Data Protection and Privacy Policy

Registered Company: **AssessmentHouse Pty (Ltd)**

Registration nr: 2016/441095/07

Last updated: March 27, 2022

In accordance with the Protection of Personal Information Act (POPIA), this Privacy Policy describes Our policies and procedures on the collection, use and disclosure of Your information when You use the Service and tells You about Your privacy rights and how the law protects You.

We use Your Personal data to provide and improve the Service. By using the Service, You agree to the collection and use of information in accordance with this Privacy Policy.

Websites included in this policy and agreement

- **https://assessmenthouse.com**
- **https://vitalenty.com**
- **https://staffmatchpro.com**
- **https://stratatech.co.za**
- **https://vitalenty360.co.za**

Countries of relevance: Due to the nature of our business and the reach of our clients, this privacy policy has been compiled to adhere to the applicable laws of:

1. Republic of South Africa for the purposes of the Protection of Personal Information Act (POPI Act)
2. United States of America for the purpose of the CCPA (California Consumer Privacy Act)
3. European Union as outlined in the General Data Protection Regulation (GDPR)

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Interpretation and Definitions

Interpretation

The words of which the initial letter is capitalized have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

Definitions

For the purposes of this Privacy Policy:

Account means a unique account created for You to access our Service or parts of our Service.

Business, for the purpose of the CCPA (California Consumer Privacy Act), refers to the Company as the legal entity that collects Consumers' personal information and determines the purposes and means of the processing of Consumers' personal information, or on behalf of which such information is collected and that alone, or jointly with others, determines the purposes and means of the processing of consumers' personal information, that does business in the State of California.

Company (referred to as either "the Company", "We", "Us" or "Our" in this Agreement) refers to AssessmentHouse, 9 Glenny Terrace, Aston Manor, Kempton Park, 1619

For the purpose of the GDPR, the Company is the Data Controller.

Consumer, for the purpose of the CCPA (California Consumer Privacy Act), means a natural person who is a California resident. A resident, as defined in the law, includes (1) every individual who is in the USA for other than a temporary or transitory purpose, and (2) every individual who is domiciled in the USA who is outside the USA for a temporary or transitory purpose.

Cookies are small files that are placed on Your computer, mobile device or any other device by a website, containing the details of Your browsing history on that website among its many uses.

Country refers to: South Africa

Data Controller, for the purposes of the GDPR (General Data Protection Regulation), refers to the Company as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data.

Device means any device that can access the Service such as a computer, a cellphone or a digital tablet.

Personal Data is any information that relates to an identified or identifiable individual.

For the purposes for GDPR, Personal Data means any information relating to You such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity.

For the purposes of the CCPA, Personal Data means any information that identifies, relates to, describes or is capable of being associated with, or could reasonably be linked, directly or indirectly, with You.

Sale, for the purpose of the CCPA (California Consumer Privacy Act), means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a Consumer's personal information to another business or a third party for monetary or other valuable consideration.

Service refers to the Website.

Service Provider means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analyzing how the Service is used. For the purpose of the GDPR, Service Providers are considered Data Processors.

Usage Data refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).

Website refers to AssessmentHouse, accessible from https://assessmenthouse.com, StaffMatchPro, accessible from https://staffmatchpro.co.za, Vitalenty Learner Management System, accessible from https://vitalenty.com

You means the individual accessing or using the Service, or the company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

Under GDPR (General Data Protection Regulation), You can be referred to as the Data Subject or as the User as you are the individual using the Service.

Collecting and Using Your Personal Data

Types of Data Collected

Personal Data

While using Our Service, We may ask You to provide Us with certain personally identifiable information that can be used to contact or identify You. Personally identifiable information may include, but is not limited to:

Email address

First name and last name

Usage Data

Usage Data

Usage Data is collected automatically when using the Service.

Usage Data may include information such as Your Device's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that You visit, the time and date of Your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

When You access the Service by or through a mobile device, We may collect certain information automatically, including, but not limited to, the type of mobile device You use, Your mobile device unique ID, the IP address of Your mobile device, Your mobile operating system, the type of mobile Internet browser You use, unique device identifiers and other diagnostic data.

We may also collect information that Your browser sends whenever You visit our Service or when You access the Service by or through a mobile device.

