

# PRIVACY NOTICE

for candidates taking exams at authorised testing centers

Valid from: 2 October 2020

Dear Candidate,

Below, we would like to inform you about the processing of personal data related to the exams offered by the authorized testing centers of Training360 (Pearson VUE (PVT), Certiport (CATC) and PeopleCert (AEC) in accordance with the European Union's General Data Protection Regulation (GDPR).

## 1. Data Controller

Training360 Kft.

Address: 1117 Budapest, Budafoki út 56. A. épület 3. emelet

Tel.: +36-1-880-0040

Fax: +36-1-880-0041

Email: [adatvedelem@training360.com](mailto:adatvedelem@training360.com)

Web: [www.training360.com](http://www.training360.com)

Please note that the testing center providers (Pearson VUE, Certiport, PeopleCert) also process personal data and act as a Data Controllers and in this case Training360 sometimes only acts as a data processor with respect to the personal data. This will be indicated in the prospectus, the relevant privacy notices are available on the website of the relevant testing center provider and will be provided to the candidate prior to the start of the exam (either in paper form or in an electronic form before the exam):

- Pearson VUE: <https://home.pearsonvue.com/Legal/Privacy-and-cookies-policy.aspx>
- Certiport: <https://www.certiport.com/Portal/Common/Resources/ENU/privacy.htm>
- PeopleCert: <https://www.peoplecert.org/terms-of-service-and-privacy-policy>

## 2. The Scope of Data Managed

When you *apply for an exam*, we will manage your (as a candidate's) name, candidate ID (if you already have one), date of birth, address (if you pay the bill), telephone number, email address, native language, name of your employer and the details of the exam of your choice.

In the case of intermediate and advanced ITIL® exam or PRINCE2® Practitioner exam application (at PeopleCert examination center), the prerequisite for exam registration (and exam) is to complete and certify the attendance of the official course (copy of certificate of attendance or Letter of Attendance) and the copy of the related Foundation certification. The copy of these exam pre-requisites documents must be sent to our testing administrators with the registration request.

In the case of paper-based PeopleCert exams, the worksheets issued to the candidate's name and furnished with an ID will be provided by the testing center provider to Training360 and will be distributed to the candidates on the day of the exam.

During the *admission*, we will process your name, signature, ID card photo, signature and the number and expiry date of the ID card and, in case of Pearson VUE exams, acting as data processor, the digital photo taken on site, the signature, and, for some vendors' exams (e.g. GMAT) the palm vein scan (vein scanning), or your ID document scanning (e.g. for PTE-A exams). The attendance sheet (log-in sheet or log-in book) as well as the candidate rules agreement must also be signed (or electronically accepted at the start of the exam).

*During the exam* (except for PeopleCert exams), the exam is monitored by means of CCTV surveillance (in the case of some exams it means video and audio recording). In case of an incident, your name, candidate and exam ID, and the circumstances of the incident will be recorded.

The *exam results* will be established and communicated to you by the exam provider, whereby the data processed include your name, ID, the exam and the result attained, and Training360 acts as a data processor.

If you do not pay directly to the testing center provider, *billing* will be done by Training360 whereby we process your name, address and the amount of the exam fee. If the invoice is paid by your employer, we will use your name as a reference when we issue the invoice.

### 3. The purpose of data processing

In the case of data processed during the *application for the examination*, the purpose of data processing is to collect, record and maintain personal identification data necessary for organizing and conducting the exam (also billing details if the payer is a private individual) and contact information as well as to keep contact with the candidate, and in the case of certain intermediate or advanced exams for checking the prerequisites for eligibility of the exam.

The purpose of recording data in the internal administration system is the internal recording of the data necessary for the organization of the exam and for keeping contact with the candidate, and for the operation of the administration system.

For PeopleCert exams, the purpose of downloading the exam sheet is to obtain the exam for the candidate.

During the *admission* the purpose of processing is to check the candidate's identity in accordance with the requirements of the testing center provider, in order to ensure the integrity of the exam, as well as to certify attendance and the acknowledgement of the rules.

The purpose of *making a video and audio recording of the exam* is the supervision required by the testing center provider to ensure the security/integrity of the exam. In the event of an incident, the purpose of data processing is to document the act that violated the integrity of the exam.

In the case of documents that establish the *examination result*, the purpose of data processing is to document the result of the examination.

With respect to *billing*, the purpose of data processing is to issue and retain an invoice for payment of the exam fee with such content as required in the relevant laws and, where the costs are paid by a third party, to identify the cost (also giving your name).

## 4. The Legal basis for Data Processing

In the *application* phase, the legal basis of the processing of personal identification and exam data is the disclosure of data necessary for the performance of the contract (Paragraph b) of Article 6(1) of the GDPR) while in case of contact details it is the legitimate interest of Training360 (Paragraph f) of Article 6(1) of the GDPR) to keep contact with the candidate. It is mandatory to provide your personal data, otherwise you will not be able to pass the exam at Training360.

