

Privacy Notice: Totara LMS

This Policy describes the Personal Information that we gather from you in connection with the Service, how we use and disclose such information and the steps we take to protect such information. It also tells you about your rights and choices with respect to your Personal Information and how you can reach us to update your Personal Information or get answers to questions you may have about our privacy practices. By using the Service, you consent to the privacy practices described in this Policy as well as the terms of any Agreement you have made with us in relation to your use of a Totara LMS.

Personal Information We May Collect

In connection with our Service, we obtain limited Personal Information relating to you from your company's administration teams.

Where applicable, we indicate whether and why you must provide us with your Personal Information, as well as the consequences of failing to do so. If you do not provide Personal Information when requested, you may not be able to benefit from the Totara LMS Service if that information is necessary to provide you with the Service or if we are legally required to collect it.

Personal Information Provided by You

In connection with the Service, we may ask you to provide limited Personal Information when you use the Service. You may provide us with your name, email address and any other information you communicate to us (e.g., when you contact our support desk.)

Personal Information Obtained from Your Interaction with the Service

When you use the Service, we will send one or more small text files containing a string of alphanumeric characters ("cookies") to your device. Some cookies disappear when you close your browser, but others may persist on your device after you close your browser and may be used on subsequent visits to the Service, such as to remember your preferences. We will also automatically record certain information from your device. This may include your IP address or other device address or ID, web browser and/or device type and the dates and times that you visit, access, or use the Service, your test scores or your progress through - or completion of - the course.

How We May Use Your Personal Information

We may use the Personal Information we obtain about you to:

- Manage and operate our Service, including to provide access to our community forums (e.g. for product support), manage subscriptions and provide access to courses as well as record details of any post course tests which you may have taken or passed.
- Create and manage your account and provide services and information that you request.
- Comply with applicable legal requirements and industry standards and our policies.

We may process your Personal Information for the above purposes when:

- You have consented to the use of your Personal Information;
- We need your Personal Information to provide you with services and products requested by you, or to respond to your enquiries;
- We have a legal obligation to use your Personal Information;
- We or a third party, have a legitimate interest in using your Personal Information, including to ensure and improve the safety, security and performance of our products and services.

How We Share Your Personal Information

We do not sell or otherwise disclose Personal Information we collect about you, except as described in this Privacy Notice or otherwise disclosed to you at the time the data is collected.

We also may disclose data about you: (i) if we are required to do so by law or legal process, (ii) in the good-faith belief that such action is necessary to respond to a request from a court, law enforcement authorities, or government officials, or (iii) when we believe, in good faith, that disclosure is appropriate or necessary to (a) take precautions against liability, (b) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity, (c) investigate and defend ourselves against any third-party claims or allegations, (d) protect the security or integrity of the Service and any facilities or equipment used to make the Service available, or (e) protect our property or other legal rights (including, but not limited to, enforcement of our agreements), or the rights, property, or safety of others.

Your Rights

You may, of course, decline to share certain Personal Information with us, in which case we will not be able to provide to you some of the features and functionality of the Service. You may update, correct, or delete your account information and preferences at any time by accessing your account preferences page on the Service.

If you wish to access or amend any other Personal Information we hold about you, you may contact us at dataprotectionteam@engageinlearning.com.

Please note that while any changes you make will be reflected in active user databases within a reasonable period of time, we may retain all information you submit for backups, archiving, prevention of fraud and abuse, analytics, satisfaction of legal obligations, or where we otherwise reasonably believe that we have a legitimate reason to do so, to the extent permitted under applicable law.

Subject to GDPR, you have the right to request access to and receive information about the Personal Information we maintain about you, to update and correct inaccuracies in your Personal Information, to restrict or to object to the processing of your Personal Information, to have the information blocked, anonymized or deleted, as appropriate, or to exercise your right to data portability.

In addition to the above-mentioned rights, you also have the right to lodge a complaint with a competent supervisory authority subject to applicable law. Please note that these rights may be restricted and subject to conditions under applicable law.

Where required by law, we obtain your consent for the processing of certain Personal Information collected by cookies or similar technologies, or used to send you direct marketing communications, when we process Personal Information deemed sensitive

pursuant to applicable law, or when we carry out other processing activities for which consent is required. If we rely on consent for the processing of your Personal Information, you have the right to withdraw it at any time and free of charge. When you do so, this will not affect the lawfulness of the processing before your consent withdrawal.

To update your preferences, ask us to remove your information from our mailing lists, delete your account or submit a request to exercise your rights available under applicable law, please contact us as specified in the **How to Contact Us** section below.

Your device operating system or browser may include settings, options, or add-on components to control the placement and presence of cookies and access to location information. Please note that if you choose to delete (or not to accept) cookies from the Service, or to deny the Service access to your location information, you may not be able to utilize the features of the Service to their fullest potential.

How We Protect Your Personal Information

In using this service your name may be visible to other people in your organisation or other learners within your training group. Your training data can be viewed by authorised LMS administrators. Your line manager will have access to your data and this may also be supplied to others who may be monitoring completion of mandatory training or training in departments.

We maintain administrative, technical and physical safeguards that are intended to appropriately protect Personal Information against accidental or unlawful destruction, accidental loss, unauthorized alteration, unauthorized disclosure or access, misuse, and any other unlawful form of processing of the Personal Information in our possession. We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. However, we cannot and do not guarantee that your information will not be accessed, viewed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards.

Additionally, we cannot control the actions of other users with whom you may choose to share your information.

From time to time you may receive a system generated email with information about your courses or certification. However, in the rare event of a system or operational error you may receive an email regarding your registration onto a course for which you are not enrolled. If this happens simply delete the email. HOT Learning will never share, sell, or in any way use your personal data for any marketing purposes or for any other purposes than to enrol you on the course. If you wish your personal data to be removed please consult your training administrator.

Further, even after information posted on the Service is removed, caching and archiving services may have saved that information, and other users or third parties may have copied or stored the information available on the Service.

We also take measures to delete your Personal Information when this information is no longer necessary for the purposes for which we process it in the context of the Service or when you request their deletion, unless we are required by law to keep the information for a longer period.

We complete periodic reviews of our databases, and have established specific time limits for data deletion, taking into account the type of service provided and the length of the agreement that we have with you.

How to Contact Us

If you have any questions, comments or complaints about this Privacy Policy please e-mail dataprotectionteam@engageinlearning.com.