

General Data Protection Regulation (GDPR)

Article 13 of Regulation EU 2016/679

1. Purpose of this notice

This Privacy Notice provides mandatory information as required under Articles 13 and 14 of the European General Data Protection Regulation (GDPR) regarding the transparency of personal data processing. Definitions of certain terms within this notice are explained in the appendix.

2. The Data Controller for personal data

The Data Controller for the personal data processed by us is My Career Transformation, Inc. (MCT) (the provider of online learning to the clients or participants whose data is collected, hereafter referred to as the Data Subject). The Data Controller will pass personal data of their participants to MCT to manage registration and course administration on behalf of those participants in connection with their enrollment. MCT, as Data Processor acting on the instructions of the Data Controller under a written contract with them, will subsequently use that personal data to facilitate registration and reporting arrangements for the Data Subject. It is this contract which forms the 'Legal Basis' for the processing of personal data carried out by MCT in these circumstances.

MCT will also become a Data Controller if it collects additional personal data directly from a Data Subject. In these circumstances MCT will be acting under a 'Legitimate Interest' to legally process the data for the management of course administration for the Data Subject and to fulfil the contractual requirements for its Client. MCT also acts as a Data Controller for any personal data held regarding its own participants, and legally processes this data under its Contract of Employment with those Data Subjects.

3. Your Rights

As a Data Subject you have rights under the GDPR. These rights can be seen below. MCT will always fully respect your rights regarding the processing of your personal data, and has provided below the details of the person to contact if you have any concerns or questions regarding how we process your data, or if you wish to exercise any rights you have under the GDPR.

4. Contact Details

The identity and contact detail for the Data Protection Officer within MCT the Chief Operating Officer:

Jon Dancy
MCT
7794 Grow Drive
Pensacola, Florida 32514

5. Data Protection Principles

MCT has adopted the following principles to govern its collection and processing of Personal Data:

- Personal Data shall be processed lawfully, fairly, and in a transparent manner.
- The Personal Data collected will only be those specifically required to fulfil travel, accommodation, or other travel-related requirements. Such data may be collected directly from the Data Subject or provided to MCT via his /her employer. Such data will only be processed for that purpose.

- Personal Data shall only be retained for as long as it is required to fulfil contractual requirements, or to provide statistics to our Client Company.
- Personal Data shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are collected and/or processed. Personal Data shall be accurate and, where necessary, kept up to date.
- The Data Subject has the right to request from MCT access to and rectification or erasure of their personal data, to object to or request restriction of processing concerning the data, or to the right to data portability. In each case such a request must be put in writing as in Section 3 above.

The Data Subject has the right to make a complaint directly to a supervisory authority within their own country. Personal Data shall only be processed based on the legal basis explained in section 2 above, except where such interests are overridden by the fundamental rights and freedoms of the Data Subject which will always take precedent. If the Data Subject has provided specific additional Consent to the processing, then such consent may be withdrawn at any time (but may then result in an inability to fulfil travel requirements). MCT will not use personal data for any monitoring or profiling activity or process, and will not adopt any automated decision making processes.

6. Transfers to Third Parties

To fulfil the travel arrangements for a Data Subject it will in most cases be necessary to process personal data via a third party (these will include but are not limited to airlines, hotels, car hire companies, and Visa or Passport companies). Personal Data shall only be transferred to, or processed by, third party companies where such companies are necessary for the fulfilment of the travel arrangements.

Personal Data shall not be transferred to a country or territory outside the European Economic Area (EEA) unless the transfer is made to a country or territory recognized by the EU as having an adequate level of Data Security, or is made with the consent of the Data Subject, or is made to satisfy the Legitimate Interest of MCT in regard to its contractual arrangements with its clients.

Appendix – Definitions of certain terms referred to above:

Personal Data:

(Article 4 of the GDPR): 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing:

(Article 4 of the GDPR): means any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, erasure or destruction.

Legal Basis for Processing:

(Article 6 of the GDPR): At least one of these must apply whenever personal data is processed:

1. Consent: the individual has given clear consent for the processing of their personal data for a specific purpose.
2. Contract: the processing is necessary for compliance with a contract.
3. Legal obligation: the processing is necessary to comply with the law (not including contractual obligations).
4. Vital interests: the processing is necessary to protect someone's life.
5. Public task: the processing is necessary to perform a task in the public interest, and the task or function has a clear basis in law.
6. Legitimate interests: the processing is necessary for the legitimate interests of the Data Controller unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Data Controller:

(Article 4 of the GDPR): this means the person or company that determines the purposes and the means of processing personal data.

Data Processor:

(Article 4 of the GDPR): means a natural or legal person, public authority, agency or any other body which processes personal data on behalf of the controller.

Data Subject Rights:

(Chapter 3 of the GDPR) each Data Subject has eight rights. These are:

1. The right to be informed; This means anyone processing your personal data must make clear what they are processing, why, and who else the data may be passed to.
2. The right of access; this is your right to see what data is held about you by a Data Controller.
3. The right to rectification; the right to have your data corrected or amended if what is held is incorrect in some way.
4. The right to erasure; under certain circumstances you can ask for your personal data to be deleted. This is also called 'the Right to be forgotten'. This would apply if the personal data is no longer required for the purposes it was collected for, or your consent for the processing of that data has been withdrawn, or the personal data has been unlawfully processed.
5. The right to restrict processing; this gives the Data Subject the right to ask for a temporary halt to processing of personal data, such as in the case where a dispute or legal case has to be concluded, or the data is being corrected.
6. The right to data portability; a Data Subject has the right to ask for any data supplied directly to the Data Controller by him or her, to be provided in a structured, commonly used, and machine-readable format.
7. The right to object; the Data Subject has the right to object to further processing of their data which is inconsistent with the primary purpose for which it was collected, including profiling, automation, and direct marketing.
8. Rights in relation to automated decision making and profiling; Data Subjects have the right not to be subject to a decision based solely on automated processing