Tracking Technologies and Cookies

We use Cookies and similar tracking technologies to track the activity on Our Service and store certain information. Tracking technologies used are beacons, tags, and scripts to collect and track information and to improve and analyze Our Service. The technologies We use may include:

- **Cookies or Browser Cookies.** A cookie is a small file placed on Your Device. You can instruct Your browser to refuse all Cookies or to indicate when a Cookie is being sent. However, if You do not accept Cookies, You may not be able to use some parts of our Service. Unless you have adjusted Your browser setting so that it will refuse Cookies, our Service may use Cookies.
- **Flash Cookies.** Certain features of our Service may use local stored objects (or Flash Cookies) to collect and store information about Your preferences or Your activity on our Service. Flash Cookies are not managed by the same browser settings as those used for Browser Cookies. For more information on how You can delete Flash Cookies, please read "Where can I change the settings for disabling, or deleting local shared objects?" available at https://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html#main_Where_can_I_change_the_settings_for_disabling__or_deleting_local_shared_objects_
- **Web Beacons.** Certain sections of our Service and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of a certain section and verifying system and server integrity).

Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on Your personal computer or mobile device when You go offline, while Session Cookies are deleted as soon as You close Your web browser. Learn more about cookies: Cookies: What Do They Do?.

We use both Session and Persistent Cookies for the purposes set out below:

Necessary / Essential Cookies

Type: Session Cookies

Administered by: Us

Purpose: These Cookies are essential to provide You with services available through the Website and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the services that You have asked for cannot be provided, and We only use these Cookies to provide You with those services.

Cookies Policy / Notice Acceptance Cookies

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies identify if users have accepted the use of cookies on the Website.

Functionality Cookies

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering your login details or language preference. The purpose of these Cookies is to provide You with a more personal experience and to avoid You having to re-enter your preferences every time You use the Website.

For more information about the cookies we use and your choices regarding cookies, please visit our Cookies Policy or the Cookies section of our Privacy Policy.

Use of Your Personal Data

The Company may use Personal Data for the following purposes:

To provide and maintain our Service, including to monitor the usage of our Service.

To manage Your Account: to manage Your registration as a user of the Service. The Personal Data You provide can give You access to different functionalities of the Service that are available to You as a registered user.

For the performance of a contract: the development, compliance and undertaking of the purchase contract for the products, items or services You have purchased or of any other contract with Us through the Service.

To contact You: To contact You by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities, products or contracted services, including the security updates, when necessary or reasonable for their implementation.

To provide You with news, special offers and general information about other goods, services and events which we offer that are similar to those that you have already purchased or enquired about unless You have opted not to receive such information.

To manage Your requests: To attend and manage Your requests to Us.

For business transfers: We may use Your information to evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by Us about our Service users is among the assets transferred.

For other purposes: We may use Your information for other purposes, such as data analysis, identifying usage trends, determining the effectiveness of our promotional campaigns and to evaluate and improve our Service, products, services, marketing and your experience.

We may share Your personal information in the following situations:

- **With Service Providers:** We may share Your personal information with Service Providers to monitor and analyze the use of our Service, to contact You.
- **For business transfers:** We may share or transfer Your personal information 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.
- **With Affiliates:** We may share Your information with Our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include Our parent company and any other subsidiaries, joint venture partners or other companies that We control or that are under common control with Us.
- **With business partners:** We may share Your information with Our business partners to offer You certain products, services or promotions.
- **With other users:** when You share personal information or otherwise interact in the public areas with other users, such information may be viewed by all users and may be publicly distributed outside.
- **With Your consent**: We may disclose Your personal information for any other purpose with Your consent.

Retention of Your Personal Data

The Company will retain Your Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use Your Personal Data to the extent necessary to

comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.

The Company will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of Our Service, or We are legally obligated to retain this data for longer time periods.

Transfer of Your Personal Data

Your information, including Personal Data, is processed at the Company's operating offices and in any other places where the parties involved in the processing are located. It means that this information may be transferred to — and maintained on — computers located outside of Your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from Your jurisdiction.

Your consent to this Privacy Policy followed by Your submission of such information represents Your agreement to that transfer.

