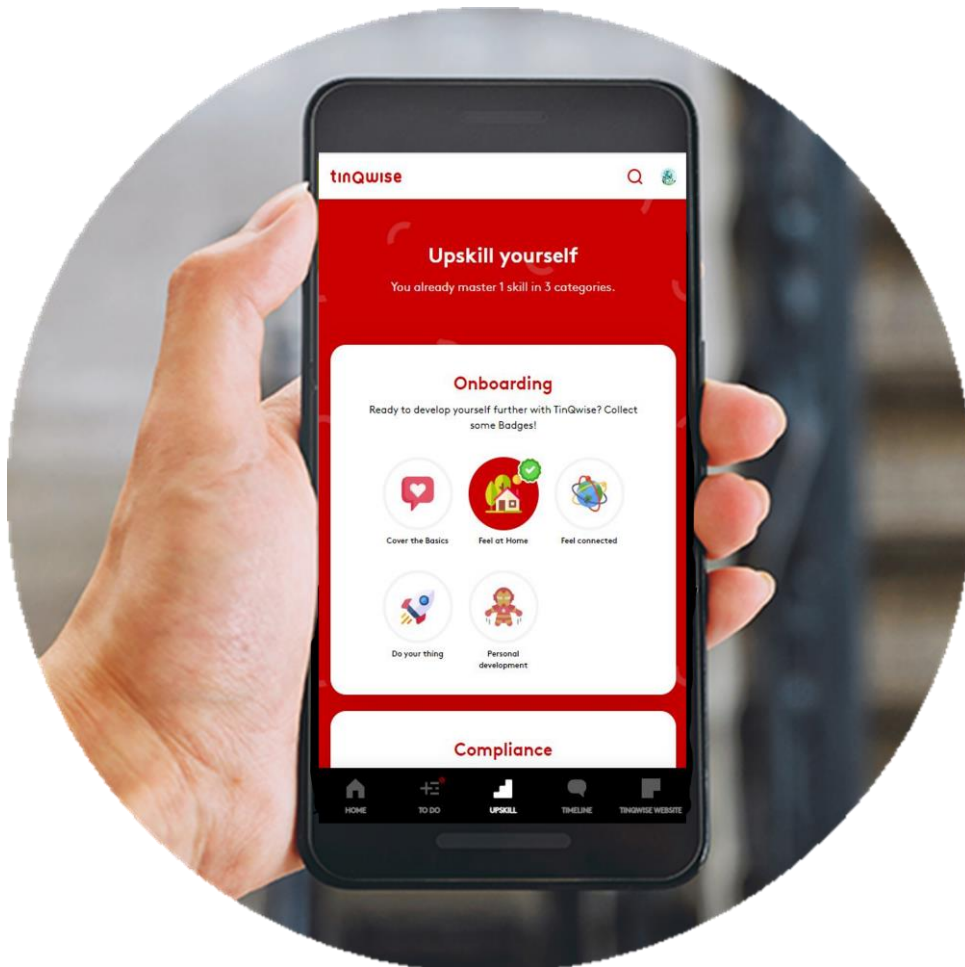


TinQwise Policy



003.2 Data Privacy

VALIDITY AND DOCUMENT MANAGEMENT

Version	Date	Author	Description
01	12/12/2019	Simon Kennedy	Document creation
02	05/02/2020	Simon Kennedy	Policy updates.
03, 04	16/12/2020	Simon Kennedy and Emil de Valk	Annual review and policy update.
05	28/10/2021	Simon Kennedy and Emil de Valk	Annual review and policy update
06	20/10/2022	Simon Kennedy, Emil de Valk, Okke Formsma and Elena Neagu	Annual review and policy update
07	09/03/2023	Emil de Valk and Reinoud van Dommelen	Update to align with standard customer contract set. Definitions, renumbering and consistency.
08	02/11/2023	Liselotte Pröpper and Reinoud van Dommelen	Annual review and policy update. Definitions, Reference Documents and consistency. Aligned more closely with ISO 27001:2023 norm and with contract agreements with TinQwise Staff.

This document is valid as of 01/12/2023.

The owners of this document is the Data Protection Officer (D.P.O.), who must check and, if necessary, update the document at least once a year.

