

Privacy and Cookie Policy

(v1.98 05/24)



1 Introduction

We take your personal privacy seriously. Below we explain what data we collect from you, why we collect it, how we store it and what we do with it. If you would like more information or have any queries, please contact info@upskillpeople.com.

We reserve the right to update this Privacy & Cookie Policy from time to time at our discretion. If we do so, the updated version will be effective as soon as it is accessible. If we do update this Privacy & Cookie Policy, and the changes substantially affect your rights or obligations, we shall notify you if we have your email address. Otherwise, you are responsible for regularly reviewing this Privacy & Cookie Policy so that you are aware of any changes to it.

For the purposes of the data protection legislation, Upskill People Limited of 5 Cornfield Terrace, Eastbourne, East Sussex, BN21 4NN (Upskill People, we, us) is the processor of the personal data that is provided to us through your employer's Upskill People account. Your employer is the controller of such personal data. If we otherwise receive personal data from you, we are the controller of that personal data.

1.1 Collecting Your Data

By 'personal data' we mean identifiable information about you, such as your name, email address, telephone number, payroll number, job description and company start date.

We will collect your personal data in a number of ways:

- when you make an enquiry, provide feedback or otherwise contact us with a question or comment;
- through your creation of an Upskill People account, and you agree that in order to create an *Upskill People* account we require all of the information set out at condition 1 above;
- when you subscribe to our news and insights emails, and you agree that we need your name and email address to enable you to subscribe to such emails;
- when you engage with us on social media;
- when you provide a review or testimonial to us.

We want your personal data to be up-to-date and will review with your employer regularly, if there are any changes, please notify us through your employer.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site or other sites that we deliver on your behalf, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

If your employer has an Upskill People account, then we may receive personal data about you from your employer, such as your name, role and email address in order for you to create your Upskill People account.

When you contact us by email or post, we may keep a record of the correspondence and we may also record any telephone call we have with you.

When you use our website, we automatically collect and store information about your device and your activities. This information could include:

- technical information about your mobile device such as type of device, web browser or operating system;
- your preferences and settings such as time zone and language; and
- how long you used the website and which services and features you used. We do this in accordance with the Cookies policy set out below.

1.1.1 Use of your personal data

We will only use your personal data where we have a lawful basis to do so. The lawful purposes that we rely on under this Privacy & Cookie Policy are:

- consent (where you choose to provide it),
- performance of our contract with you;
- legal compliance; and
- legitimate interests. When we refer to legitimate interests we mean our legitimate business interests in the normal running of our business which do not materially impact your rights, freedom or interests.

We may use your personal data to (a) manage your account and notify you of any new or updated course or notifying you of any changes to our Terms of use or this Privacy & Cookie Policy; (b) prevent potentially prohibited or illegal activities or unlawful use of our platform; (c) customise, measure and improve our platform and content; (d) tell you about our services; (e) better understand our users, diagnose and fix problems; and (f) on an anonymous basis, for research purposes and for our general business purposes.

We may share your personal data with others to respond to legal requirements in full compliance with the General Data Protection Regulation and any relevant national law or protect a third party's rights, property, or safety.

For our legitimate interests, we may also share your personal data with any service providers, sub-contractors, sub-processors and agents that we may appoint to perform functions on our behalf and in accordance with our instructions, including payment providers. We shall provide our service providers, sub-contractors and agents only with such of your personal data as they need to provide the service for us and if we stop using their services, we shall request that they delete your personal data or make it anonymous within their systems.

In order to comply with our legal obligations, under certain circumstances we may have to disclose your personal data under applicable laws and/or regulations, for example, as part of anti-money laundering processes or to protect a third party's rights, property, or safety.

For our legitimate interests we may also share your personal data in connection with, or during negotiations of, any merger, sale of assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or into another company.

Your personal data may be transferred to, and stored at, a destination outside the European Economic Area (the EEA). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Transferral of personal data may be initiated manually or automatically, via a predetermined format data file e.g. .csv. Responsibility for safeguarding that personal data lies with the initiator until such time as the commencement of the data transfer process to us, in which case it will be transferred via a secure method such as sftp, ftps or Amazon Web Services (AWS). If you, or your employer, submits your personal data to us, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy & Cookie Policy.

