

# OMT Group Privacy and Processing Policy

(Amended 21 June 2021)

## General privacy statement

This privacy policy regulates and explains how Organisation and Management Technologies Group (Pty) Ltd (OMT) and its respective subsidiaries, developmycareer, Evalex (Evalex Intellectual Capital Management), Odyssey (Odyssey Talent Management) and TAP (Talent Assessment Products) collect, assess, interpret and share your personal data. *(All the activities that will take place with regard to personal information, special personal information and confidential information of identifiable living natural persons and identifiable juristic persons, are called “processing”)*

This Privacy Policy applies to all personal, special personal and confidential data (called “data”) we collect when you use our website, mobile applications or other online assessment tools and products (collectively, the “our products”). Furthermore, we may come in contact with and process your or your company’s data when you otherwise interact with us, including when your company hires us, you contact us for any reason by electronic or other means, give instructions to us, receive information, data, assessments or reports from us or when you participate in any of our assessments or programs or when you contact us for support, research data, opinions or historical data.

This privacy policy does not apply to the data processed by any third party, whether lawfully or not, once your data has been disclosed or transferred to the client or an OMT Partner. This data privacy policy also does not create additional duties or liabilities for OMT insofar as OMT acts as an Operator on behalf of a client or an OMT Partner. The client or OMT Partner takes full responsibility for data once the data leaves the Evalex system. Once in possession of the data, clients or OMT Partners have the responsibility of protecting that data, whether for their own use, or for use through a third party (such as a different talent system, or for analysis of data), in a confidential manner and in line with all relevant laws, legal requirements and ethical standards.

We may change this data privacy policy from time to time. If we make changes, we will publish such amendments on our website and by revising the date at the top of the policy and, in some cases, we may provide you with additional notices (such as by adding a statement to our website homepages or sending you an email notification) or otherwise seek additional consent in accordance with applicable clauses of the Protection of Personal

Information Act of 2013 (Republic of South Africa). We encourage you to review this data privacy policy whenever you access the services or do an assessment, to stay informed about our information practices, your rights, and the way in which you can participate in and receive information regarding the protection of your privacy rights.

## Purpose specification

We only collect your data where we have been contracted to do so by a client or an OMT Partner, or where we determine the purpose for processing of data.

We may process data for the following purpose:

- Provide and deliver the products, assessments, assessment results, reports, opinions and services our clients or an OMT Partners request, process transactions and send related information, including reports, assessments, opinions and invoices, historical data, research;
- Send you technical notices, updates, security alerts and support and administrative messages;
- Respond to your comments, questions and requests and provide our service to you and the clients or OMT Partners;
- Communicate with you about your assessments, results, further actions and plans, and to provide news and information we think will be of interest to you;
- Update and maintain our database, monitor and analyse trends, usage and activities relating to our assessments in connection with our services;
- Personalize and improve the services and provide content or features that match user profiles or interests;
- Comply with our legal obligations;
- Process complaints, investigations, assessments, participate in any legal process, defend any legal process, settle, mediate and conciliate disputes or claims, comply with legal obligations;
- Provide, maintain, and improve our services.

## Collection and other processing activities

We will always strive to collect data from you directly. In certain circumstances we may however collect data from public sources or from third parties.

We process all information you provide directly to us, especially the information you supply during assessments. For example, we collect information when a company creates an account with us, participate in any interactive features of the online services, fill out forms, participate in any activity we embark upon on behalf of clients or OMT Partners, register for and complete assessments, receive reports, request support, or otherwise communicate with us.

**1. Information supplied directly when using the developmycareer, Evalex or Odyssey assessment products:**

**Data collected automatically when the data subject uses the assessment services**

When you access or use our Services, the Organisation and Management Technologies Group (Pty) Ltd (OMT) and its respective subsidiaries, developmycareer, Evalex (Evalax Intellectual Capital Management), Odyssey (Odyssey Talent Management) and TAP (Talent Assessment Products) Systems automatically collect some or all the following data about you in order to ensure assessment process integrity:

- Personal data to accurately process your assessment.
- Responses to psychometric, performance, competence test / questionnaire / survey / simulation questions.
- Analysis, interpretation, and report based on the assessment completed by you.
- System network information:
  - Log Information: We log information about your use of the Services, including the type of browser you use, access times, pages viewed, your IP address and the page you visited before navigating to our Services.
  - Device Information: We collect information about the computer or mobile device you use to access our Services, including the hardware model, operating system and version, unique device identifiers and mobile network information. We collect “Cookies” which are data files that are placed on your device or computer and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit <http://www.allaboutcookies.org>. We collect “Log files” which track actions occurring on the Site, and collect data including your IP address, browser type, Internet service provider, referring/exit pages, and date/time stamps.
  - Location Information: We collect information about the country you are logging in from and where applicable the province. We collect this information in accordance with the permission process established by your mobile device operating system.
  - Product Usage Information: When you use our enterprise products and services on behalf of your organization, we collect information about your device and your use of those products and services, including the device IP address, login credentials, time zone, error messages, product interactions and other similar usage information.