The legal basis for processing data in the internal administration system is the legitimate interest of Training360 (Paragraph f) Article 6(1) of the GDPR) to operate its own corporate management system.

In respect of downloading PeopleCert exam materials, the legal basis for data processing is the performance of the contract (paragraph b) of Article 6(1) of the GDPR).

In respect of the personal data processed during the *admission*, the legal basis of data processing is the legitimate interest (point f) of Article 6(1) of the GDPR) of the testing center provider and Training360 to ensure the integrity of the exam, to verify the candidate's personal identity and to properly certify that the candidate has acknowledged the rules and attended the exam.

*Making video and audio recordings during the exam* is also in the legitimate interest (paragraph f) of Article 6(1) of the GDPR) of Training360 and the testing center providers to monitor compliance with the rules, prevent and detect fraud and prove any incidents that may occur during the exam. In the event of an incident, Training360 Kft. has a legitimate interest to notify the testing center provider of the incident within the framework of a contract with the testing center provider.

The legal basis of data processing relating to the documents establishing the *examination results* is the legitimate interest (point f) of Article 6(1) of the GDPR) of the testing center provider and Training360 to prove the completion of the examination and establish the examination result.

In the case of billing, the legal basis of data processing is the legitimate interest of Training360 (Paragraph f) Article 6(1) of the GDPR) to receive the consideration for the exam from the client or, where the training is paid for by the candidate, to issue an invoice with such content as required by the relevant laws.

## 5. Duration of the data processing

During the *application* phase, paper-based application forms will be retained for 1 year while the data recorded in our electronic filing system will be retained until the expiry of the 5-year period for legal claims.

Exam pre-requisites document will be stored until we receive the official exam results (it means typically 2-5 days).

During the *admission*, the ID documents are inspected and their serial numbers and expiry dates are recorded on the log-in sheet. Log-in sheets and policies signed by the candidate are retained for one year. Exception: in the case of delivering PTE-A exam your ID document will be also scanned using an ID scanner.

In the case of digital photos, signatures and palm vein and ID scans, Training360 does not store these data as they are transmitted directly to the testing center provider through the device provided by it.

Video and audio recordings made *during the exam* will be retained for up to 60 days in accordance with the requirements of the testing center provider to be able to investigate any complaints or incidents. Incident reports are retained for 1 year.

For paper-based PeopleCert exams, the exam worksheet is destroyed within 24 hours, and the answer sheet(s) within 30 days. The printed test results (in case of Pearson VUE, Certiport) can be taken by the candidate.

*Invoices* will be retained for 8 years in accordance with the relevant law (Section 169 of Act C of 2000).

## 6. Data Transfer

As the exams are announced and implemented on behalf of the testing center providers (as their data processors), through the electronic systems developed by them, the final recipients of personal data are the testing center providers (Pearson VUE, Certiport, PeopleCert) and the vendor (e.g. Microsoft, Cisco, VMware, Oracle, IBM, AXELOS®, etc.) whose exam you are having.

For Pearson VUE and Certiport, data transfer outside the European Union will therefore take place. Such data transfer is based on paragraphs (b) and (c) of Article 49(1) of the GDPR, because it is necessary for the delivery of the contract between you and the given testing center provider (i.e. for taking the exam) or because it is necessary to fulfil the contract made between Training360 as a data processor and the testing center provider so that you can pass the exam with us and/or with any other testing center provider operating elsewhere in the world and that the qualification you obtain be valid and accepted all over the world.

Click on the links below for more information about our measures taken by the testing center providers (as Data Controllers) to ensure the security of data transfer.

- Pearson VUE: <https://home.pearsonvue.com/Legal/Privacy-and-cookies-policy.aspx>
- Certiport: <https://www.certiport.com/Portal/Common/Resources/ENU/privacy.htm>
- PeopleCert: <https://www.peoplecert.org/terms-of-service-and-privacy-policy>

The data transfer also applies to the data provided during the application for the exam, the digital photo taken on site, the signature and the palm vein scan, as well as the video recordings made during the exam in case of an incident as well as all documents created during the exam.

The invoices are managed by Training360 with the involvement of the following **data processor**:

Firm name: BPiON Services Kft., valid effective from 1<sup>st</sup> Jne, 2020  
Registered seat: 1139 Budapest, Váci út 99., 2. em.

## 7. Storage of data, additional data transfer

Training360 as a data controller stores some of your personal data (application form data, invoicing data) described in the section 2 in a secure on-premise datacenter and on Microsoft online cloud-

based systems (Microsoft Office 365, Azure, Dynamics CRM 365). Training360 handles and manages confidential and strictly confidential data with the proper rights and access management policies; handles paper-based versions (documents) securely, and stores them in a lockable place (archive, lockable offices and lockers).

