

Updated on October 31, 2024

PREAMBLE

The purpose of this document is to inform you, as a learner, about how your personal data is processed in relation to the training program in which you are enrolled, and about your rights in compliance with the EU General Data Protection Regulation ("GDPR").

WHO IS CONCERNED BY THIS DATA PROTECTION POLICY?

The individuals covered by this data protection policy are the learners themselves ("**Learner**"), whether they are clients of E&H ("**Client**") or have been designated by the E&H Client to take part in or benefit from a training program ("**Participant**").

GDPR DEFINITIONS

According to article 4 (1) of the GDPR, "**personal data**" refers to "*any information relating to an identified or identifiable natural person ("**data subject**")*"; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."

According to article 4 (2) of the GDPR, "**processing**" refers to "*any operation or set of operations performed on personal data or on sets of personal data, whether or not by automated means such as collection, recording, organization, structuring, storage, adaption or alteration, retrieval consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction*".

All terms capitalized that are not defined in this Definitions section are defined in Article 4 of the GDPR.

THE KEY PRINCIPLES OF THE GDPR

Your personal data will be processed in accordance with the principles set forth by the GDPR, including:

- **Lawfulness, fairness and transparency:** We will process your personal data in a lawful, fair and transparent manner.
- **Purpose limitation:** Your personal data will only be collected for specified, explicit and legitimate purposes and not be processed further in any manner that is incompatible with those purposes.
- **Data minimization:** We will only collect those personal data which are adequate, relevant, and necessary in relation to the purpose for which they are processed.
- **Accuracy:** Your personal data will be kept up-to-date and inaccurate personal data will be erased or rectified.
- **Storage limitation:** Your personal data will be kept in a form which permits identification and will not be stored any longer than necessary for the purpose for which they are processed.
- **Integrity and confidentiality:** Your personal data will only be processed in a manner that ensures

appropriate security, including protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organizational measures.

WHO IS THE DATA CONTROLLER FOR YOUR PERSONAL DATA?

If you have an individual contract with E&H, E&H processes your personal data as Data Controller.

In other cases, E&H processes your personal data as a Data Processor; the Data Controller is the company with which you have entered into a collaboration/employment contract.

WHAT KIND OF PERSONAL DATA DOES E&H PROCESS?

Only personal data strictly necessary for the intended purposes (data minimization) are processed.

The following personal data are collected:

- **contact information** : last names, first names, email addresses, status, position, company, seniority within the company, initial education (educational background),
- **training-related information** : your expectations, results and scores from self-assessments evaluating your knowledge before and after the training, level of motivation, your signature for attendance records, your satisfaction survey results, reports from collaborative tools, connection time*, issued certificate, score*,
- in some cases (notably in the case of online training orders and/or if you have a contract with E&H on an individual basis), **banking information** and/or details about the funding source for the training,
- in some cases: **disability status**,
- for training funded by France Travail: **Learner ID number and postal address**.

** Information collected by certain tools*

OTHER OPTIONAL DATA PROCESSED APPLICABLE TO CERTAIN TOOLS

Depending on the tools used, Learners may choose to voluntarily share the following information: profile photo, social media profile, phone number, biography, and any content exchanged through the tool's messaging feature.

WHY DOES E&H PROCESS YOUR PERSONAL DATA (PURPOSES) ?

E&H may process your personal data, depending on the case, in order to:

- **deliver** and **lead** the agreed training for its Clients,
- **assess** Learners' expectations and knowledge before and after the training, as well as their satisfaction level,
- **issue** training certificates/attestations,
- **provide** information to clients and/or the certification body (Qualiopi) and/or professional training

organizations (OPCO)

- **communicate** with Learners, especially regarding its services and/or those offered by the Ecocert Group to which it belongs
- **comply** with legal obligations.

Please note that without certain personal data, we may not be able to provide the training, and/or to perform our **(pre-)contractual and/or legal obligations**.

WHAT ARE THE LEGAL GROUNDS FOR PROCESSING YOUR PERSONAL DATA (LEGAL BASIS) ?

Your personal data are processed by E&H when processing is necessary for the performance of contractual measures.

WHO ARE THE RECIPIENTS OF YOUR PERSONAL DATA ?

For the purposes of executing and managing the training, E&H may need to share your personal data with its employees, agents, representatives, or subcontractors (for instance online store and/or payment solutions, or training management software such as Diigiforma), as well as with its client if applicable, and with the certification body (Qualiopi), the OPCOs, and/or other public organizations if relevant.

ARE YOUR PERSONAL DATA LIKELY TO BE TRANSFERRED OUTSIDE THE EUROPEAN UNION (EU) / EUROPEAN ECONOMIC AREA (EEA)?

E&H may transfer your personal data outside the European Union/European Economic Area only if required for the aforementioned purposes.

E&H undertakes to transfer your personal data to countries outside the EU/EEA (third countries) only if they are considered to offer an adequate level of protection as per **Article 45 of the GDPR**, in alignment with the aforementioned purposes.

E&H may also transfer your personal data to third countries that do not ensure an adequate level of protection. In the event of such a transfer, our data transfers are subject to the following appropriate safeguards in accordance with GDPR, to guarantee that your personal data are adequately protected:

Standard data protection clauses adopted by the EU Commission
(<https://www.dataprivacyframework.gov/EU-US-Framework>)

Please note that data transfers outside the EU/EEA always take place in accordance with the 7 key principles of the GDPR stated above.

HOW LONG DOES E&H STORE YOUR PERSONAL DATA?

Your personal data is stored for the period necessary for E&H to fulfill the purposes of the processing mentioned above and to comply with its legal and regulatory obligations.

YOUR RIGHTS RELATING TO YOUR PERSONAL DATA AND THE APPLICABLE PROCEDURE

Pursuant to the GDPR, you have the following rights over your personal data:

- **Right of access:** You have the right to obtain a confirmation as to whether your personal data are being processed and the right to access certain information concerning the data we process.
- **Right to rectification:** You have the right to obtain the rectification of inaccurate personal data and to have incomplete data completed.
- **Right to erasure:** You have the right to obtain the erasure of your personal data.
- **Right to restriction of processing:** In certain cases, you have the right to obtain restriction of processing of your personal data.
- **Right to data portability:** You have the right to receive the personal data which you have provided to us in a structured, commonly used and machine-readable format. You have the right to transmit those data to someone else without hindrance from E&H. This right applies when the processing of your personal data is based on your consent or on a contract and the processing is carried out by automated means.
- **Right to object:** You have the right to object to the processing of your personal data on grounds relating to your particular situation. When you exercise this right, we will stop processing your personal data unless we have compelling legitimate grounds for processing which override your interests, rights and freedoms or in case we need them for the establishment or the defense of legal claims.
- **Right not to be subject to automated decision making, including profiling:** You have the right not to be subject to automated decision making - including profiling - which has a legal effect on you or, similarly significantly affects you.

You can exercise these rights by contacting our Data Protection Officer:

<p>➤ by post: E&H DPO – Legal Department Lieudit Lamothe Ouest 32600 L'Isle Jourdain FRANCE</p>	<p>➤ by e-mail: personaldataFR@desenjeuxetdeshommes.com</p>
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If you think processing of your personal data violates the GDPR, you have the right to lodge a complaint with the competent supervisory authority, e.g. in France: the “**Commission Nationale de l’Informatique et des Libertés (CNIL)**”.