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**OPEN STUDY COLLEGE LIMITED**

**WEBSITE PRIVACY AND COOKIE POLICY**

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**June 2021**

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## General

Welcome to **OPEN STUDY COLLEGE LIMITED'S** privacy policy.

Your privacy is important to Open Study College. We respect your privacy and we are committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you. Our policy is intended to give you confidence in the privacy and security of the personal information we obtain from you whether you upload information from our Website, download it or are simply visiting our Website. **We cannot, however, be responsible for any use of the personal information you provide to third party Websites which may be accessed through our Website.**

You can download a pdf version of this policy here: [ ].  
Certain terms and phrases used in this policy are defined in the Glossary at the end of this document.

### 1. Important information and who we are

#### Purpose of this privacy policy

This privacy policy aims to give you information on how Open Study College collects and processes your personal data through your use of this Website, including any data you may provide through this Website when you agree to receive further information from us, purchase one or more of our product or services or take part in any competition or survey circulated by us.

[We do not knowingly collect data relating to minors (i.e. those under 18 years). While we are happy to supply information relating to our courses to minors we do not accept orders for courses and or course materials and similar / ancillary items / products from minors without parent/guardian consent.]

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements any other notices issued by us which relate to specific circumstances and / or information and is not intended to override such specific notices.

#### Controller

Open Study College is the data controller in relation to all data collected, is responsible for your personal data and is referred to as , "we", "us" or "our" in this privacy policy.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights as set out below, please contact the data privacy manager using the details set out below.

#### Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our [DPO

OR data privacy manager] in the following ways:

Full name: Shawna Baker

Email address: [info@openstudycollege.com](mailto:info@openstudycollege.com)

Postal address: 1760 Solihull Parkway, Birmingham Business Park, Birmingham B37 7YD

The UK Regulator for data protection issues is the Information Commissioner. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), whose website address is [www.ico.org.uk](http://www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to the privacy policy and your duty to inform us of changes**

We keep our privacy policy under regular review. Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third-party links**

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## **2. The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your 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 you use to access this website.

- **Profile Data** includes your purchases made and/ or orders placed by you and/or on your behalf, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **3. How is your personal data collected?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - Make a purchase and / or place an order with us;
  - request information or marketing to be sent to you;
  - enter a competition, promotion or survey; or
  - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites

employing our cookies. Please see our cookie policy included within this document for further details.

- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below as and when appropriate.

Technical Data from the following parties:

- (a) analytics providers such as Google based outside the UK;
  - (b) advertising networks such as Criteo and whether based inside or outside the UK; and
  - (c) search information providers such as Algolia and whether based inside **or** outside the UK.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as First Data, Etika and SagePage and whether based inside **or** outside the UK.
  - Identity and Contact Data from data brokers or aggregators such as Business Data Prospects and whether based [inside **or** outside the UK.
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the UK.

#### **4. How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Please see the table below as to the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

#### **Purposes for which we will use your personal data**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the

specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<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 customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey (c) Providing updates relating to any material changes to course information including (but not limited to) changes to syllabus, examinations and assessments and tutor details	(a) Identity (b) Contact © Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business



and hosting of data)		reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you including	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you including marketing and sales information / promotions and / or offers.	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising as follows;

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

### **Third-party marketing**

We never share your data with any third party. If that ever changes, we will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### **Opting out**

- You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you **or** by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a purchase made or an order placed with us by you, warranty registration, or service experience.

### **Cookies and our Cookie Policy**

A Cookie is a small text file stored on your computer and used by your web browser. They can be used for many different purposes, and on this Website some of them are essential to deliver the functionality needed to run this Website and to enrol on a course.

Our Cookie Policy applies to websites operated directly by us.

By accessing this Website, you agree that our Cookie Policy will apply whenever you access this Website on any device. Our Cookie Policy forms part of and is incorporated in to our Website Terms and Conditions.

Any alterations and / or amendments to our Cookie Policy will be posted on our Website. We reserve the right to vary our Cookie Policy from time to time. Such changes shall become effectively immediately they are posted. Your continued use of the Website constitutes your agreement to all such alterations and/or amendments.

### **Our use of Cookies**

We may collect information automatically when you visit the Website. Such information is stored in a Cookie.

We have placed our use of Cookies into three categories as follows:

Required Cookies;

Analytical Cookies;

Advertising Cookies.

### **Required Cookies**

When you browse our Website some cookies are required for the site to work correctly. Data is collected via these Cookies for audit purposes. This functionality may include things such as

remembering which course product you have added to the shopping basket, or which payment plan you have selected as your preferred option.