The Company will take all steps reasonably necessary to ensure that Your data is treated securely and in accordance with this Privacy Policy and no transfer of Your Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of Your data and other personal information.

Disclosure of Your Personal Data

Business Transactions

If the Company is involved in a merger, acquisition or asset sale, Your Personal Data may be transferred. We will provide notice before Your Personal Data is transferred and becomes subject to a different Privacy Policy.

Law enforcement

Under certain circumstances, the Company may be required to disclose Your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency).

Other legal requirements

The Company may disclose Your Personal Data in the good faith belief that such action is necessary to:

- Comply with a legal obligation
- Protect and defend the rights or property of the Company
- Prevent or investigate possible wrongdoing in connection with the Service
- Protect the personal safety of Users of the Service or the public
- Protect against legal liability

Security of Your Personal Data

The security of Your Personal Data is important to Us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While We strive to use commercially acceptable means to protect Your Personal Data, We cannot guarantee its absolute security.

GDPR Privacy

Legal Basis for Processing Personal Data under GDPR

We may process Personal Data under the following conditions:

- **Consent:** You have given Your consent for processing Personal Data for one or more specific purposes.
- **Performance of a contract:** Provision of Personal Data is necessary for the performance of an agreement with You and/or for any pre-contractual obligations thereof.
- **Legal obligations:** Processing Personal Data is necessary for compliance with a legal obligation to which the Company is subject.
- **Vital interests:** Processing Personal Data is necessary in order to protect Your vital interests or of another natural person.
- **Public interests:** Processing Personal Data is related to a task that is carried out in the public interest or in the exercise of official authority vested in the Company.
- **Legitimate interests:** Processing Personal Data is necessary for the purposes of the legitimate interests pursued by the Company.

In any case, the Company will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

Your Rights under the GDPR

The Company undertakes to respect the confidentiality of Your Personal Data and to guarantee You can exercise Your rights.

You have the right under this Privacy Policy, and by law if You are within the EU, to:

- **Request access to Your Personal Data.** The right to access, update or delete the information We have on You. Whenever made possible, you can access, update or request deletion of Your Personal Data directly within Your account settings section. If you are unable to perform these actions yourself, please contact Us to assist You. This also enables You to receive a copy of the Personal Data We hold about You.

- **Request correction of the Personal Data that We hold about You.** You have the right to have any incomplete or inaccurate information We hold about You corrected.
- **Object to processing of Your Personal Data.** This right exists where We are relying on a legitimate interest as the legal basis for Our processing and there is something about Your particular situation, which makes You want to object to our processing of Your Personal Data on this ground. You also have the right to object where We are processing Your Personal Data for direct marketing purposes.
- **Request erasure of Your Personal Data.** You have the right to ask Us to delete or remove Personal Data when there is no good reason for Us to continue processing it.
- **Request the transfer of Your Personal Data.** We will provide to You, or to a third-party You have chosen, Your Personal Data in a structured, commonly used, machine-readable format. Please 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 Your consent.** You have the right to withdraw Your consent on using your Personal Data. If You withdraw Your consent, We may not be able to provide You with access to certain specific functionalities of the Service.

Exercising of Your GDPR Data Protection Rights

You may exercise Your rights of access, rectification, cancellation and opposition by contacting Us. Please note that we may ask You to verify Your identity before responding to such requests. If You make a request, We will try our best to respond to You as soon as possible.

You have the right to complain to a Data Protection Authority about Our collection and use of Your Personal Data. For more information, if You are in the European Economic Area (EEA), please contact Your local data protection authority in the EEA.

CCPA Privacy

This privacy notice section for California residents supplements the information contained in Our Privacy Policy and it applies solely to all visitors, users, and others who reside in the State of California.

Categories of Personal Information Collected

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or Device. The following is a list of categories of personal information which we may collect or may have been collected from California residents within the last twelve (12) months.

Please note that the categories and examples provided in the list below are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact collected by Us, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been collected. For example, certain categories of personal information would only be collected if You provided such personal information directly to Us.

Category A: Identifiers.

Examples: A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, driver's license number, passport number, or other similar identifiers.

Collected: Yes.

Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).

Examples: A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.

Collected: Yes.

Category C: Protected classification characteristics under California or federal law.

Examples: Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).

Collected: No.

