

# Operam Academy Privacy Policy

Effective Date: 01 October 2020

This Privacy Policy informs you of our policies and procedures regarding the collection, use and disclosure of personal information we receive from visitors and registered users of operamacademy.com (this "Platform"). This Privacy Policy applies only to information that you provide to us through the Platform and explains in plain language what we do with that information, how we share it, and how we handle the content you place. It also explains your rights and the choices available to you regarding our use of your personal information and how you can access and update this information.

Our Privacy Policy may be updated from time to time, and we will notify you of any material changes by posting the new Privacy Policy on the Platform and revising the "Effective Date". We encourage you to review our Privacy Policy whenever you use the Platform to stay informed about our information practices and the ways you can help protect your privacy. If you disagree with any changes to this Privacy Policy, you will need to stop using the Platform and deactivate your account(s), as outlined below.

This Privacy Policy applies to the information that we obtain through your use of the Platform via a "Device" or when you otherwise interact with Operam Academy. A "Device" is any computer used to access the Platform, including without limitation a desktop, laptop, mobile phone, tablet, or other consumer electronic device. The Platform does not include any other own or third-party products or services for which a separate privacy policy is provided. You should always review the policies of third-party products and services to make sure you are comfortable with the ways in which they collect and use your information.

By using the Platform you consent to the collection, transfer, processing, storage, disclosure and other uses described in this Privacy Policy.

## 1. Who we are

- 1.1 Operam Limited ("Operam") provide a range of advisory services and educational products to organisations within the construction industry.
- 1.2 Operam are based in the United Kingdom at Devonshire Business Centre, Letchworth, Hertfordshire, SG6 1GJ.
- 1.3 Operam Academy is the training arm of Operam and the leading provider of specialist training on the effective management of information and the collaborative production of information (aka BIM).
- 1.4 Operam complies with Data Protection Laws, including the European regulation for data protection 2016/679/EU (General Data Protection Regulation - GDPR). Operam will not knowingly do anything or permit anything to be done which might lead to a breach of the Data Protection Laws.

## 2. The Personally Identifiable Information We Collect

- 2.1 Users: In the course of using the Platform, you may provide us with personally identifiable information. This refers to information about you that can be used to contact or identify you, and information on your use of and activities on the Platform that may be connected with you ("Personal Information"). Personal Information that we collect includes your name, username, email address and any other data that your employer provides to us. When you visit the Platform, our servers automatically record information that your browser sends whenever you visit a website. This information may include, but is not limited to, your Internet Protocol address, browser type, and information you search for on the Platform. Like many websites, we may also use "cookies" to collect information. A cookie is a small data file stored by your browser at your Device's hard disk for record-keeping purposes. We use "session ID cookies" in order to support login and main service functionality. We may also store cookies of third-party providers. In particular, Google stores a Google Analytics cookie in order to be able to differentiate between users and be able to show us how many times people visit the Platform on average (not individually) and information on what pages they've seen, how long the duration was, and so on; we do not identify who the visitor was, or what is his service account (if any). You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from the web sites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Platform or all functionality of our services.
- 2.2 In some cases, another User may create an account on your behalf and may provide your information, including Personal Information (most commonly when your company requests that you use our service). We collect Information under the direction of our Customers and often have no direct relationship with the individuals whose personal data we process. If you are an employee of one of our Customers and would no longer like us to process your information, please contact your employer and us at the contact information below.

- 2.3 Customers: In addition to the data we collect for all Users, we also collect data that are required for your agreement with us, such as your company affiliation, invoicing data and also service usage data that prove that the service is used in accordance to the licence terms. We may also acquire additional data through our Customers' support requests to the extent this is required for us to resolve a technical issue or respond to a request or complaint. We also email to our Customers newsletters, announcements regarding our services, or marketing material. If you are a Customer and no longer wish to receive such emails you can remove yourself from the recipients list at any time by selecting the "unsubscribe" link provided within the e-mail footer. If you are providing information (including Personal Information) about someone else, you must have the authority to act for them and to consent to the collection and use of their Personal Information.
- 2.4 Content: We collect and store Content that you create, input, submit, post, upload, transmit, store or display in the process of using our "Platform". Such Content includes any Personal Information or other sensitive information that you choose to include ("incidentally-collected Personal Information"). Although Operam owns all rights to the Hosted Service, Customers retain ownership, control and all rights to their records and data which are their property.
- 2.5 Other submissions: We collect other data that you submit to the Platform or as you participate in any interactive features, participate in a survey, contest, activity or event, request customer support, or otherwise communicate with us.

### 3. How We Use, Process and Retain Personal Information

- 3.1 Personal Information is or may be used for the following purposes:
- (a) to provide and improve the Platform, services, features and content;
  - (b) to administer your use of the Platform;
  - (c) to enable you to enjoy and easily navigate the Platform;
  - (d) to better understand your needs and interests;
  - (e) to fulfil requests, you may make;
  - (f) to personalize your experience; and
  - (g) to provide or offer software updates and product announcements.
- 3.2 We use information we obtain by technical means (such as the logging performed by our servers or through the use of cookies) for the above purposes and in order to monitor and analyse use of the Platform and our services, for the Platform's technical administration, to increase the Platform's functionality and user-friendliness, to better tailor it to your needs, to generate and derive useful data and information concerning the interests, characteristics and Platform use behaviour and to verify that visitors to the Platform meet the criteria required to process their requests.
- 3.3 We collect and process personal data in a transparent manner, to the extent necessary for us to provide the Hosted Services, as set out in the Agreement, and do not process it further in a manner incompatible with those purposes. We take care that the data we collect are accurate and, when necessary, updated. We take all reasonable steps to immediately delete or rectify personal data, if inaccurate. We take the appropriate technical and organizational measures for the security, confidentiality, integrity and availability of the data. We expressly declare that these measures ensure that, by definition, personal data are not made accessible without the intervention of the natural person to an indeterminate number of natural persons.
- 3.4 Each Platform Customer instance data are retained for as long as the Customer's subscription to the service lasts. Upon completion of the subscription term the data will be deleted or returned to the Customer if the Customer instructs us to.

