



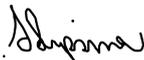
Privacy Policy

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Internal Approval

Table 1 Approval

Approval	Approved on behalf of Kaya Consulting (Pty) Ltd
Name	Lianne Sipsma
Designation	Global Managing Partner
Signature	
Date	20/01/2021

Name	Yolanda de Beer
Designation	Global Information Officer
Signature	
Date	2021-01-20

Document Version Control

Table 2 Document Version Control

Version	Date	Summary of changes
V000	2020-12-01	NA
V001	2021-01-20	Update clauses and inserted approval Rename policy from Assessment Terms and Conditions to Kaya Privacy Policy
V002		
V003		
V004		
V005		

1 Purpose of the Policy

At Kaya Consulting we recognize the importance of privacy and are committed to protecting the confidentiality and integrity of all personal data in compliance with applicable data protection laws in all the countries where we operate (South African POPI Act and Australian APP).

2 Scope

This policy is applicable to all employees in Kaya Consulting (Pty) Ltd. This Privacy Policy ("Policy") explains how we ("Kaya Consulting") collect and process your personal data as well as the purposes for which such collection and processing are done. This Policy applies to any individual whose personal data is submitted and processed by Kaya Consulting and via our websites. We reserve the right to update this Policy at any time.

3 Management Declaration

Kaya Consulting (Pty) Ltd, represented by the Information Officer confirms that we have familiarized ourselves with the content of this Act, applicable regulations and other rules relating to the protection of personal information, and will strive to adhere to these requirements at all times.

4 How Information is Collected

We collect personal data about individuals who provide responses ("Participants") in any of our psychometric assessments ("Assessments") at the request of a Client ("Client"). We also collect personal data about individuals who are coached by a Kaya Accredited Coach ("Coach").

You may give us personal data by filling in forms on our websites (<https://www.thekayagroup.com>, <https://www.wellbeingindicator.com/>), by corresponding with us by phone, email or otherwise, or as you may be invited by us or our Client to complete an Assessment or when you are coached by a Coach.

You may provide personal data to us when you register to use our Website, use the Online Assessment System, complete one of our Assessments (including pen-and- paper formats), use the online application as part of your coaching, subscribe to our newsletter, complete a survey, report a problem with our Website, submit an information request, or otherwise communicate with us.

Clients may provide personal data about Participants that have been nominated to undertake an Assessment. Coaches may provide personal data about Participants that are participating in a coaching process with the Coach. This information may include the Participant's name, email address, date of birth (where applicable) and other contact details. Participants may also provide this information directly to us.

5 Types of Information Collected and Processed

5.1 Information Collected and Processed

When participating in an Assessment or completing questions online on our Website and/or using the Online Assessment System, and/or using the Kaya Online Application we will ask the Participant to provide responses that may constitute personal data. All personal data collected from the data is necessary to fulfil the service selected by the candidate or client. All data collected shall not be excessive or unnecessary to the fulfilment of the service and will be stored for an appropriate amount of time.

We categorise such personal data as follows:

- "Identification Data" which means information such as your name, email address and other contact details. You must provide Identification Data for us to administer the Assessment, provide results to the Client as well as for purposes explained in this policy. In the South African context, identity numbers are used as a unique identifier by some of the Assessment Providers and this data is required to administer certain assessments where applicants can only complete an assessment once in their lifetime.
- "Assessment Data" which means your responses in Assessments. This may include, or may allow us to deduce, information such as motives; talents; aptitudes; competencies; interests; and behaviour in the workplace.
- You will be required to provide a response to some (if not all) of the questions within the Assessments. If you do not provide a response to certain questions within the Assessment, you may not be able to proceed to the next section or it may affect your Assessment score.
- "Research Data" which means responses to questions about you and which may include information such as:
 - gender;
 - age;
 - racial or ethnical orientation; cultural background; qualifications;
 - work experience; and
 - details regarding employment, responsibilities and work.
 - "Special Category of Personal Data" means data that are also Research Data that could be collected for research purposes that are protected under data protection laws in various countries and might be required to be revealed by country specific anti-discrimination legislation and/or affirmative action legislation and fairness monitoring. This is specifically the case in South Africa.

