



OHC Global Privacy and Data Protection Statement

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Introduction

OHC respects the privacy, and preserves the privacy rights, of all those who share information with OHC.

OHC delivers English language and higher education programmes through centres in a number of countries, including Ireland, the United Kingdom, the United States, Canada and Australia. This Statement applies across all OHC centres and sets out the principles we apply to personal data wherever we operate.

Information is collected for a specific purpose. OHC commits to using data only for the purpose for which it was collected, and to retaining that data only for as long as is required for that specific purpose.

This Statement explains how we collect, use, share and protect your personal data. It is supported at each centre by a local privacy statement and local policies, which provide the additional detail required by the law of that country. Where this Statement and a local statement differ, the local statement applies to your personal data.



If you have any questions regarding your data, or how it can be accessed, please contact the Campus Director at your OHC centre in the first instance, by writing to the centre address or by email. Group-level enquiries may be sent to Hello-OHC@HolmesEducation.Group.

1.1 Scope and Application

This Statement applies to every OHC centre, entity and member of staff, and to the personal data of prospective and current students, their parents and guardians, employees and job applicants, agents and partners, visitors to our premises, and users of our websites.

The data protection law that applies to you depends on the location of the centre you deal with and where you are based. The principal frameworks under which OHC operates are:

- Ireland – the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018;
- United Kingdom – the UK GDPR and the Data Protection Act 2018;
- Australia – the Privacy Act 1988 (Cth) and the Australian Privacy Principles ("APPs");
- Canada – the Personal Information Protection and Electronic Documents Act ("PIPEDA") and applicable provincial privacy legislation;
- United States – applicable federal and state law, including the Family Educational Rights and Privacy Act ("FERPA") where it applies, and state privacy legislation such as the California Consumer Privacy Act.

OHC centres are also subject to the requirements of the education regulators, accrediting bodies and immigration authorities of the country in which they operate, which may require personal data to be collected, retained or reported in a particular way.

Where local law sets a higher standard than this Statement, that higher standard applies. Where local law imposes requirements not addressed here, those requirements are set out in the local privacy statement for that centre. Your Campus Director can confirm which laws and local policies apply to you and provide copies on request.

1.2 Personal Data

Personal Data is any information concerning or relating to a living person who is either identified or identifiable, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier (such as an IP address) or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

Some jurisdictions use the terms "personal information" or "personally identifiable information" for the same concept. In this Statement, "personal data" means all of them.

Certain personal data is treated as special category or sensitive data – for example information about health or disability, racial or ethnic origin, religious belief, or biometric data. OHC collects such data only where it is necessary and permitted, and applies additional safeguards to it.



The aim of this Statement is to inform OHC's data subjects, and potential data subjects, of how we process personal data, the grounds we rely on for doing so, and the rights available to them.

1.3 OHC's Role and Legal Framework

Each OHC centre, through the OHC entity that operates it, is a data controller – described in some jurisdictions as the organisation or business responsible for personal data. As such, that entity is responsible for deciding how it processes the personal data of data subjects and for complying with the law that applies to it. Where OHC entities share personal data with one another, each entity remains accountable for the personal data it holds.

OHC is obliged to notify data subjects of the information contained within this Statement. This Statement is published on the OHC website and is accessible via links in all relevant student and staff handbooks. Where a centre is required to appoint a Data Protection Officer, or a comparable privacy officer, the appointment and contact details are recorded in the local privacy statement.

1.4 Our Data Protection Principles

The principles set out below reflect the requirements of the GDPR and the equivalent requirements of the Australian Privacy Principles, PIPEDA and applicable United States law. OHC applies them at every centre, irrespective of location. Personal data must:

- Be processed fairly, lawfully and transparently.
- Be obtained only for one or more specified and lawful purposes and not be further processed in any manner incompatible with that purpose or those purposes.
- Be adequate, relevant and limited to what is necessary in relation to the purpose or purposes for which it is processed.
- Be accurate and, where necessary, kept up to date.
- Not be kept for longer than is necessary.
- Be processed in accordance with the rights of data subjects.
- Be kept secure with appropriate technical and organisational measures to protect against unauthorised or unlawful processing and against accidental loss, destruction or damage to, personal data.
- Not be transferred to another country or territory unless appropriate safeguards are in place to protect the rights and freedoms of data subjects (see 1.9).
- Be handled by staff who are accountable for compliance with these principles and able to demonstrate it.