Data transfer: the data related to the data management specified in section 2 (application form data, invoicing data) will be stored and saved partly using the cloud services operated by Microsoft. Due to the nature of the service, your personal data may be transferred outside the European Union. This transfer is based on Article 49 (1) (c) GDPR, the fulfilment of a contract between Training360 and Microsoft to provide the service to you. The security measures that Microsoft applies are available here:

- <https://privacy.microsoft.com/en-us/privacystatement>
- <https://docs.microsoft.com/en-us/dynamics365/get-started/gdpr/>
- <https://azure.microsoft.com/en-us/support/legal/sla/>
- <https://www.microsoftvolumelicensing.com/Downloader.aspx?DocumentId=17454>

The data related to the data management specified in section 2 and **handled by the testing center vendors as a data controller** (application form data, identification data, exam results / reports, camera and voice recordings) will be transferred, saved and stored partly using a cloud service provider. Due to the nature of the service, your personal data may be transferred outside the European Union. Further information on data management and on your rights (described in Chapter 8) can be found on the website of the testing center providers:

- Pearson VUE: <https://home.pearsonvue.com/Legal/Privacy-and-cookies-policy.aspx>  
E-mail: [PearsonVUEContracts@pearson.com](mailto:PearsonVUEContracts@pearson.com) , telefonszám: 1-877-460-2204.
- Certiport: <https://www.certiport.com/Portal/Common/Resources/ENU/privacy.htm>  
E-mail: [PearsonVUEContracts@pearson.com](mailto:PearsonVUEContracts@pearson.com) , telefonszám: 1-877-460-2204.
- PeopleCert: <https://www.peoplecert.org/terms-of-service-and-privacy-policy>  
E-mail: [dataprotection@peoplecert.org](mailto:dataprotection@peoplecert.org) , <https://www.peoplecert.org/Contact-US-1>

## 8. Audio/video recording systems (cameras) using by Pearson VUE Testing Center as Data Controller

Pearson VUE Testing Center (The Lighthouse, 14 The Quays, Salford, M50 3BF, United Kingdom, +44 (0) 161 855 7000, [PearsonVUEContracts@pearson.com](mailto:PearsonVUEContracts@pearson.com)) as a **Data Controller** applies audio/video recording system in the examination center (examination room) and in a dedicated reception area for the reception and identification of candidates and for the monitoring of lockers for the storage of candidates' personal belongings, for the protection of property, for quality assurance and for the safe conduct of examinations. The data controller performs the data processing on the basis of its legitimate interest. **The camera system was operated by Training360 Kft. solely as a data processor in accordance with the requirements laid down in the exam center contracts.**

Candidates and those in the indicated area will be video-recorded, and audio and video recordings will be taken in the examination room. The retention period of the recordings is 60 days.

Location of cameras and area observed by them (based on number of cameras):

|                          |   |
|--------------------------|---|
| <b>Camera 11</b>         | 3. floor, in front of the exam center room in the aula – monitoring the exam admission area / reception / waiting area  |
| <b>Camera 12</b>         | 3. floor, Aula – monitoring the lockers for storing of candidates personal belonging)   |
| <b>Camera 13 + audio</b> | 3. floor, Neil Armstrong room (exam center room) – monitoring examination activities, move-in, move out   |
| <b>Camera 14-27</b>      | 3. floor, Neil Armstrong room (exam center room), dome cameras and audio microphone – dedicated for certain exam seats – monitoring the candidates exam activities, prevent / proofing cheats |

Audio and video recordings will also be transmitted or stored to Pearson VUE, also using a cloud service. Due to the nature of the service, personal data may therefore be transferred outside the European Union. **Further information on the handling of data and the exercise of data subjects' rights can be found on the Pearson VUE website, and if you have any requests or questions regarding the recordings, please contact them at the following contact details:**

- Pearson VUE: <https://home.pearsonvue.com/Legal/Privacy-and-cookies-policy.aspx>  
E-mail: [PearsonVUEContracts@pearson.com](mailto:PearsonVUEContracts@pearson.com) , phone: +44 (0) 161 855 7000, 1-877-460-2204.

## 9. Your rights relating to data processing

As a data subject, you have the right to access, request the rectification or erasure of your personal data processed by Training360, and object to the processing of your data processed on the basis of a legitimate interest, or in certain cases you may exercise the right to data portability, or request a restriction on the processing of your personal data (until a decision is made on what to do with your data). We will respond to your request within 1 month.

Complaints may be filed at the following contact details:

Training360 Kft.  
Address: 1117 Budapest, Budafoki út 56. A. épület 3. emelet  
Tel.: +36-1-880-0040  
Fax: +36-1-880-0041  
E-mail: [adatvedelem@training360.com](mailto:adatvedelem@training360.com)  
Web: [www.training360.com](http://www.training360.com)

You can file a complaint with respect to the processing of your data to the Hungarian National Authority for Data Protection and Freedom of Information ([www.naih.hu](http://www.naih.hu) address: 1055 Budapest, Falk Miksa utca 9-11., postal address: 1374 Budapest, Pf. 603, phone: +36-1-391-1400, email address: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)), or you may pursue your claim through a court of jurisdiction.

The Privacy Notice of Training360 is accessible in the footer of the Training360 website where you can read more details about your rights in relation to the processing of your data (Data Protection and Privacy Notice).

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