You do not need to provide Research Data to us. This information is entirely voluntary and you may elect to respond to questions related to Research Data by selecting the "I prefer not to respond" option in an online form.

Your ability to complete an Assessment will not be affected by your choice not to provide such Research Data, nor will this choice affect your Assessment results. There may be circumstances where country and/or race and/or gender norms are used in the scoring of the assessments and Research Data has to be used for such instances. Since the reason for undergoing an Assessment is to test your suitability for purposes of employment or development, the presence or absence of the Research Data might,

however, influence certain talent decisions about you if there are any country specific legislation such as affirmative action measures or employment opportunity monitoring requirements.

5.2 Information Collected from Third Parties

To provide a full service to our Clients, we have partnered with various assessment providers around the globe who each have different assessments. Depending on the Client's requirements, we may need to make use of these different assessments and as a result, we may obtain your Assessment Data compiled by these assessment providers. Information obtained in this way will be treated in accordance with this Policy. All third parties used by us, sign the Kaya Data Processing Agreement and are required to complete an annual cybersecurity audit.

6 Purposes for Collecting and Processing your Personal data

We will use personal data about Clients, Participants, and other users of our website in the course of our legitimate interest in providing Services for the following purposes:

- In the case of Clients: to fulfil our obligations arising from any contracts entered into between the client or client representative and us, and to provide Clients with the information, products and Services that they request from us and billing Clients for the products and Services provided; to provide Clients with information about further Assessments, reports and services; to notify Clients about changes to our Services; to ensure that our Website is presented in the most effective manner to Clients.
- In the case of Participants: to administer Assessments and for our internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; to provide a coaching service to Participants.

We process Identification Data and Assessment Data provided in relation to your Participation in Assessments for the purpose of providing Services to our Clients. This may include processing this data to:

- identify your Assessment and responses;
- assess your aptitudes and preferred working styles;
- produce Assessment reports for our Client who has made this Assessment available to you.

We may process Personal Data for research purposes. We analyse responses in terms of demographic variables such as gender, age and cultural background over time; this is considered best practice and allows us to monitor and improve our Assessments for fairness in use, create benchmark data and validations studies. The Research Data that we collect goes through the process of aggregation and/or anonymisation. The Research Data will be anonymised unless otherwise instructed by Clients in order to use group data as part of their talent management strategies. Personal Data will not be individually disclosed to any third parties not covered in a contractual service agreement and contractual relationship. This is included in the individual consent form that the participant completes prior to commencing the assessment process.

We may also process your personal data for the purposes of using and refining Assessment tools, analysis, accounting, billing and audit, administration, enforcing and defending legal rights, systems testing, maintenance and product development, performing our obligations to Participants and Clients whether under contract or otherwise, and to help us in future dealings with you.

The Assessment reports and services we provide to our Clients 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 for use by them for their own internal human resource management purposes. Clients are entitled to use the personal data that we provide to them as part of our Services for their own internal business purposes. Such Clients are obliged to process your personal data in accordance with their own obligations under applicable country specific Data Protection Laws.

7 Disclosure of Personal data

We will not disclose your Personal Data to any third parties unless we need the third party to carry out a specific service such as the provision of online psychometric testing. Any third parties we send personal information to, are bound by the same privacy and data protection laws as we are. We will only disclose your Personal Data if we believe in good faith that we are required to disclose it in order to comply with any applicable law, regulation or lawful request, such as a court order.

7.1 Consent

We require your consent to process your Personal Data and Sensitive Personal Data. You will be required to complete either a consent form or by selecting the appropriate section of our online assessment that indicates your consent. Please note that by completing an Assessment, you are consenting to the release, transfer and/or other communication of your results to the organisation who commissioned this assessment. For further information on how your results will be used, stored or accessed in this organisation, you can contact the person in this organisation who commissioned this assessment directly.

7.2 Our Clients

Your personal data will be shared with our Clients in connection with the Assessment(s) in which you have participated. Individual responses may be disclosed to Clients, and an overall Assessment report will be provided to Clients, containing an overall Assessment score and additional comments about your assessment performance. You provide consent for the release of your Personal Information to our Clients in the consent form you complete at the commencement of the process.

