

## Overview

At TutorPro HQ, the protection of Personal Data is paramount. The General Data Protection Regulation (GDPR) is a comprehensive European privacy law that takes effect on May 25<sup>th</sup>, 2018. TutorPro welcomes this law as an important step forward in streamlining data protection requirements across the European Union and as an opportunity for TutorPro to deepen our commitment to data protection.

## Processor Vs Controller

TutorPro is the Data Processor for all cloud-based solutions and services that form part of the Principal Agreement, between TutorPro and the Licensee, including, but not limited to, TutorPro LMS, TutorPro Courseware, TutorPro Assessments, TutorPro Live Content Studio and TutorPro Athena. TutorPro is the Data Controller for the purposes of marketing and monitoring TutorPro solutions and services.

## As the Data Processor TutorPro Shall:

- use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject.
- not engage another processor without prior specific or general written authorisation of the controller, and ensure that the same data protection obligations as set out in the contract with TutorPro and the third party processor.
- provide all Data Controllers with a copy of the TutorPro the Data Processor document and the GDPR Terms and Conditions Addendum, that sets out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller.

## As the Data Controller TutorPro Shall:

- be accountable for compliance with data protection principles as listed in Article 5(1)): Lawfulness, fairness and transparency; Purpose limitation; Data minimisation; Accuracy; Storage limitation; and Integrity and confidentiality.
- ensure that any Data Processor TutorPro uses carries out lawful processing
- ensure requests for consent to be presented in a manner clearly distinguishable from other matters and in an intelligible and easily accessible form.
- ensure information and communications related to data requests and rights of erasure are concise, transparent, intelligible and in an easily accessible form, given without undue delay/within one month of receipt of request.

## The Right to be Informed

Where TutorPro acts as the Data Controller, TutorPro understand the importance that each individual has the right to know how their data is being processed and why. Details of this can be found in the [Privacy Police Notice](#) on the TutorPro website. Where TutorPro is the Data Processor, the request must be submitted by the Licensee, the Data Controller.

## The Right of Access & Rectification

Where TutorPro acts as the Data Controller, TutorPro understands that each individual has the right to request a copy of the data that TutorPro has on file. A Data Access Request can be made via our website, please [click here](#). If any of the data TutorPro holds is inaccurate, TutorPro will act on all rectification requests in a timely manner, and aims to do this within 30 days, at a maximum. Where TutorPro is the Data Processor, the request must be submitted by the Licensee, the Data Controller.

## The Right to Erasure

Where TutorPro acts as the Data Controller, TutorPro warrants to comply with an individual's request for the deletion or removal of personal data from all products and services. A Rights to

Erasure request can be made via our website, please [click here](#). Where TutorPro is the Data Processor, the request must be submitted by the Licensee, the Data Controller.

## The Right to Restrict Processing

Where TutorPro acts as the Data Controller, should an individual wish to object to the processing of their personal data, an individual can submit an unsubscribe request to [solutions@tutorpro.com](mailto:solutions@tutorpro.com). Where TutorPro is the Data Processor, the request must be submitted by the Licensee, the Data Controller.

## The Right to Data Portability

Whether TutorPro is acting as the Data Processor or Data Controller, TutorPro shall provide confirmation and access within one month of receipt of the request, at no charge; and provide the data in a commonly used electronic format and securely transferred.

## Data Protection Officer (DPO).

TutorPro has appointed the Head of Network and Security as TutorPro's DPO. If you have any questions or concerns about the way we collect and process your data, please direct your correspondence to the DPO, by email to: [dpo@tutorpro.com](mailto:dpo@tutorpro.com).

## Information Security Code of Practice

All TutorPro employees and contractors, irrespective of global location, are aware of their responsibilities under the GDPR and will have had a two-hour session of intensive GDPR training, this follows departmental Head training delivered by outside consultants specialising in data privacy. Moving forward, all TutorPro employees and contractors are trained on GDPR compliance at induction, and at a minimum, a refresher will be scheduled every calendar year following induction. It is essential that TutorPro's information-handling systems and information are secure and confidential. TutorPro employees and contractors are aware of the processes and best practices, and have all read and confirmed receipt of the Information Security Code of Practice.

## Security

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of Processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, TutorPro and each TutorPro Affiliate shall in relation to the Licensee's Personal Data implement appropriate technical and organisational measures to ensure a level of security appropriate to that risk, including, as appropriate, the measures referred to in Article 32(1) of the GDPR. In assessing the appropriate level of security, TutorPro and each TutorPro Affiliate shall take account in particular of the risks that are presented by Processing, in particular from a Personal Data Breach.

## Personal Data Breach

TutorPro will notify the Licensee within 72 hours following TutorPro becoming aware of the breach and follow the internal Data Breach Response Plan. TutorPro will complete the Personal Data Security Breach Notification Form and submit to the Licensee and share a copy with the Licensee detailing:

- the nature and the likely consequences of the Personal Data Breach
- the categories and numbers of Data Subjects effected by the Personal Data Breach,
- the measures taken or proposed to be taken to address the Personal Data Breach.

## Data Protection by Design and by Default

The solutions and services TutorPro provides to the Licensee are enhanced based on requests from the Licensee. TutorPro will discuss the development request, and in some cases, scope new development with the Licensee. However dummy data is used during all development. TutorPro does not use any Personal Data during the development process.

Any enhancements made to the solutions and services TutorPro provides will be developed with data protection compliance in mind, and that this may require the Licensee assisting with the Data Protection Impact Assessment (DPIA).