When evaluating the effectiveness and adequacy of this document, the following criteria need to be considered:

- Number of incidents arising from failed security controls built into the systems;
- Feedback from third party security advisors during the bi-annual security reviews;
- Requirements and expectations from Clients and potential Clients data protection and IT security organisations, also in line with the TinQwise Data Processing Terms.

TinQwise reserves the right to update this Policy to reflect changes in our practices and regulatory requirements. Data subjects will be informed of material changes. Previous versions of this procedure will be stored for a period of 5 years, unless specified otherwise by legal or contractual requirement.



You may not copy or transmit the contents of this document either electronically or in hard copies, nor may the document be altered in any manner. The latest version of this policy is available at <https://www.tinqwise.com/policies/data-privacy>. If you are interested in using the contents of this document in any form, please contact TinQwise via info@tinqwise.com with details of your request.

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1. RELEVANT TO

Management	Finance / Legal	HR	Office Management	Marketing, Sales and Account Management	Professional services	IT Support	Product & Engineering	DevOps	Support & Maintenance
X	X	X	X	X	X	X	X	X	X

2. PURPOSE

The purpose of this document is to define TinQwise's approach to data privacy for the TinQwise Platform SaaS platform; and overall approach for secure and controlled handling of Client data by TinQwise Staff (please find definition in "000 Roles & Definitions for definitions").

TinQwise is committed to protecting the privacy of our users. This Data Privacy Policy applies to your use of TinQwise's Subscription Service as a Client of TinQwise. This Data Privacy Policy describes how we collect, receive, use, store, share, transfer, and process your Personal Data. It also describes your choices regarding use, as well as your rights of access and correction of your Personal Data. We follow the principles and requirements of ISO 27001.

This Data Privacy Policy also describes how we process Client Data on behalf of our Clients. This Data Privacy Policy does not apply to any information or data collected by TinQwise as a controller for other purposes, such as information collected on our websites or through other channels for marketing purposes.

3. SCOPE

The scope covers the TinQwise Platform SAAS Application, and all user information and data associated with these platforms.

4. USERS

TinQwise processes Client Data under the direction of our Clients, and has no direct control or ownership of the Personal Data we process on behalf of our Clients. Clients are responsible for complying with any regulations or laws that require providing notice, disclosure, and/or obtaining consent prior to transferring the Personal Data to TinQwise for processing purposes. Terms not otherwise defined herein shall have the meaning as set forth in the TinQwise Licence and data processing agreement. In the event of a conflict between this Data Privacy Policy and the TinQwise

Licence Terms and Data Processing Terms, the TinQwise Licence Terms and Data Processing Terms will control.

5. REFERENCE DOCUMENTS

When creating this policy the following documents have been used:

- European Union “General Data Protection Regulation” (known as GDPR), i.e “Directieve (EU) 2016/680”, “Regulation (EU) 2016/697”, “Regulation 2018/1725” and “Standard contractual clauses for controllers and processors in the EU/EEA”.
- Netherlands “Algemene verordening gegevensbescherming” (known as AVG).
- TinQwise Licence Terms and Data Processing Terms.
- 002.1 ISRMS Governance Policy.
- 003.3 TinQwise Secure Development Policy.
- 005.2 TinQwise Information Classification Policy.
- Amazon Web Services data privacy policy.

6. APPLICABILITY

This Data Privacy Policy applies to the information that we obtain through your use of "SAAS Application" via a "Device" or when you otherwise interact with TinQwise Platform. A Device is any computer used to access the SAAS Applications including without limitation a desktop, laptop, mobile phone, tablet, or other consumer electronic device. SAAS Application includes TinQwise Platform SaaS service but does not include any other own or third party products or services for which a separate privacy policy is provided. These are third party products or services that you may choose to integrate with TinQwise Platform. You should always review the policies of third party products and services to make sure you are comfortable with the ways in which they collect and use your information.

By registering for or using TinQwise Platform and accepting the TinQwise Service Terms and TinQwise Data Processing Terms, you consent to the collection, transfer, processing, storage, disclosure and other uses described in this Data Privacy Policy.