Category D: Commercial information.

Examples: Records and history of products or services purchased or considered.

Collected: No.

Category E: Biometric information.

Examples: Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.

Collected: No.

Category F: Internet or other similar network activity.

Examples: Interaction with our Service or advertisement.

Collected: Yes.

Category G: Geolocation data.

Examples: Approximate physical location.

Collected: No.

Category H: Sensory data.

Examples: Audio, electronic, visual, thermal, olfactory, or similar information.

Collected: No.

Category I: Professional or employment-related information.

Examples: Current or past job history or performance evaluations.

Collected: No.

Category J: Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).

Examples: Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student

schedules, student identification codes, student financial information, or student disciplinary records.

Collected: No.

Category K: Inferences drawn from other personal information.

Examples: Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Collected: No.

Under CCPA, personal information does not include:

- Publicly available information from government records
- Deidentified or aggregated consumer information
- Information excluded from the CCPA's scope, such as:
    - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data
    - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994

Sources of Personal Information

We obtain the categories of personal information listed above from the following categories of sources:

- **Directly from You**. For example, from the forms You complete on our Service, preferences You express or provide through our Service.
- **Indirectly from You**. For example, from observing Your activity on our Service.
- **Automatically from You**. For example, through cookies We or our Service Providers set on Your Device as You navigate through our Service.
- **From Service Providers**. For example, or other third-party vendors that We use to provide the Service to You.

Use of Personal Information for Business Purposes or Commercial Purposes

We may use or disclose personal information We collect for "business purposes" or "commercial purposes" (as defined under the CCPA), which may include the following examples:

- To operate our Service and provide You with our Service.
- To provide You with support and to respond to Your inquiries, including to investigate and address Your concerns and monitor and improve our Service.
- To fulfill or meet the reason You provided the information. For example, if You share Your contact information to ask a question about our Service, We will use that personal information to respond to Your inquiry.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to You when collecting Your personal information or as otherwise set forth in the CCPA.
- For internal administrative and auditing purposes.
- To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity, including, when necessary, to prosecute those responsible for such activities.

Please note that the examples provided above are illustrative and not intended to be exhaustive. For more details on how we use this information, please refer to the "Use of Your Personal Data" section.

If We decide to collect additional categories of personal information or use the personal information We collected for materially different, unrelated, or incompatible purposes We will update this Privacy Policy.

Disclosure of Personal Information for Business Purposes or Commercial Purposes

We may use or disclose and may have used or disclosed in the last twelve (12) months the following categories of personal information for business or commercial purposes:

Category A: Identifiers

Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))

Category F: Internet or other similar network activity

Please note that the categories listed above are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact disclosed, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been disclosed.

When We disclose personal information for a business purpose or a commercial purpose, We enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

Sale of Personal Information

As defined in the CCPA, "sell" and "sale" mean selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer's personal information by the business to a third party for valuable consideration. This means that We may have received some kind of benefit in return for sharing personal information, but not necessarily a monetary benefit.

Please note that the categories listed below are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact sold, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been shared for value in return.

We may sell and may have sold in the last twelve (12) months the following categories of personal information:

Category A: Identifiers

Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))

Category F: Internet or other similar network activity

Share of Personal Information

We may share Your personal information identified in the above categories with the following categories of third parties:

Service Providers

Our affiliates

Our business partners

Third party vendors to whom You or Your agents authorize Us to disclose Your personal information in connection with products or services We provide to You

Sale of Personal Information of Minors Under 16 Years of Age

We do not knowingly collect personal information from minors under the age of 16 through our Service, although certain third party websites that we link to may do so. These third-party websites have their own terms of use and privacy policies and we encourage parents and legal guardians to monitor their children's Internet usage and instruct their children to never provide information on other websites without their permission.

We do not sell the personal information of Consumers We actually know are less than 16 years of age, unless We receive affirmative authorization (the "right to opt-in") from either the Consumer who is between 13 and 16 years of age, or the parent or guardian of a Consumer less than 13 years of age. Consumers who opt-in to the sale of personal information may opt-out of future sales at any time. To exercise the right to opt-out, You (or Your authorized representative) may submit a request to Us by contacting Us.

If You have reason to believe that a child under the age of 13 (or 16) has provided Us with personal information, please contact Us with sufficient detail to enable Us to delete that information.