### 4. Information Sharing and Disclosure

- 4.1 Users: We will display your Personal Information in your profile page and elsewhere on the Platform according to the preferences you set in your account. Any information you choose to provide should reflect how much you want other users to know about you. We recommend that you guard your anonymity and sensitive information, and we encourage you to think carefully about what information you disclose in your profile pages. You can review and revise your profile information at any time. You should be aware that the administrator, as well as specially designated support personnel in order to provide support for technical issues you may face, may be able to: access information in and about your account; access communications history, including file attachments, for your account; disclose, restrict, or access information that you have provided or that is made available to you when using your account, including your Content; and control how your account may be accessed or deleted.
- 4.2 Third Parties: We do not sell your Personal Information or Content and will not share or disclose any of your Personal Information or Content with third parties except as described in this Privacy Policy. We do not share Personal Information about you with third parties for their marketing purposes (including direct marketing purposes).
- 4.3 Service Providers, Business Partners and Others: Operam use third party vendors and providers who supply the necessary hardware, software, networking and storage to run the Platform and Hosted Services. These third parties have access to your Personal Information only for purposes of performing these tasks on our behalf.

- 4.4 Compliance with Laws and Law Enforcement: Operam cooperates with government and law enforcement officials and private parties to enforce and comply with the law. We will disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process, to protect the property and rights of Operam or a third party, to protect the safety of the public or any person, or to prevent or stop any activity we may consider to be, or to pose a risk of being, illegal, unethical, inappropriate or legally actionable.
- 4.5 Children: Our services are not directed to children. We do not knowingly collect Personal Information from children. If we become aware that a child has provided us with Personal Information, we will take steps to delete such information. If you become aware that a child has provided us with Personal Information, please contact us at the contact information below.
- 4.6 Business Transfers: We may share or transfer your Information (including 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. You will be notified on any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

## 5. Your Rights

- 5.1 Transparency, information and answers to requests: Operam adheres to the principle of transparency in processing. For any question regarding this Privacy Policy you may contact us at the email address provided below. We will respond without delay and in any case within one month upon receipt of the request.
- 5.2 Access: You have the right to receive from Operam confirmation on whether your personal data are processed and in case this happens all required information thereof (processing means, records etc.).
- 5.3 Rectification: You have the right to require the rectification of inaccurate data relating to you without undue delay, as well as to fill in incomplete data if necessary, for processing.
- 5.4 Erasure: You have the right to ask for the erasure of personal data concerning you without undue delay. Operam by means of its designated personnel will erase the data where one of the following grounds applies: a) the personal data are no longer necessary in relation to the purposes of processing; or b) the person requesting the erasure withdraws consent on which the processing is based and there is no other legal ground for the processing; or c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing or the data subject objects to processing for direct marketing; or d) the personal data have to be erased for compliance with a legal obligation. Operam will not proceed to the erasure of the personal data if the data must be maintained for compliance with a legal obligation or in cases where the processing is required for the establishment, exercise or defence of legal claims. If you receive marketing emails, you can remove yourself from the recipients list by selecting the "unsubscribe" link within the e-mail.
- 5.5 Restriction of processing: You have the right to request restriction of processing if the accuracy of personal data is disputed, for that period of time that allows Operam to verify the accuracy of personal data, or based on any other legitimate reason specified in applicable Data Protection Laws.
- 5.6 Data Portability: You have the right to receive your personal data in a structured, commonly used and machine-readable format as well as the right to request the direct transmission of personal data by Operam to another, if this is technically feasible.
- 5.7 Right to Object: You may oppose the processing of personal data which takes place without your consent. In this case, Operam no longer submits the personal data unless it demonstrates imperative and legitimate reasons for the processing that outweigh the interests, rights and freedoms of you as a data subject or for the foundation, exercise or support of legal claims. If you receive promotional emails, you can remove yourself from the recipients list by selecting the "unsubscribe" link within the e-mail content. You may also oppose processing at any time by contacting us at the email address provided below.
- 5.8 Complaint to Supervisory Authority: You have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your personal data infringes Data Privacy Laws.

## 6. Security

- 6.1 Operam is very concerned with safeguarding your information. Operam are registered with the Information Commissioner's Office in the UK (A8396430) and as such we align to data protection through appropriate technical and organizational measures designed to protect your information from unauthorized access.

## 7. Data Ownership

- 7.1 Although Operam owns all rights to the Hosted Services, Customers retain ownership, control and all rights to their records and data which are their property.

## 8. Contacting Us

- 8.1 If you have any questions about this Privacy Policy, please contact us at Operam Limited, Devonshire Business Centre, Letchworth, SG6 1GJ, UK or email [privacy@operamacademy.com](mailto:privacy@operamacademy.com)