

## OpX - Platform Privacy Notice

### Our Commitment to Data Privacy and Security in the Digital Learning Environment

Welcome to OpX! At OpX Software Limited, we value your privacy and are dedicated to safeguarding your personal data. This privacy policy outlines how we manage your personal data when using our OpX Platform (hereafter referred to as OpX) and informs you about your privacy rights and legal protections.

Please refer to the Glossary to understand the terminology used in this privacy policy.

#### 1. Important Information and Who We Are

##### **Purpose of this privacy policy:**

This privacy policy aims to provide information on how OpX Software Limited processes your personal data through your use of our Platform.

We encourage you to read this privacy policy carefully to ensure you are fully aware of how and why we use your data.

##### **Processor:**

Our Platform is licensed to a business with which we have entered into a software as a service agreement, and this business has granted you access to our Platform as an authorized user. This business serves as the data controller responsible for your personal data. OpX Software Limited (collectively referred to as "OpX Software Limited," "we," "us," or "our" in this privacy policy) acts as a data processor on behalf of the business when providing you access to our Platform per the business's request.

We have designated a data privacy manager to oversee inquiries related to this privacy policy. If you have questions or wish to exercise your legal rights, please contact the data privacy manager using the information provided below.

#### 2. Contact Details

Should you have any questions about this privacy policy or our privacy practices, please reach out to our data privacy manager using the following contact information:

**Legal entity:** OpX Software Limited

**Email address:** [support@opx.io](mailto:support@opx.io)

You have the right to lodge a complaint at any time with the Information Commissioner's Office (ICO), the United Kingdom's data protection regulator ([www.ico.org.uk](http://www.ico.org.uk)). However, we kindly request that you contact us first so that we have an opportunity to address your concerns directly.

#### 3. Changes to the Privacy Policy and Your Responsibility to Update Personal Data

We regularly review and update our privacy policy. It is crucial that the personal data we process is accurate and up to date. Please notify us of any changes to your personal data during your use of the Platform. These revisions offer a more structured and cohesive presentation, breaking the information into separate sections with clear headings. The language has also been refined for clarity and conciseness.

#### 4. The Data We Process About You

Personal data refers to any information about an individual that can be used to identify that person. It does not include data with removed identities (anonymous data).

We may collect, use, store, and transfer various personal data types, which are grouped into the following categories:

- Identity Data: first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, and gender.

- Contact Data: address, email address, and telephone numbers.
- Technical Data: IP address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices used to access our Platform.
- Profile Data: username and password.
- Usage Data: information about how you use our Platform.

We may also use and share Aggregated Data, such as statistical or demographic data, for any purpose. Aggregated Data, derived from your personal data, is not considered personal data by law, as it does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific functionality of our Platform. However, we do not combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data.

## **5. Personal Data Collection Methods**

Your personal data is collected through direct interactions with you as you use our Platform. This includes gathering Identity, Contact, and Profile Data when you create an account on our Platform. Additionally, as you interact with our Platform, we may automatically collect Technical Data and Usage Data.

## **6. Usage of Your Personal Data**

We will use your personal data only when permitted by law. Commonly, we will process your personal data under the following circumstances:

- To provide you access and usage of our Platform.
- When necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- To comply with a legal obligation.

Please refer to the Glossary for more information about the types of lawful basis we rely on for processing your personal data.

We may also rely on your consent as a legal basis for processing your personal data. You have the right to withdraw your consent at any time by contacting us.

## **7. Purposes for Using Your Personal Data**

Below, we present a table describing all the ways we plan to use your personal data and the legal bases we rely on for each purpose. Where appropriate, we have identified our legitimate interests.

Please note that we may process your personal data based on more than one lawful ground, depending on the specific purpose for which we use your data. If you need details about the specific legal ground, we rely on for processing your personal data when more than one ground is set out in the table below, please contact us.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest.</b>
To register you as a new authorized user of our Platform	Identity Contact Profile	Performance of a contract with the business who has provided you with access to our Platform as one of its authorized users.  (b) Consent
To provide you with access to our Platform	Identity Contact Profile	Performance of a contract with the business who has provided you with access to our Platform as one of its authorized users.  (b) Consent
To manage our relationship with you which will include notifying you about changes to our Platform's terms of use or privacy policy	Identity Contact Profile	Performance of a contract with the business who has provided you with access to our Platform as one of its authorized users. Necessary to comply with a legal obligation.  (c) Necessary for our legitimate interests  (d) Consent
To administer and protect our business and our Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Contact Profile Technical	Necessary for our legitimate interests Necessary to comply with a legal obligation.  Consent
To deliver relevant content on our Platform	Identity Contact (c) Profile (d) Usage (e) Technical	Necessary for our legitimate interests Consent
To use data analytics to improve our Platform	(a) Technical (b) Usage	(a) Necessary for our legitimate interests (b) Consent

## **8. Change of Purpose**

We will use your personal data only for the purposes it was collected for, unless we reasonably consider that we need to use it for another reason compatible with the original purpose. If you would like an explanation of how processing for the new purpose is compatible with the original purpose, please contact us. Should we need to use your personal data for an unrelated purpose, we will notify you and explain the legal basis allowing us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where required or permitted by law.

## **9. Disclosures of Your Personal Data**

We may share your personal data with the parties listed below for the purposes outlined in the table under "Purposes for using your personal data" above.