Your Rights under the CCPA

The CCPA provides California residents with specific rights regarding their personal information. If You are a resident of California, You have the following rights:

- **The right to notice.** You have the right to be notified which categories of Personal Data are being collected and the purposes for which the Personal Data is being used.
- **The right to request.** Under CCPA, You have the right to request that We disclose information to You about Our collection, use, sale, disclosure for business purposes and share of personal information. Once We receive and confirm Your request, We will disclose to You:
    - The categories of personal information We collected about You
    - The categories of sources for the personal information We collected about You
    - Our business or commercial purpose for collecting or selling that personal information

- The categories of third parties with whom We share that personal information
- The specific pieces of personal information We collected about You
- If we sold Your personal information or disclosed Your personal information for a business purpose, We will disclose to You:

    - The categories of personal information categories sold
    - The categories of personal information categories disclosed

- **The right to say no to the sale of Personal Data (opt-out).** You have the right to direct Us to not sell Your personal information. To submit an opt-out request please contact Us.
- **The right to delete Personal Data.** You have the right to request the deletion of Your Personal Data, subject to certain exceptions. Once We receive and confirm Your request, We will delete (and direct Our Service Providers to delete) Your personal information from our records, unless an exception applies. We may deny Your deletion request if retaining the information is necessary for Us or Our Service Providers to:

    - Complete the transaction for which We collected the personal information, provide a good or service that You requested, take actions reasonably anticipated within the context of our ongoing business relationship with You, or otherwise perform our contract with You.
    - Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
    - Debug products to identify and repair errors that impair existing intended functionality.
    - Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
    - Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
    - Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if You previously provided informed consent.
    - Enable solely internal uses that are reasonably aligned with consumer expectations based on Your relationship with Us.

- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which You provided it.

- **The right not to be discriminated against.** You have the right not to be discriminated against for exercising any of Your consumer's rights, including by:

  - Denying goods or services to You
  - Charging different prices or rates for goods or services, including the use of discounts or other benefits or imposing penalties
  - Providing a different level or quality of goods or services to You
  - Suggesting that You will receive a different price or rate for goods or services or a different level or quality of goods or services

Exercising Your CCPA Data Protection Rights

In order to exercise any of Your rights under the CCPA, and if You are a California resident, You can contact Us:

- By email: privacy@ahonline.co

Only You, or a person registered with the California Secretary of State that You authorize to act on Your behalf, may make a verifiable request related to Your personal information.

Your request to Us must:

- Provide sufficient information that allows Us to reasonably verify You are the person about whom We collected personal information or an authorized representative
- Describe Your request with sufficient detail that allows Us to properly understand, evaluate, and respond to it

We cannot respond to Your request or provide You with the required information if we cannot:

- Verify Your identity or authority to make the request
- And confirm that the personal information relates to You

We will disclose and deliver the required information free of charge within 45 days of receiving Your verifiable request. The time period to provide the required information may be extended once by an additional 45 days when reasonable necessary and with prior notice.

Any disclosures We provide will only cover the 12-month period preceding the verifiable request's receipt.

For data portability requests, We will select a format to provide Your personal information that is readily useable and should allow You to transmit the information from one entity to another entity without hindrance.

Do Not Sell My Personal Information

You have the right to opt-out of the sale of Your personal information. Once We receive and confirm a verifiable consumer request from You, we will stop selling Your personal information. To exercise Your right to opt-out, please contact Us.

Children's Privacy

Our Service does not address anyone under the age of 13. We do not knowingly collect personally identifiable information from anyone under the age of 13. If You are a parent or guardian and You are aware that Your child has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from anyone under the age of 13 without verification of parental consent, We take steps to remove that information from Our servers.

If We need to rely on consent as a legal basis for processing Your information and Your country requires consent from a parent, We may require Your parent's consent before We collect and use that information.

Data security and protection

AssessmentHouse (Pty) Ltd has contracted with xneelo (Pty) Ltd as their website and database service provider. AssessmentHouse has its own dedicated servers that are managed by xneelo. No data are hosted on a shared server.

Our data security and protection policy is provided and governed by xneelo and discussed below.

Security and Reliability

Scrutinised and well-considered security processes are a critical part of delivering a successful product to our customers.