TinQwise Platform is a cloud subscription-based learning service. By accessing TinQwise Platform through a set of subscription packages, our clients (“Clients”) can train their personnel or any other group of people they wish or provide distance learning services. Clients access the TinQwise Platform service by means of a unique combination of a user identifier and secure password or via secure 3rd party Single Sign On. By gaining access to the service through this combination, the Clients are allocated a specific "Domain" that is owned and managed exclusively by them. The Clients specifies, customizes and provides access to the service to the authorized users (“Users”) of his Domain, consisting of course Instructors and Learners. Additionally, the Clients may specify custom User roles for his Domain. The content creators specify and manage the content of the courses, which may include text documents, video and audio files, images, presentations. Learners



attend the courses and are subject to tests, for which they are graded. The Clients owns his Domain data and can extract reports for the total activity of his Domain, including all its Users.

7. THE PERSONALLY IDENTIFIABLE INFORMATION WE COLLECT

- **Users:** In the course of using the SAAS Applications, you may provide us with personally identifiable information. This refers to information about you that can be used to contact or identify you, and information on your use of and activities at the SAAS Application that may be connected with you ("Personal Data"). Personal Data that we collect and process may include, but is not limited to, your name and email address. The exact information processed is described in the TinQwise Data Processing Terms. When you visit the SAAS Application, our servers automatically record information that your browser sends whenever you visit a website. This information may include, but is not limited to, your Internet Protocol address, browser type, and information you search for on our SAAS Application. Like many websites, we may also use "cookies" to collect information. A cookie is a small data file stored by your browser at your Device's hard disk for record-keeping purposes. We use "session ID cookies" in order to support login and main service functionality. We may also store cookies of third-party providers. In particular, if google analytics is enabled, Google stores data/cookies in Google Analytics. TinQwise does not collect, store or process data from third-party cookies. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Web Applications or all functionality of our services.

In some cases another User (such as an administrator) may create an account on your behalf and may provide your information, including Personal Data (most commonly when your company requests that you use our service). We collect Information under the direction of our Clients and often have no direct relationship with the individuals whose Personal Data we process. If you are an employee of one of our Clients and would no longer like us to process your information, please contact your employer and us at the contact information below.

- **Clients:** In addition to the data we collect for all Users, we also collect data that are required for your contract with us, such as your company affiliation, invoicing data and also service usage data that prove that the service is used in accordance to your subscription terms. We may also acquire additional data through our Clients' support requests to the extent this is required for us to resolve a technical issue or respond to a request or complaint. We also email to our Clients newsletters, announcements regarding TinQwise and our products, or marketing material. If you are a Client and no longer wish to receive such emails you can remove yourself from the recipients list at any time by selecting the "unsubscribe" link provided within the e-mail footer. If you are providing information (including Personal Data) about someone else, you must have the authority to act for them and to consent to the collection and use of their Personal Data. In case You use through Our Service any optional third-party service for content, such as YouTube, You explicitly agree to be bound by the respective Terms of Service; Our Service does not share any Personally Identifiable Information with third party content providers.

- **Content:** We collect and store Content that you create, input, submit, post, upload, transmit, store or display in the process of using our SAAS Application. Such Content includes any Personal Data or other sensitive information that you choose to include ("incidentally-collected Personal Data"). Although TinQwise owns the code, databases, and all rights to the SAAS Application services, Clients retain ownership, control and all rights to their records and data which are their property.

8. HOW WE USE, PROCESS, MINIMIZE AND RETAIN PERSONAL DATA

Personal Data is or may be used for the following purposes:

- to provide and improve our applications, services, features and content,
- to administer your use of our SAAS Application,
- to enable you to enjoy and easily navigate the SAAS Application,
- to better understand your needs and interests,
- to fulfil requests you may make,
- to analyse the usage data for service improvement,
- to bill and invoice,
- to personalize your experience, and
- to provide or offer software updates and product announcements.

We use information we obtain by technical means (such as the logging performed by our servers or through the use of cookies) for the above purposes and in order to monitor and analyse use of the SAAS Applications, for the SAAS Applications' technical administration, to increase our SAAS Applications' functionality and user-friendliness, to better tailor it to your needs, to generate and derive useful data and information concerning the interests, characteristics and user behaviour.

