

## eSkill - a GDPR Compliant Assessment Solution

### 1. GDPR – What You Need to Know

The EU is implementing a new data privacy and protection regulation, General Data Protection Regulation (GDPR), to make sure that private individuals' data (PII or Personal Information) is processed and managed transparently, and only for the specific purposes cited by the companies that hold the data. When it comes to eSkill, the most relevant forms of data include personally identifiable information (or PII), like people's names, e-mail addresses, and any other information that distinguishes someone's identity.

### 2. How Has eSkill Prepared for the GDPR?

At eSkill, we take compliance very seriously. For GDPR, we are working to ensure that we are compliant with the rules laid out by the law, and that we provide product functionality that enables our customers to remain compliant. eSkill collects data to operate effectively and to provide you with the best experiences while using our products. You provide some of this data directly, such as when you take an eSkill test, create an eSkill account, interact with the website, or contact us for support.

We collect some of this data by using cookies, and we also obtain data from third parties. Information can be collected from the website and blog, directly from our customers, and from the customers' test takers through several forms on our websites.

We are committed to providing you with an online experience that respects and protects your personal privacy choices and concerns.

### Data Breach Notification

#### **GDPR Rule:**

Data Processors are required to notify their customers (the controllers) of a data breach without delay. The supervisory authority must be notified within 72 hours of occurrence.

#### **eSkill Actions:**

Any security or privacy breach, or any other circumstances that may have resulted in unauthorized access to, disclosure of, or use of customer data, will be communicated via the Test Center by a message displaying the relevant details. Significant security incidents will also be announced via email or phone. On discovery of a breach, eSkill will notify the customer (controller) of the occurrence immediately, not exceeding 48 hours after the occurrence.

## Right to Access

### **GDPR Rule:**

The Data Controller must receive consent from the individual after informing them what kind of personal data will be collected or processed and for what purposes.

### **eSkill Actions:**

Our website forms are the main source for personal information collection. Our website visitors are informed that, by submitting their contact information, they agree to the storing and processing of their personal data by eSkill as described in our Privacy Policy. We request a separate consent for receiving marketing communication. Website visitors can always decline to submit their personal information through our forms. In this case, eSkill may be unable to provide certain services to them. For more information about eSkill's information collection practices, please [click here](#).

## Right to Rectification

### **GDPR Rule:**

The right to rectification refers to the correction of inaccurate personal data without undue delay. The rectification will be communicated to each recipient who receives the data unless this proves impossible or involves disproportionate efforts.

### **eSkill Actions:**

You can choose to view or correct your personal data by following the specific steps for the category you fit in:

- *Marketing subscribers:* If you would like to view or correct your personal data information, please contact us at [marketing@eskill.com](mailto:marketing@eskill.com), Subject: PII Information.
- *Test-Takers:* Upon request, eSkill will let you know whether we hold or process your personal information (PII) on behalf of a third party. To request this information, please contact us at [dataprotection@eskill.com](mailto:dataprotection@eskill.com), Subject: PII Information. eSkill will reply to your request in an e-mail within an estimated period of 30 (thirty) days.
- *Customers:* If you are a Customer, you may submit a request to access, review, correct, or delete your PII by contacting [dataprotection@eskill.com](mailto:dataprotection@eskill.com) with the Subject: PII Changes.

If you are a Customer, we cannot delete all of your PII unless we also delete your user account. If you wish to cancel your account, please contact your account manager.

## Final Considerations

- For all three of the above-mentioned categories, you can always choose whether you wish to receive promotional e-mails, telephone calls, or postal mail from eSkill. Every marketing email from eSkill contains instructions for how to opt out of receiving further marketing e-mails.
- We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to become incorrect.
- Since we keep track of past transactions, you cannot delete information associated with past transactions on the Websites or through the Services. In addition, it may be impossible to completely delete your PII because some residual information may exist in archived data backups. Finally, we reserve the right to retain and use your PII as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## Right to Be Forgotten

### GDPR Rule:

Individuals have the right to have the data controller erase or anonymize their personal data, cease further dissemination of the data, and potentially have third parties halt the processing of the data. The right to delete the data ("the right to be forgotten") enables the individual to ask the controller to delete personal information, without any delay, should one of these conditions be met:

- The data is no longer necessary to meet the purpose for which they were collected and processed.
- The individual withdraws the consent they had given, so there is no legal basis for processing their personal data.
- The data has been processed illegally.
- The personal information needs to be deleted in compliance with a legal obligation.

### eSkill Actions:

You can choose to view or correct your personal data by following the specific steps for the category you fit in:

- *Marketing subscribers* will be able to delete their PII by accessing the eSkill Database Deletion Page (<http://info.eskill.com/DBDeletion>), which will allow them to request the removal of their personal information from eSkill's marketing database. Their request will be processed within one week.
- *Test-takers* have the "right to be forgotten" and eSkill customers will be required to anonymize a test taker's personal data when requested by the test taker. eSkill will provide tools that allow them to anonymize the information, so that it won't be accessible via the eSkill platform.
- *Customers* may submit a request to delete their PII by contacting [dataprotection@eskill.com](mailto:dataprotection@eskill.com) with the Subject: PII Changes. If you are a Customer, we cannot delete all of your PII unless we also delete your user account. If you wish to cancel your account, please contact your account manager.

## Data Portability

### **GDPR Rule:**

Individuals have the right to receive their personal data in a structured format that is currently used and is automatically readable. The Data Controller will need to provide this data to the individual upon request in an efficient and easy format.

### **eSkill Actions:**

By default, eSkill offers several formats for exporting test taker information data in several formats, such as PDF, Word, Excel, and CSV. The Customer will have access to all the necessary tools for an easy export.

## Enhanced Rights to Notice

### **GDPR Rule:**

Data Controllers are required to provide a variety of details at the time the data is requested (for example, when an individual takes a test), including why they are requesting certain information, how long it will be stored, and where it will be sent.

### **eSkill Actions:**

When personal data is requested, eSkill will display the Privacy Policy, which reviews the purpose of the information request, who will have access to it, how long the information will be stored, and how to view, update or remove the information from eSkill's database.

## The Right to Object

### **GDPR Rule:**

Individuals have a right to restrict their personal data from being used for direct marketing purposes.

### **eSkill Actions:**

For all our website visitors, we will provide a user notification (displayed at the bottom of all website forms) and request user consent to receive marketing communications from eSkill. All our subscribers, customers or partners will be able to unsubscribe at any time and request the removal of their personal information from eSkill's marketing database.

We created three pages that give total control for selecting the marketing e-mails you would like to receive, unsubscribe from our newsletter, or remove your personal information from eSkill's marketing database.

- eSkill Email Preference Center: <http://info.eskill.com/EmailPreference>
- eSkill Unsubscribe Page: <http://info.eskill.com/unsubscribe/u/188972>
- eSkill Database Deletion Page: <http://info.eskill.com/DBDeletion>

eSkill rarely uses test takers' information for marketing purposes (e.g. testimonials from the test takers used with consent) but, for cases in which their information is gathered, eSkill will document the test taker's consent via email or phone.