies or to notify you whenever a cookie is sent to your hard drive. If you reject a cookie sent by Us, you may still access the site, but such access may be limited.</li> <li>• If You are using a Module, we collect certain behavioral data including but not limited to Your response time, assessment decisions</li> </ul>
Professional or employment-related information	<ul style="list-style-type: none"> <li>• Job title</li> <li>• Years of experience in professional role</li> </ul>
Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (FERPA)	<ul style="list-style-type: none"> <li>• Level of education</li> </ul>

Inferences drawn from any of the information identified above to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes	<ul style="list-style-type: none"> <li>• Assessment scores</li> <li>• Assessment information</li> <li>• Interpretation of knowledge and confidence</li> <li>• Knowledge application and confidence</li> </ul>
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This personal information is required to provide our products and services to you. If you do not provide personal information we ask for, it may delay or prevent us from providing products and services to you.

3. **How Your Personal Information is Collected.** We collect most of this personal information directly from you—in person, by telephone, text or email and via our website. When You participate in a Module, behavioral data is collected as a part of the service offering to Subscriber.
4. **How and Why We Use Your Personal Information.** Under data protection law, we can only use your personal information if we have a proper reason for doing so, e.g.,:
  - To comply with our legal and regulatory obligations;
  - For the performance of our contract with you or to take steps at your request before entering into a contract;
  - For our legitimate interests or those of a third party; or
  - Where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal information for and our reasons for doing so:

What we use your personal information for	Our reasons
To provide products and services to You and/or Your Employer	<p>For the performance of our contract with You or to take steps at Your request before entering into a contract;</p> <p>If You are participating in a Module – our use of the behavioral data is specifically for the performance of our contract with Subscriber.</p>

To prevent and detect fraud against you or eTrainetc, LLC	For our legitimate interests or those of a third party, i.e. to minimize fraud that could be damaging for us and for You
<p>Conducting checks to identify our customers and verify their identity</p> <p>Screening for financial and other sanctions or embargoes</p> <p>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulation or rules issued by our professional regulator</p>	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to You
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Ensuring the confidentiality of commercially sensitive information	<p>For our legitimate interests or those of a third party, i.e. to protect trade secrets and other commercially valuable information</p> <p>To comply with our legal and regulatory obligations</p>
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Preventing unauthorized access and modifications to systems	<p>For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for us and for you</p> <p>To comply with our legal and regulatory obligations</p>

Updating and enhancing customer records	<p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products</p>
Statutory returns	<p>To comply with our legal and regulatory obligations</p>
Ensuring safe working practices, staff administration and assessments	<p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</p>
<p>Marketing our services to:</p> <ul style="list-style-type: none"> <li>— existing and former customers;</li> <li>— third parties who have previously expressed an interest in our services;</li> <li>— third parties with whom we have had no previous dealings.</li> </ul>	<p>For our legitimate interests or those of a third party, i.e. to promote our business to existing and former customers</p>

The above table does not apply to special category personal information, which we will only process with your explicit consent.

5. **Promotional Communications.** We may use your personal information to send you updates by email, text message, telephone or post about our products and services, including exclusive offers, promotions or new products and services.

We have a legitimate interest in processing your personal information for promotional purposes (see above “How and why we use your personal information”). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal information with the utmost respect and never sell or share it with other organizations outside the eTrain group for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- Contacting us at [contactus@etrainetc.com](mailto:contactus@etrainetc.com);

We may ask you to confirm or update your marketing preferences if you instruct us to provide further products and/or services in the future, or if there are changes in the law, regulation, or the structure of our business.

6. **Who We Share Your Personal Information With.** We routinely share personal information with:

- Our affiliates, including companies within the eTrain group;
- If You are using a Module, we will share the data we collect with Subscriber per the terms of the Agreement with Subscriber as a part of our service offering.
- Other third parties we use to help us run our business, such as marketing agencies or website hosts;
- Third parties approved by you, including social media sites you choose to link your account to or third-party payment providers;

We only allow our service providers to handle your personal information if we are satisfied they take appropriate measures to protect your personal information. We also impose contractual obligations on service providers relating to ensure they can only use your personal information to provide services to us and to you. We may also share personal information with external auditors, e.g. in relation to ISO or Investors in People accreditation and the audit of our accounts.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal information with other parties, such as potential buyers of some or all of our business or during a re-structuring. We will typically anonymize information, but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

7. **Personal Information We Sold or Disclosed for a Business Purpose.** We do not sell or disclose Personal Information to unidentified third parties for any business purpose. Any information that is collected through the participation and use of our Modules is disclosed to Subscriber as a part of the Agreement between us and the Subscriber.

8. **Where Your Personal Information is Held.** Information may be held at our offices and those of our affiliates, third party agencies, service providers, representatives and agents as described above (see above: "Who We Share Your Personal Information with").

9. **How Long Your Personal Information Will Be Kept.** We will keep your personal information while you have an account with us or while we are providing products and/or services to you. Thereafter, we will keep your personal information for as long as is necessary:

- To respond to any questions, complaints or claims made by you or on your behalf;
- To show that we treated you fairly; or
- To keep records required by law.

We will not retain your personal information for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of personal information.

When it is no longer necessary to retain your personal information, we will delete or anonymize it.

#### 10. Your Rights Under the GDPR.

Right to Access	The right to be provided with a copy of your personal information (the right of access)
Right to Rectification	The right to require us to correct any mistakes in your personal information
Right to be Forgotten	The right to require us to delete your personal information—in certain situations
Right to Restriction of Processing	The right to require us to restrict processing of your personal information—in certain circumstances, e.g. if you contest the accuracy of the data
Right to Data Portability	The right to receive the personal information you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
Right to Object	The right to object: <ul style="list-style-type: none"><li>— at any time to your personal information being processed for direct marketing (including profiling);</li><li>— in certain other situations to our continued processing of your personal information, e.g. processing carried out for the purpose of our legitimate interests.</li></ul>
Right Not to be Subject to Automated Individual Decision-Making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioner's Office (ICO) on individual rights under the General Data Protection Regulation.