1.5 Who to Contact About Your Personal Data

All personal data enquiries, and all requests to exercise your rights as a data subject, should be directed in the first instance to the Campus Director at the OHC centre with which you deal. The



Campus Director will refer your request to the role responsible for data protection at that centre and can tell you which local statement, local policies and supervisory authority apply to you.

Group-level enquiries may be sent to Hello-OHC@HolmesEducation.Group.

If you are not satisfied with the outcome, a complaint may be made to the supervisory authority for your jurisdiction. Depending on where you are based, this will be one of the following:

- Ireland – the Data Protection Commission
- United Kingdom – the Information Commissioner’s Office
- Australia – the Office of the Australian Information Commissioner
- Canada – the Office of the Privacy Commissioner of Canada, or the relevant provincial commissioner
- United States – the relevant state Attorney General or federal regulator, or the U.S. Department of Education where FERPA applies

Current contact details for the relevant authority are set out in the local privacy statement for your centre and are available from your Campus Director.

1.6 Personal Data We Collect and How It Is Used

The categories below describe how OHC uses personal data across all centres. The specific items of data collected at a particular centre, the local grounds relied upon, and the retention periods applied, are set out in the local privacy statement and the local Records Retention Policy for that centre.

1.6.1 Websites and Online Services

Data subjects who interact with an OHC website will have data collected from them through the use of cookies, web beacons, pixel tags and similar technologies. This can include the IP address, the referring site address, details of the device and browser used, the approximate geolocation derived from the IP address, the pages visited and the interactions with them, and events relating to advertisements served. Cookie consent requirements differ between countries; the cookie notice and settings presented on each OHC website reflect the requirements applicable to that site.

1.6.2 Marketing

OHC will collect personal data for the purpose of informing data subjects of information and events that may be of interest to them, where explicit consent to do so has been provided or in the legitimate interests of the business, as permitted in the jurisdiction concerned. You may opt out of all marketing information by following the directions contained within that information or by contacting the Campus Director at your centre.

1.6.3 Enquiries and Applications

When a potential student, an employer, or a parent or family member enquires about a programme at OHC, or an individual enquires about employment with OHC, we collect the



contact and background details necessary to respond. This is within our legitimate interests as an education provider and an employer.

To apply for a programme of study or an employment vacancy, OHC collects the personal data needed to assess the application and to check that the applicant meets the criteria for admission or for the vacancy advertised. This includes identity and contact details, date of birth, education and employment history, nationality, first language, and the immigration or right-to-study status relevant to the country in which the programme or role is based.

Applicants for programmes of study are also requested to provide details of next of kin. Where these are provided, OHC accepts that the applicant has secured the consent of the next of kin to provide those details for use in an emergency. Applicants are encouraged to disclose any information about their health that we may need to be aware of in order to make reasonable accommodations. This is processed on the basis of contractual necessity, is disclosed at the discretion of the applicant, and non-disclosure may affect our ability to fulfil the contract.

Where information is collected through a third party, for example a recruitment or education agent, OHC understands that the applicant has authorised that party to share the information with OHC and to have the application considered in the same way as a direct application.

1.6.4 Registration, Enrolment and Study

To enrol a student on a programme, OHC uses the information obtained during the application process and additionally collects the data required to complete registration and to meet its regulatory obligations. This includes term-time address, copies of certificates and identity documentation, a photograph, visa or immigration documentation where applicable, a national tax, social insurance or identity number where local law requires it, and payment details. This is collected on the basis of contractual necessity, and in order to fulfil our legal obligations in respect of visa-holding students under the immigration legislation of the country of study and the learner protection arrangements required by the education regulator in that country.