Information Collected by Cookies and Other Tracking Technologies: We use various technologies to collect information, and this includes sending cookies to your computer or mobile device.

**Client Company:** All company details required to conclude Service Level Agreements and related Financial processes. All assessment results of those candidates the client company or OMT Partner client companies requested us to assess through the various available assessment technologies.

**Candidate doing the assessment:** The types of data you may choose to provide include your name, identity number, email address, postal address, phone number, fax number, gender, race, information about your company and current position, assessment replies, employment history and other data related to the purpose for which you have been requested to do the assessment.

**Enquiries about services:** All information required to provide you with the information you request including contact details.

**Request for research:** All information required to be contained in the scope of the research project. The purpose of research data is mainly to fulfil the requirement by country specific anti-discrimination and affirmative action legislation and to improve our assessment tools. In this context we research our Assessments in the light of areas such as gender, age and cultural background over the longer term to ensure fairness.

All candidates completing our assessments are assured that the Research Data that we collect goes through the process of aggregation and/or anonymisation, unless our Clients or our Partners instruct us to combine data for group reporting and talent management purposes. However personal Information will not be individually disclosed to any third parties.

**Administrative purposes:** We may process your personal information for:

- Billing, accounting, and auditing purposes.
- Where legal rights in a dispute need to be defended and protected.
- System maintenance and product development.
- meeting our obligations to keep your data accurate, updated and not misleading, and we may from time to time contact you with a request to update your information.

**Reporting:** The Assessment reports and services we provide to our Clients and OMT Partners may be used by them for purposes which may include the selection and development of individuals in an employment or human resources context. We may also provide a copy of the Assessment Data to our Clients and OMT Partners for use by them for their own internal human resource management purposes. Clients and OMT Partners are entitled to use the personal information that we provide to them as part of our Services for their own purposes. Such Clients and OMT Partners are obliged to process your personal information in accordance with their own obligations under applicable Data Protection Laws.

## **2. Use of Artificial Intelligence**

In our striving to present ever more reliable and valid talent assessment instruments, we do apply the latest technological and digital solutions in our product development cycle. This involves “machine learning” and candidate responses to assessment instrument questions and challenges are used as source data but in an aggregated and/or anonymised form.

Furthermore, some raw data and assessments scores are combined using Algorithms to present themes and patterns in data.

## **3. Links to other websites**

[www.evalex.com](http://www.evalex.com), [developmycareer.com](http://developmycareer.com) and [www.odyssey.co.za](http://www.odyssey.co.za), along with relevant links to our website from our clients and OMT Partners websites may contain links to and from external websites. If you follow a link to any of these websites the collection and processing of your personal information will no longer be regulated by us or be governed by this Policy. Please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies.

## Data We Collect from Other Sources

When we cannot collect the data from you directly, or where we or our clients and OMT Partners have a legitimate interest in processing the data, we also obtain information from other sources and may combine it with data we collect through our Services. This means that we may have access to certain data from the client or OMT Partner who has collected the data from you directly or from third party sources. Additionally, we may receive data about you from third parties whom you have authorized to share your data.

## Disclosure and sharing of Data

We share data about you as follows or as otherwise described in this privacy policy:

- With OMT Partners, clients, managers, HR, Talent and line managers who need access to such data to do talent management, performance assessments, promotions, redeployment, job and candidate selections for vacant positions;
- In response to a request for data if we are required by, or believe disclosure is required by, any applicable law, regulation or legal process, including in connection with lawful requests by law enforcement, national security, or other public authorities or the legitimate interest of a third party, such as the client;
- To protect the rights, property and safety of OMT, Evalex, developmycareer and Odyssey or others;

- In connection with, or during negotiations of, any merger, sale of company assets, financing or acquisition of all or a portion of our business to another company; and
- With your consent or at your direction, including if we notify you through our services that the data you provide will be shared in a particular manner and you provide such data.
- To update, authenticate or verify your data, or to adhere to a request for data participation, disclosure, amendment, or erasure.