- 11. Your Rights Under the CCPA.** You have the right under the California Consumer Privacy Act of 2018 (CCPA) and certain other privacy and data protection laws, as applicable, to exercise free of charge:

<p>Disclosure of Personal Information We Collect About You</p>	<p>You have the right to know:</p> <ul style="list-style-type: none"> <li>• The categories of personal information we have collected about you;</li> <li>• The categories of sources from which the personal information is collected;</li> <li>• Our business or commercial purpose for collecting or selling personal information;</li> <li>• The categories of third parties with whom we share personal information, if any; and</li> <li>• The specific pieces of personal information we have collected about you.</li> <li>• Please note that we are not required to:</li> <li>• Retain any personal information about you that was collected for a single one-time transaction if, in the ordinary course of business, that information about you is not retained;</li> <li>• Reidentify or otherwise link any data that, in the ordinary course of business, is not maintained in a manner that would be considered personal information; or</li> <li>• Provide the personal information to you more than twice in a 12-month period.</li> </ul>
<p>Personal Information Sold or Used for a Business Purpose</p>	<p>In connection with any personal information we may sell or disclose to a third party for a business purpose, you have the right to know:</p> <p>The categories of personal information about you that we sold and the categories of third parties to whom the personal information was sold; and</p> <p>The categories of personal information that</p>



	<p>we disclosed about you for a business purpose.</p> <p>You have the right under the California Consumer Privacy Act of 2018 (CCPA) and certain other privacy and data protection laws, as applicable, to opt-out of the sale or disclosure of your personal information. If you exercise your right to opt-out of the sale or disclosure of your personal information, we will refrain from selling your personal information, unless you subsequently provide express authorization for the sale of your personal information. To opt-out of the sale or disclosure of your personal information, contact us at the email provided in Section 13 How to Exercise Your Rights.</p> <p>Please be advised that the only way to opt-out of the disclosure of your personal information to Subscriber is to not use our service offerings and not participate in our Modules.</p>
Right to Deletion	<p>Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:</p> <ul style="list-style-type: none"> <li>• Delete your personal information from our records; and</li> <li>• Direct any service providers to delete your personal information from their records.</li> <li>• Please note that we may not delete your personal information if it is necessary to:</li> <li>• Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us;</li> <li>• Detect security incidents, protect against malicious, deceptive,</li> </ul>

	<p>fraudulent, or illegal activity; or prosecute those responsible for that activity;</p> <ul style="list-style-type: none"> <li>• Debug to identify and repair errors that impair existing intended functionality;</li> <li>• Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;</li> <li>• Comply with the California Electronic Communications Privacy Act;</li> <li>• Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;</li> <li>• Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;</li> <li>• Comply with an existing legal obligation; or</li> <li>• Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.</li> </ul>
Protection Against Discrimination	<p>You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA. This means we cannot, among other things:</p> <ul style="list-style-type: none"> <li>• Deny goods or services to you;</li> <li>• Charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties;</li> <li>• Provide a different level or quality of goods or services to you; or</li> <li>• Suggest that you will receive a</li> </ul>

	<p>different price or rate for goods or services or a different level or quality of goods or services.</p> <p>Please note that we may charge a different price or rate or provide a different level or quality of goods and/or services to you, if that difference is reasonably related to the value provided to our business by your personal information.</p>
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**12. Keeping Your Personal Information Secure.** We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorized way. We limit access to your personal information to those who have a genuine business need to access it. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality. We continually test our systems and follow ISO 27001 guidelines, which means we follow top industry standards for information security. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

**13. How to Exercise Your Rights.** If you would like to exercise any of your rights as described in this Privacy Policy, please:

- Call us, toll-free, at 833-238-7246; or
- Email/write to us at [contactus@etrainetc.com](mailto:contactus@etrainetc.com) or  
Attn: eTraintetc, LLC, Legal Department, PO Box 51858, Sarasota, FL 34232

Please note that you may only make a CCPA-related data access or data portability disclosure request twice within a 12-month period.

If you choose to contact directly by website/email/phone/in writing, you will need to provide us with:

- Enough information to identify you (e.g., your full name, address and customer or matter reference number);
- Proof of your identity and address (e.g., a copy of your driving license or passport and a recent utility or credit card bill); and
- A description of what right you want to exercise and the information to which your request relates.

We are not obligated to make a data access or data portability disclosure if we cannot verify that the person making the request is the person about whom we collected information, or is someone authorized to act on such person's behalf.

Any personal information we collect from you to verify your identity in connection with your request will be used solely for the purposes of verification.

**14. Links.** We may provide you with links to other sites. Please be aware that We are not responsible for the privacy practices of these sites. We do not endorse them or make

any representations about them or any information, services, products, or materials found on them. If you decide to access any of the third-party sites through links, we strongly encourage you to read their privacy statements individually.

15. **Changes to This Privacy Notice.** We may change this privacy notice from time to time– it is your responsibility to check the privacy policy for updates. If an update is made, you will be instructed to review the new update upon applicable access.

16. **How to Contact Us.** Please contact us post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

Our contact details
Attn: eTraintetc, LLC, Legal Department, PO Box 51858, Sarasota, FL 34232
<a href="mailto:contactus@etrainetc.com">contactus@etrainetc.com</a>
833-238-7246

17. **Do You Need Extra Help?** If you would like this notice in another format (for example: audio, large print, braille) please contact us (see “How to contact us” above).