- External Third Parties as detailed in the Glossary.
- Third parties with whom we may choose to sell, transfer, or merge parts of our business or assets. Alternatively, we may seek to acquire other businesses or merge with them. In such cases, the new owners may use your personal data in the same manner as outlined in this privacy policy.

We require all third parties to respect the security of your personal data and treat it in accordance with the law. Our third-party service providers are not allowed to use your personal data for their own purposes; they may only process your personal data for specified purposes and in accordance with our instructions.

## **10. International Transfers**

We may share your personal data in ways that involve transferring your data outside the United Kingdom and/or your home country. Countries outside the United Kingdom and/or your home country, including the United States of America, may have different data protection laws.

Whenever we transfer your personal data out of the United Kingdom and/or your home country, we strive to ensure a similar degree of protection by implementing at least one of the following safeguards, where possible:

- We will transfer your personal data only to countries deemed to provide an adequate level of protection for personal data.
- We may use specific contracts approved for use in the United Kingdom and/or your home country, which grant personal data the same protection as in the United Kingdom and/or your home country.

If this is not possible and no other lawful derogation applies to the transfer, you nonetheless explicitly consent to us transferring your personal data out of the United Kingdom and/or your home country, despite any risks that may arise from the absence of an adequacy decision or appropriate safeguards.

## **11. Data Security**

We have implemented appropriate security measures to prevent your personal data from being accidentally lost, used, accessed in an unauthorized way, altered, or disclosed. Moreover, we limit access to your personal data to employees, agents, contractors, and other third parties who have a business need to know. These parties will only process your personal data based on our instructions and are subject to a duty of confidentiality.

We have established procedures to address any suspected personal data breaches and will notify you and any applicable regulator of a breach when legally required to do so.

## **12. Data Retention**

How long will we retain your personal data?

We will retain your personal data only for as long as reasonably necessary to fulfil the purposes for which it was collected, including satisfying any legal, regulatory, tax, accounting, or reporting requirements. We may retain your personal data for a longer period in case of a complaint or if we reasonably believe there may be potential litigation concerning our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data; the potential risk of harm from unauthorized use or disclosure; the purposes for processing your personal data and whether those purposes can be achieved through other means; and applicable legal, regulatory, tax, accounting, or other requirements.

Details of retention periods for different aspects of your personal data are available by contacting us.

### **13. Your Legal Rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please see the Glossary for more information about your legal rights.

To exercise any of the rights mentioned above, please contact us.

No fee is usually required. You will not have to pay a fee to access your personal data or exercise any of the other rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request under these circumstances.

What we may need from you:

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or exercise any of your other rights). This is a security measure to prevent personal data from being disclosed to someone who has no right to receive it. We may also contact you to request further information related to your request to expedite our response.

Time limit to respond:

We aim to respond to all legitimate requests within one month. Occasionally, it may take longer than a month if your request is particularly complex or if you have made multiple requests. In such cases, we will notify you and keep you updated.

## **GLOSSARY**

### **14. Lawful Basis**

Legitimate Interest refers to the interest of our business in conducting and managing our operations to provide you with the best service and the most secure experience. We ensure that we consider and balance any potential impact on you (positive or negative) and your rights before processing your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are required or permitted by law). For further information on how we assess our legitimate interests against any potential impact on you concerning specific activities, please contact us.

Performance of Contract refers to processing your data when it is necessary for the performance of a contract that authorizes your use of our Platform.

Comply with a legal obligation refers to processing your personal data when it is necessary to comply with a legal obligation to which we are subject.

### **15. Third Parties**

External Third Parties:

- Service providers (including hosting providers) acting as processors based in the United Kingdom, European Economic Area, or outside the European Economic Area (including the United States of America).
- Professional advisers acting as processors, such as lawyers, bankers, auditors, and insurers based in the United Kingdom, European Economic Area, or outside the European Economic Area (including the United States of America), providing consultancy, banking, legal, insurance, and accounting services.
- HM Revenue & Customs, regulators, and other authorities acting as processors based in the United Kingdom, European Economic Area, or outside the European Economic Area (including the United States of America).

## 16. Your Legal Rights

You have the right to:

- Request access to your personal data (commonly referred to as a "data subject access request"), allowing you to receive a copy of the personal data we hold about you and verify that we are processing it lawfully.
- Request correction of the personal data we hold about you, enabling you to have any incomplete or inaccurate data corrected. However, we may need to verify the accuracy of the new data you provide.
- Request erasure of your personal data, enabling you to ask us to delete or remove personal data when there is no valid reason for us to continue processing it. You can also request deletion or removal of your personal data when you have successfully exercised your right to object to processing, when we may have processed your information unlawfully, or when we must erase your personal data to comply with local law. Note that we may not always be able to comply with your erasure request for specific legal reasons, which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data when we rely on a legitimate interest (or those of a third party) and you believe that something about your situation makes you want to object to processing on this ground, as it impacts your fundamental rights and freedoms. We may demonstrate that we have compelling legitimate grounds to process your information, which override your rights and freedoms in some cases.
- Request restriction of processing of your personal data, allowing you to ask us to suspend the processing of your personal data in these scenarios:
  - If you want us to establish the data's accuracy.
  - Where our use of the data is unlawful, but you do not want us to erase it.
  - Where you need us to hold the data even if we no longer require it, as you need it to establish, exercise, or defend legal claims.
  - You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or a third party, providing you or a third party of your choice with your personal data in a structured, commonly used, machine-readable format. Please note that this right applies only to automated information for which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time when we rely on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to allow you to continue accessing our Platform. We