1.1.2 Cookies

A cookie is a small text file containing a unique identification number that is transferred (through your browser) from a website to the hard drive of your computer. The cookie identifies your browser but will not let a website know any personal data about you, such as your name and/or address. These files are then used by websites to identify when users revisit that website. Cookies are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. If you register with us or if you continue to use our site, you agree to our use of cookies.

Our site uses cookies so that we can recognise you when you return and personalise your settings and preferences. You can block cookies by activating the setting on your browser. This allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies as soon you visit our site. Except for essential cookies, all cookies that we place on our site will expire after 2 years.

To understand how people use our site and what devices and technology they're using, we use Google Analytics. Most websites use some sort of analytics program like this. The data it collects helps us see things like how many people visit our site, which country they are from, how many pages they visited, how fast our site loaded, and so on. All data collected is completely anonymous, it does not identify you as an individual in any way.

WordPress is the Content Management System that runs our site. It uses a cookie when logging in and out and is essential for proper website operation. It is only set if you are a registered user, so for most people it is not set at all. Individual user data is anonymous.

We would love you to share our content on social media. Sharing tools in the form of Facebook and Twitter share buttons feature on this site. These third party websites may set a cookie if you are logged in to their service. Please refer to Facebook and Twitter's own cookie policies.

Our site contains 'embedded' video streaming service (including YouTube and Vimeo), A cookie may be set by the service provider upon playing these videos.

1.1.3 Security

We take appropriate security measures (including physical, electronic and procedural measures) to help safeguard your personal data from unauthorised access and disclosure. The technology that we use and the security policies which we have implemented are intended to safeguard your information from unauthorised access and improper use. Unfortunately, the transmission of information via the Internet is not completely secure. Therefore, although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk.

1.1.4 Your rights

You have a number of rights under applicable laws. To exercise these rights please contact info@upskillpeople.com or if we are processing your data on behalf of our client (your employer) you can contact your employer. If you do contact us, we will liaise with your employer in order to understand the requirement for this request and then take appropriate action.

You have the right to obtain from us a copy of the personal data that we hold for you, request that we transfer your personal data to another service provider and to require us to correct errors in the personal data that we process for you if it is inaccurate or incomplete or out of date. You can of course see and amend the personal data that we hold for you within your Upskill People account.

You also have the right at any time to require that your personal data be deleted. Please note if you do this, we shall no longer be able to access your Upskill People account.

At any time, you can withdraw your consent to receive our marketing emails by emailing us or clicking unsubscribe from an email. We shall therefore retain your personal data in our records for marketing purposes until you notify us that you no longer wish to receive emails from us. Please note, even if you do unsubscribe from marketing emails, we will still contact you for our legitimate interests in relation to your access to your Upskill People account. Do also be aware that it may take a few days for us to update your preferences.

We reserve the right to charge an administrative fee if your request in relation to your rights is manifestly unfounded or excessive.

1.1.5 Retention of personal data

We retain your personal data in accordance with applicable laws. The length of time we keep your personal data depends on what it is and whether we have an on-going business need to retain it (for example, to provide you with access to your Upskill People account or to comply with applicable legal, tax or accounting requirements).

We shall retain your personal data for as long as we have a relationship with you or your employer and for a period of time afterwards where we have an on-going business need to retain it, in accordance with our data retention policies and practices. Following that period, we shall make sure it is deleted or made it anonymous within our systems.

1.1.6 Complaints Procedure

If you feel concerned that your personal data is not being managed correctly or is not up-to-date, please contact us at support@upskillpeople.com and we will review and clarify how your data was processed. If any incorrect issues have arisen, we will correct and explain to you the process steps taken. If you feel that we have not satisfied your request, you may report your concern to the Information Commissioner's Office (ICO). If you are based outside of the United Kingdom, please contact your local regulatory authority.

1.1.7 General

If any provision of this Privacy & Cookie Policy is held by a court of competent jurisdiction to be invalid or unenforceable, then such provision shall be construed, as nearly as possible, to reflect the intentions of the parties and all other provisions shall remain in full force and effect.

This Privacy & Cookie Policy shall be governed by and construed in accordance with the law of England and Wales, and you agree to submit to the exclusive jurisdiction of the English Courts.

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