We collect and process Personal Data in a transparent manner, to the extent necessary for specified, explicit and legitimate purposes, and do not process it further in a manner incompatible with those purposes. We take care that the data we collect are accurate and, when necessary, updated. We minimize the amount of personal data collected to what is necessary for the intended purpose. We take all reasonable steps to immediately delete or rectify Personal Data, if inaccurate. We process data in a way that guarantees their security, including their protection against unauthorized or unlawful processing and accidental loss, destruction or degradation, using appropriate technical or organizational measures. We are ready to prove at any moment how we adhere to the above principles. We take the appropriate technical and organizational measures for the security, confidentiality, integrity and availability of the data. We expressly declare that these measures ensure that, by definition, Personal Data are not made accessible without the intervention of the natural person to an indeterminate number of natural persons.

Each Domain's data are retained for as long as the Client's subscription to the service lasts. Upon contract expiration the data will be deleted or returned to the Client if the Client instructs us to.

Alternatively, the Domain will be rendered “inactive” and stored offline for an agreed period; in case subscription is not renewed after this period, the data are permanently deleted.

9. INFORMATION SHARING AND DISCLOSURE

- **Users:** We will display your Personal Data in your profile page and elsewhere in the SAAS Application according to the preferences you set in your account. Any information you choose to provide should reflect how much you want other TinQwise Platform Users to know about you. We recommend that you guard your anonymity and sensitive information, and we encourage you to think carefully about what information you disclose in your profile pages. You can review and revise your profile information at any time. You should be aware that the TinQwise administrator, as well as specially designated support personnel in order to provide support for technical issues you may face, may be able to access Personal Data. Access control details can be found in our 004.1 Access Control Policy.
- **Third Parties:** We do not sell your Personal Data or Content and will not share or disclose any of your Personal Data or Content with third parties except as described in this policy. We do not share Personal Data about you with third parties for their marketing purposes (including direct marketing purposes). Service Providers, Business Partners and Others: For security, service operation and management purposes, TinQwise also uses third-party services that provide the same or better level of protection as TinQwise. In case a Subcontractor is acting as a Subprocessor TinQwise ensures cooperating based on a subprocessor agreement.
- **Compliance with Laws and Law Enforcement:** TinQwise cooperates with government and law enforcement officials and private parties to enforce and comply with the law. We will disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process, to protect the property and rights of TinQwise or a third party, to protect the safety of the public or any person, or to prevent or stop any activity we may consider to be, or to pose a risk of being, illegal, unethical, inappropriate or legally actionable.
- **Children:** Our services are not directed to children. We do not knowingly collect Personal Data from children. If we become aware that a child has provided us with Personal Data, we will take steps to delete such information. If you become aware that a child has provided us with Personal Data, please contact us directly.
- **Business Transfers:** We may share or transfer your Information (including your Personal Data) in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company. You will be notified on any change in ownership or uses of your Personal Data, as well as any choices you may have regarding your Personal Data.

10. YOUR RIGHTS

TinQwise respects your rights as a data subject. When TinQwise processes Personal Data on behalf of and as instructed by its Clients, our Clients are responsible towards the data subjects and you should contact the respective Client to which the content of your service belongs for exercising



your rights. In this case, TinQwise does not respond directly to your requests for the exercise of your rights that come to our knowledge, but we inform the Client without delay and provide all reasonable and reasonable assistance to satisfy your requests in accordance with instructions of the Client. The service has all the necessary features to enable our Clients to exercise the rights of the data subjects on their behalf. For example, the service provides the ability to obtain and manage consent, and to implement strict and secure password policies as well as to exercise the right to be forgotten.

A synopsis of your rights as a data subject is provided below.