This document aims to provide information and reassurance regarding the appropriate technical and organisational measures we have in place to protect our customers' data and intellectual property and should be read in conjunction with our terms of service and privacy policy.

Physical security

Location

We house servers in data centres across two locations: **Samrand** (Gauteng) and **Cape Town.** Colocation hosting is only offered in our Samrand facility.

The following applies specifically to our Samrand Data Centre, although similar standards and measures apply in our other data centre locations.

Our Data Centre Park in Samrand is our default hosting location. The facility is not in a direct flight path or low lying area and is centrally located between Johannesburg and Pretoria with a major power substation close by. A geotechnical audit has been done to ensure ground stability.

Surveillance

The Samrand data centre uses 45 internal and external surveillance cameras, as well as 10 perimeter cameras, which are strategically placed and monitored around the clock to ensure that all servers remain off-limits to anyone without security clearance. High-voltage security fences and a 24/7 security presence help to deter any opportunistic crimes.

Access control

Customers, employees and contractors have varying levels of authorised access to different areas of our facility, controlled by high-tech biometric scanning systems, with 20 devices and pin-coded keypads.

Colocation customers have 24/7 unattended access to their POD and a unique pin to each of their racks.

Fire prevention

The facility is custom-designed for low fire risk, with a Very Early Smoke Detection Apparatus (VESDA) installed to trigger alarms at even the slightest hint of smoke particles.

There are no flammable materials present in the 'white space' in the Data Centre and all cabling is fire-retardant.

Power outages

An 11kV power supply from the municipal power utility energises a fault-tolerant, medium-voltage ring that powers two separate low-voltage 2MVA energy centres. These A- and B feeds power mission-critical infrastructure such as IT load, air conditioning, security systems and emergency lighting. They provide seamless electrical failover with their own emergency backup power systems in the event of a power failure.

We have on-site fuel storage sufficient to run our generators for 7 days' continuously. Our UPS's provide always-on power, with battery standby time of 30 minutes.

Connectivity

Our network is multi-homed with multiple uplinks per data centre via at least two Tier 1 upstream providers and peering partners. Should a network failure occur, traffic is automatically rerouted via alternate uplinks, significantly increasing our network resilience.

Connectivity is provided through diverse, redundant fibre routes connecting the facility to a 10Gbps fibre ring.

Network security

Network level security consists of three main components:

- DDoS mitigation
- VLAN reverse path forwarding protection
- Juniper firewall rules at the network edge and core

DDoS mitigation

A DDoS detection and mitigation system is deployed in both the Cape Town and Samrand data-centres. DDoS attack traffic is diverted to a filter/scrubbing server that can distinguish between valid and malicious traffic. Malicious traffic is scrubbed off while valid traffic is re-injected into the network. The victim IP is not affected during the DDoS attack. DDoS detection and mitigation is fully automated and traffic diversion occurs automatically.

Small DDoS attacks are scrubbed locally in the data-centre by the mitigation system. For larger attacks, traffic is diverted to an international DDoS mitigation provider which then sends the clear traffic on to South Africa.

VLAN Reverse path forwarding protection

Reverse path forwarding protection is enabled for all VLANs in our data centres. This policy ensures that only the subnets allocated to a VLAN can generate traffic for that VLAN. This helps to mitigate two kinds of malicious traffic:

- Source-spoofed traffic where a host is sending out traffic for subnets that do not belong to the VLAN.
- Inter-VLAN subnet spoofing, where a host in one VLAN uses IP addresses from another VLAN using source-spoofing.

Juniper firewall rules

Firewall rules on the data centre network edge and at the core are used to protect the network in a number of ways:

- Rate-limiting of certain protocols to protect the network infrastructure.
- Blocking of certain protocols and destination IP addresses to protect our operational systems.
- Restricting access to certain hosts and protocols to defined lists of source addresses.
- Blocking of abusive IP addresses and hosts.

Monitoring

All servers managed by us are monitored 24/7 for all critical services and hardware health. Our reactive system administrators react to monitoring alerts as they are identified and escalate issues to data centre staff or platform engineers.

Platform security

Servers

All servers used to provide our managed hosting service, both for shared web hosting and dedicated managed servers are **physical servers exclusively provisioned and managed by us**.