### **Analytical Cookies**

These Cookies monitor how visitors navigate around the Website and how they found it in the first place. We use these Cookies to enable us to monitor total (not individual) figures as to which type of content is most popular with users and also to identify problems with the Website which may need to be rectified or improved upon. This enables us to provide our users with a better experience of using our site.

Users can opt out of these Cookies by clicking on the following links:

<b>Partner</b>	<b>Description</b>
Google	Website performance tracking
Hotjar	Website performance insights
VWO	Website performance insights and testing
Response Tap	Action call tracking

### **Advertising Cookies**

Our courses are advertised on third party websites as well as on social networks. We work with third party media partners to achieve this.

Advertising Cookies store information about the user's computer. They do not store personal information about the individual. They are likely, however to store information about which products have been browsed by your computer.

The following are the third party services we use with details of how to opt out / control the use of the relevant Cookies:

<b>Partner</b>
Google (DoubleClick)
Microsoft Ads/Bing
Facebook
Twitter
LinkedIn
Criteo
Sky Adsmart (demdex.net)

### **Changing Cookie Settings**

You have the option not to use Cookies at all. However, if you choose this option we cannot guarantee that you experience with our Website will be as good as it would have been had you allowed the use of Cookies.

As a final note, information collected by Cookies does not collect information which identifies you personally. It includes general information about your computer settings, your internet connection, IP address, browsing patterns (including timings) and location

The following links explain how you can control the use of Cookies through your browser:

Internet Explorer; <OSC to insert link>

Chrome; <OSC to insert link>

Safari; <OSC to insert link>

Firefox; <OSC to insert link>

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is

compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows 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 this is required or permitted by law.

## 5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table **Purposes for which we will Use Your Personal Data** above:

- Internal Third Parties as set out above.
- External Third Parties as set out above.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. And/or with who we have commercial co-operation and / or joint venture arrangements (or similar) from time to time. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

At times we may share your personal data with entities outside UK. This will involve transferring your data outside the UK.

We have reviewed all our systems and the below are those that process data outside of the UK and their locations:

Service provider	Country where it processes data	Purpose/ description
Mail Chimp	USA	e-mail/marketing automation
First Data	USA	Payment provider
Response Tap	European Union European Economic Area	Reporting and insights
Ruler Analytics	(EEA)	Reporting and insights
Facebook (Ads)	USA	Advertising
Google Ads	Europe	Advertising
Google Data Studio	Europe	Reporting and insights
Zapier	USA	Digital automation

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

## **7. Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

All account information is password protected. Where appropriate we use industry standard Secure Socket Layer (SSL) encryption to protect data transmission. All of our website security is regularly reviewed by our security and abuse team.

We use SSL technology extensively on our all back-office systems which store and / or process customer account information.

We endeavour to make purchasing our products and services as safe as we reasonably can. Your browser will automatically default to secure mode before you enter any personal or payment details. This means that all of your details are encrypted to keep them secure. To check that you are shopping in a safe environment look for the locked padlock or a key icon in the bar at the bottom of your screen or for the relevant icon when the address bar goes green.

We only accept payments which are placed using SSL. We do not store debit or credit card details on our servers once initial payment has been made and processed. All such details are stored securely through Symantec which uses internationally recognised encryption systems. Encryption keys are then held on state-of-the-art tamper-proof systems. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Should you have further concerns about cyber security please contact our Customer Service Team at [info@openstudycollege.com](mailto:info@openstudycollege.com).

## **8. Data retention**

### **How long will you use my personal data for?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to 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 unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other

requirements.

As a general guide, we retain enquiry information for a period of up to two years from the date of the last enquiry. After that time the information is securely archived. All archived information is kept for a minimum period of six years from the date of receipt.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for a minimum of six years after they cease being customers (this is usually once the individual has completed their course) for tax purposes.

In some circumstances you can ask us to delete your data: See **Your Legal Rights** below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **9. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. For further information on this please see the relevant Section below under Glossary.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in 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 to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **10. Glossary**

### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make

sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process 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 otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

## **THIRD PARTIES**

### **Internal Third Parties**

Other companies which are associated with Open Study College Limited ( for example, but without limitation) holding companies, subsidiary companies and other companies within the same group of companies , companies acting as joint data controllers or processors and companies and entities which provide IT and system administration services

### **External Third Parties**

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom.

## **YOUR LEGAL RIGHTS**

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure 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 where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following 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 to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information 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** where we are relying 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 provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.