- **Transparency, information and answers to requests:** TinQwise adheres to the principle of transparency in processing. For any question regarding this policy you may contact us directly. We will respond without delay and in any case within one month upon receipt of the request.
- **Data Collection:** TinQwise collects and processes personal data only for specified and legitimate purposes. The data collected is relevant and necessary for the intended purpose and is not excessive.
- **Data Access:** You have the right to receive from TinQwise confirmation on whether your Personal Data are processed and in case this happens all required information thereof (processing means, goal, records etc.).
- **Data Rectification:** You have the right to require the rectification of inaccurate data relating to you without undue delay, as well as to fill in incomplete data if necessary for processing. If you have an account with our SAAS Application you can update your account data through your profile by selecting "My profile" from the options menu at the left of the screen.
- **Erasure of Data:** You have the right to ask for the erasure of Personal Data concerning you without undue delay. TinQwise by means of its designated personnel will erase the data where one of the following grounds applies: a) the Personal Data are no longer necessary in relation to the purposes of processing; or b) the person requesting the erasure withdraws consent on which the processing is based and there is no other legal ground for the processing; or c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing or the data subject objects to processing for direct marketing; or d) the Personal Data have to be erased for compliance with a legal obligation. TinQwise will not proceed to the erasure of the Personal Data if the data must be maintained for compliance with a legal obligation or in cases where the processing is required for the establishment, exercise or defense of legal claims. If you receive marketing emails, you can remove yourself from the recipients list by selecting the "unsubscribe" link within the e-mail.
- **Data Minimalization:** TinQwise minimizes the amount of personal data collected to what is necessary for the intended purpose. Unnecessary data is not collected or retained.
- **Restriction of Processing:** You have the right to request restriction of processing if the accuracy of Personal Data is disputed, for that period of time that allows TinQwise to verify the accuracy of Personal Data or based on any other legitimate reason specified in applicable Data Protection Laws.

- **Data Portability:** You have the right to receive your Personal Data in a structured, commonly used and machine-readable format as well as the right to request the direct transmission of Personal Data by TinQwise to another, if this is technically feasible.
- **Right to Object:** You may oppose the processing of Personal Data which takes place without your consent. In this case, TinQwise no longer submits the Personal Data unless it demonstrates imperative and legitimate reasons for the processing that outweigh the interests, rights and freedoms of you as a data subject or for the foundation, exercise or support of legal claims. If you receive promotional emails, you can remove yourself from the recipients list by selecting the "unsubscribe" link within the e-mail content. You may also oppose processing at any time by contacting us directly.
- **Data Security:** You have the right to believe we implement technical and organizational measures to protect personal data from unauthorized access, disclosure, alteration, or destruction. We maintain the confidentiality, integrity, and availability of data.
- **Complaint to Supervisory Authority:** You have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your Personal Data infringes Data Privacy Laws.

11. SECURITY

TinQwise is very concerned with safeguarding your information. We employ reasonable measures designed to protect your information from unauthorized access. Please refer to 002.1 ISRMS Governance and other applicable Policies.

12. DATA OWNERSHIP

Although TinQwise owns the code, databases, and all rights to the TinQwise Platform service, Clients retain ownership, control and all rights to their records and data which are their property.

13. COMPLIANCE TO THIS POLICY

The D.P.O. is responsible for verifying compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits. Any exception to the policy is subject to the Information security & Data protection exceptions management process. The D.P.O. is also available for all Customers and TinQwise Staff to raise concerns and ask questions about Data Privacy.

Every TinQwise Employee is obliged to confirm to our Policy by signing a contract with the following article on Confidentiality: "Please use your common sense. If you're working on something that's confidential, don't talk about it in private, for example. This could result in expensive fines. We count on your discretion. Please realize that we at TinQwise often sign confidentiality agreements, data privacy agreements and other mandatory policies with our customers. These then apply to all TinQers. You are obliged to inform yourself on the latest version of our Data Privacy agreements ("TinQwise Data Processing Provision") and the Policies that apply to you, such as



“001.1_Corporate_Social_Responsibility” and “003.2_Data Privacy” and act accordingly. The latest versions of these agreements can always be found online.”

Any TinQwise Employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

TinQwise provides data privacy and security training to TinQwise Staff to ensure that they are aware of their responsibilities and the policies in place.

14. MANAGING RECORDS KEPT ON THE BASIS OF THIS DOCUMENT

Record name	Storage location	Person responsible for storage	Controls for record protection	Retention time
Incident reports	SharePoint and / or GitLab	C.O.O.	Only team members can access these files	5 years
Pentest and other security test reports	SharePoint	C.T.O.,H.o.E.	Only team members can access these files	5 years for tests that have been performed
TinQwise Data Processing Terms	SharePoint	D.P.O.	Accessible to TinQwise, Staff & Clients	5 years