Our Self-managed servers are provisioned by us, while the software is maintained by the customer.

Servers are designed to provide **redundancy and reliability**, including multi-core, multi-CPU systems, ECC (Error-Correcting Code) memory modules to detect and correct data corruption in real time and enterprise grade storage that includes hard disk and solid state drives.

All data is stored on dedicated, robust RAID storage arrays providing data redundancy and integrity.

Additionally, our TruServ Commerce range of Self-Managed servers include a Battery Backup Unit (BBU) which protects and maintains the data on RAID cards.

Security response policy

All relevant **security advisories** are evaluated weekly. We make use of **Debian Linux** and trust their security response to all CVEs.

Note: Debian is a slow moving distribution, which means that versioning misinterpretation regarding security vulnerabilities may occur when looking at the output of a typical automated security scan. Debian don't upgrade major versions for any releases once they move into the stable release phase, but they do apply security patches. Therefore it may appear that the old stable release of Debian is running an insecure version of certain software packages e.g. OpenSSL (1.0.1t-1). However, once the Debian patch version is applied (1.0.1t-1+deb7u3), the vulnerability is addressed. This indicates the Debian maintainer's ongoing commitment to patching security related issues on all supported versions of Debian.

We are committed to updating all software to the latest stable versions within 7 days of their release, and within 24 hours for critical software updates.

Remote access

Access to managed servers is limited by means of Linux firewall software. All managed servers make use of the same incoming firewall rules and we do not allow any deviation from the standard rulesets

Backups

All our Managed Servers (i.e. Web hosting and Managed Servers) are automatically backed up in the early hours of the morning. The backup includes all critical data required for disaster recovery.

Backups are made of the user's home directory as well as databases. The user's home directory will include site content, web logs and any mail that was on the server at the time that backup was completed.

Customers can restore up to the previous 2 weeks of backup data via the konsoleH control panel. Logs (such as FTP, web server and mail logs) are normally kept for 60 days.

Due to the large scale of our Web hosting and Managed server hosting environment, our backup and restore process is effectively tested on a daily basis.

Software development

Stack: We have a strong focus on open source technologies and mainly use PHP and Ruby as our backend languages. Our frontend stack consists of HTML/HTML5, CSS/CSS3 and various JavaScript frameworks. We use varying database technologies including MySQL, MariaDB and Postgres.

Coding Practices: We follow an Agile development methodology and use best practices and industry-standard secure coding guidelines to ensure security is always top of mind. External penetration testing providers are used to validate that we are secure.

Antivirus

All servers (which are Linux based) run Clam anti-virus which is updated as new virus definitions are released. Servers are scanned daily.

User passwords

All customer passwords are stored in a one-way encrypted format. We are not able to retrieve any passwords. Due to the broad technology implementation across our hosting software and platform, we employ a number of different passwords hashing algorithms e.g. bcrypt, sha-512. We implement industry standard practices for mitigating various password cracking methods e.g:

- Password salts to mitigate rainbow attacks
- Multiple password hashing rounds (key stretching) to massively draw out brute force attacks

Mail security

SSL is used for POP, IMAP and SMTP protocols for email, resulting in data encryption between our server and customers' mail programmes.

The use of strong passwords is enforced when creating or editing mailboxes via the mail admin tool.

The following measures are used to mitigate spam and malware:

- Anti-virus and anti-spam scanning occur on all inbound and outbound email.
- Common malicious file extensions are blocked for both inbound and outbound email.
- Known malicious IP addresses are blocked by our firewall for incoming email.

Links to Other Websites

Our Service may contain links to other websites that are not operated by Us. If You click on a third party link, You will be directed to that third party's site. We strongly advise You to review the Privacy Policy of every site You visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

Changes to this Policy

We may update Our Policies from time to time. We will notify You of any changes by posting the new Privacy Policy on this page.

We will let You know via email and/or a prominent notice on Our Service, prior to the change becoming effective and update the "Last updated" date at the top of this Privacy Policy.

You are advised to review this Policy periodically for any changes. Changes to this Policy are effective when they are posted on this page.

Contact Us

If you have any questions about this Policy, You can contact us:

- By email: privacy@assessmenthouse.com