Information is also transmitted trans-border where clients, OMT Partners and assessment candidates reside in other countries.

### Legal Basis for Processing

When we process your personal data, we will only do so in the following situations:

- We need to use your data to perform our responsibilities under our contract with you (e.g., assessments, reports, advice, payments for and providing our services you have requested).
- We have a legitimate interest in processing your personal data. For example, we process the personal data we collect from you to send you communications, reports, updates, communicate with you about changes to our Services, and to provide, secure, and improve our Services.
- If we request your consent to a specific processing activity, and you provide your consent in the manner indicated.
- In some cases, processing will be necessary for compliance with a legal obligation, such as response to legal process requests, processing of special personal data.

### Information We Transfer Internationally

Due to the international nature of internet-based Assessment and training services, we may from time to time appoint third parties as data processors to process data containing information about you on our behalf, or store such information in, or transfer it to persons located in other countries such as the European Economic Area (EEA), the USA, other African countries. These countries may not have Data Protection Laws equivalent to those which are in force in South Africa, the USA, and the EEA to protect your information.

Where we transfer your information to such third-party data processors and/or third parties in other countries, we shall ensure that they provide sufficient guarantees in respect of the technical and organisational security measures. We shall take reasonable steps to assess their compliance with those measures in order to ensure your information is adequately protected in accordance with applicable Data Protection Laws.

## Data Retention and further processing

We store and process the data we collect about assessment subjects, their assessments, clients and OMT Partners for as long as is necessary for the purposes for which we originally collected it.

We may also **retain** certain data for legitimate business purposes or as required by law which shall include the assessment results for research and talent management purposes. We may retain this information in separate, secure data bases for a period of 20 years.

Data retained for research or assessment purposes for a period beyond the original purpose for which it was collected, shall be updated where necessary, shall not be misleading and shall be as accurate as possible before any further processing takes place. Research conclusions will only contain aggregated or de-identified data, which cannot reasonably be used to identify you.

## Data Subject Requests

You have the right to access your special personal data we hold about you and to ask that your special personal data be corrected, deleted, amended, or updated. In certain cases, you may also have the right to request that we erase special personal data we are processing or to restrict or object to certain of our processing activities. If you would like to exercise any of these rights, you may contact us as indicated in the “Contact Us” section on our website.

## Questions or Complaints

If you have a concern about our processing of personal data, you can contact the responsible person as provided in the contact us section below. If we are not able to resolve your complaint or concern, you have the right to lodge a complaint with the Information Regulator of SA, at <http://www.justice.gov.za/infoereg/>.

## Your rights as a data subject

Your rights as a data subject are set out in section 18 of the Protection of Personal information Act of 2013. You have the right to be informed that your data is being collected and processed and the purpose thereof.

**Therefore, it is imperative that you read this policy and understand the terms and implications thereof.**

You have the right to request a copy of the personal data we hold about you and/or to correct any inaccuracies within such data, amend or delete such data. You may address such requests to the contact information provided in the “Contact Us” section on our website. We will use

reasonable efforts to supply, correct or delete data that we hold about you or to advise you if we are not required by applicable laws to comply with such requests.

## Retention periods

Data will only be kept for as long as it serves the purpose for which it was collected and retained for research purposes, or if it must be kept for a certain period of time due to a legal requirement to do so, or if it is processed for the purpose of entering into, instituting, or defending legal suit against us.

## Jurisdiction

Organisation and Management Technologies Group (Pty) Ltd and its respective subsidiaries, developmycareer, Evalex (Evalex Intellectual Capital Management) and TAP (Talent Assessment Products) operate within the jurisdiction of South Africa, South African Courts and South African Law.

As such any claim or dispute from any transnational electronic transactions from any party against Organisation and Management Technologies Group (Pty) Ltd and its respective subsidiaries, developmycareer, Evalex (Evalex Intellectual Capital Management) and TAP (Talent Assessment Products) will be lodged and resolved under South African law, in a South Africa court.

Any user of our services therefore consents to these jurisdiction terms.

## Contact Us

If you have any questions about this Privacy Policy or complaint or requests regarding your personal data or complaints, please contact us on [privacy@evalex.com](mailto:privacy@evalex.com)

For general queries you can contact our representative on [enquiries@evalex.com](mailto:enquiries@evalex.com)

For Data Protection Officer queries - please email [privacy@evalex.com](mailto:privacy@evalex.com)