7.3 Affiliated Third Parties

To facilitate the provision of Services to our Clients in the Assessment process, information about you may also be passed to other assessment providers, our suppliers and the suppliers of our assessment providers from time to time, as well as parties who provide administrative, email, technological support, and other professional services to us. Any third parties with whom we share Personal Data are

contractually required to implement appropriate data protection and security measures to protect personal data and are not permitted to use personal data for any purpose other than the purpose for which they are provided with or given access to personal data. All third parties used by us, sign the Kaya Data Processing Agreement and are required to complete an annual cybersecurity audit to demonstrate the appropriate data protection and security measures they have implemented.

7.4 Authorised Contractual Parties

We may also disclose your data to authorised parties covered in the contract, such as a rater in a 360-degree assessment. Raters' individual responses are not disclosed but aggregated results are reported.

8 Protection of Personal data

We maintain appropriate administrative, technical and physical safeguards to protect against loss, misuse or unauthorised access, disclosure, alteration or destruction of the information you provide when visiting or using our Website.

We will take responsible measures to

- Identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
- Establish and maintain appropriate safeguards against the risks identified;
- Regularly verify that the safeguards are effectively implemented; and
- Ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

9 Retention Period of Personal data

We only store your Personal Data for as long as is necessary in order to provide assessment results for the Talent Management Intervention contracted, purposes of processing and/or for a period of time that is required of us by applicable law.

We will also anonymise personal data at the request of the Client or the Participant. If the Participant requests their data to be anonymised, we will first inform the Client who requested the Assessment to confirm that they have concluded their use of your data as part of their talent decision making processes.

We retain Clients' personal data for as long as we maintain a relationship with Clients, and then for as long as is necessary in order to assist with any contractual obligations, queries, requests or complaints regarding the Assessments and/or the Services, to commence or defend legal claims, and to comply with our regulatory obligations (including record retention obligations).

10 Your Personal Data Access

You may have access to your personal information, which is held within a secure online storage system. To ensure the integrity and safety of your personal information, Kaya Consulting will only disclose such information if we are satisfied of your identity. We therefore ask that you make any request in writing to us at info@thekayagroup.com.

You will not have the right to make changes to the Assessment Data as this would undermine the accuracy and value of the Assessment reports.

You may, in the prescribed manner, request us to

- Correct or delete Personal Data about the you in our possession that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
- Destroy or delete a record of Personal Data about you that we are no longer authorised to retain.

Upon receipt of a request referred to above, we will, as soon as reasonably practicable –

- Correct the information;
- Destroy or delete the information; and
- Provide you, with credible evidence in support of the information.

11 Privacy Complaints Procedure

If you believe that Kaya Consulting has not dealt with your Personal Data in accordance with this Policy, you can make a privacy complaint to use.

In order to properly and efficiently respond to a privacy complaint, complainants should ensure that the complaint contains sufficient information to enable the us to understand its nature and the outcome sought. Information a complainant should consider providing includes:

- what has happened;
- who was involved;
- where did the event/s occur and/or come to the their attention;
- how do they believe their personal information has been mishandled; and
- what outcome are they seeking.

A privacy complaint can be made to Kaya Consulting in the following ways:

Email: info@thekayagroup.com, for attention of the Kaya Information Officer

South African office: +27 (0) 12 443 6468

Australian office: +61 (0) 43 531 0135

The Kaya Information Officer will:

- acknowledge receipt of the privacy complaint in writing within 5 business days of the complaint having been received by them, providing detail of the complaint process, contact officer and relevant timeframes; and
- record the privacy complaint on the Kaya Information Privacy Complaint Register.

The nature and complexity of the issues involved in a privacy complaint will determine how long it takes to investigate and respond to the complainant. However, generally, we will provide a written notification of the outcome within 21 working days. Should a privacy complaint involve complex matters or require extensive investigation and consultation it may not be possible to respond within these timeframes. The complainant will be notified in writing if the timeframe cannot be met.

In case that you are not satisfied with the outcome of the complaint, you can contact the Kaya Global Partner for further investigation. You can do so through our website.

12 Contact Information

Questions, concerns or complaints related to our Privacy Policy or our treatment of Personal Information should be directed to:

The Kaya Information Officer

info@thekayagroup.com

South African office: +27 (0) 12 443 6468

Australian office: +61 (0) 43 531 0135