Photographs are collected, and a student number issued, to facilitate the provision of a student card. This is in the legitimate interest of the centre, which needs to assure itself of the identity of individuals on its premises for health, safety and welfare purposes, and to validate student identity for access to services and for the completion of examinations and assessments.

During study, OHC collects personal data in order to advise students of the services and supports available to them, to communicate changes such as timetable amendments, to record attendance in classes and examinations, and to carry out quality assurance monitoring and reporting in respect of student satisfaction, progression, completion and achievement. This is undertaken on the basis of contractual necessity, legal obligation in respect of visa-holding students, and the legitimate interests of OHC as a provider required to monitor its programmes and the learner experience.

1.6.5 Employees and Former Employees

As an employee of OHC we will use the personal data provided through the application process and will also request a national tax or social insurance number, bank account details, and next of kin information for use in an emergency. These are collected on the basis of contractual



necessity. Where next of kin information is provided, OHC accepts that the employee has sought the consent of the named individual.

Personal data of employees may also be used for the effective management and operation of the business. Wherever possible this will be anonymised. Where that is not possible, it will only be shared with those who need to know for the fulfilment of legitimate interests, contractual necessity or legal obligations.

Information about health and wellbeing may be collected during employment, in relation to absence or accommodation requests, in order to enable OHC to perform the contract entered into. Information relating to professional development, research and scholarly activity is collected on the basis of the legitimate interests of the centre, where staff development is required to be monitored and reported on to accreditation bodies.

On termination of employment, the centre retains such personal data as is required to continue its fulfilment of legal obligations in respect of record keeping, revenue and payroll records, for the period required by the law of the country of employment. It also retains contact details to enable the completion of contractual obligations and on the basis of legitimate interests, where follow-up communication may be required. Performance management, appraisal, interview, leave and medical records are securely destroyed at the end of the period set out in the local Records Retention Policy. Email and user accounts are deactivated immediately on termination, except by mutual agreement.

1.6.6 Visitors and CCTV

Personal data pertaining to visitors to OHC, including name, contact details and association, is collected in the legitimate interests of the centre and in order to comply with legal obligations in respect of the health, safety and welfare of visitors, students and staff.

Where a centre operates a CCTV system, OHC collects the images of all individuals who access those premises. This is in the legitimate interest of centre security and the health, safety and welfare of staff, students and visitors, and as a means of ensuring the security, reliability and integrity of examinations and examination processes. Signage and the local CCTV policy at each centre set out the areas covered and the retention period applied.

1.6.7 All Parties

In rare and exceptional circumstances OHC may use personal data to protect the vital interests of a student, employee or visitor, or where it is in the public interest to do so, for example in cases of reportable incidents or illnesses.

Where a data subject refuses or fails to provide personal data that OHC requires for a legitimate reason, this may affect the ability of the centre to fulfil its contractual agreement with that person and can result in the cancellation of that contract and of the associated provision of service. This will be communicated at the time, should the matter arise.

1.7 Our Grounds for Processing

In Ireland and the United Kingdom, OHC must identify a lawful basis for each processing activity. Under the GDPR and UK GDPR, the lawful bases are:



1. Consent: the data subject has given clear consent to OHC to process their personal data for a specific purpose.
2. Contract: the processing is necessary for a contract OHC holds with the data subject, or because the data subject has requested OHC to take specific steps before entering into a contract, for example reference checks or communication with an immigration authority.
3. Legal obligation: the processing is necessary for OHC to comply with the law.
4. Vital interests: the processing is necessary to protect someone's life.
5. Public task: the processing is necessary for OHC to perform a task in the public interest or for OHC's official functions, and the task or function has a clear basis in law.
6. Legitimate interests: the processing is necessary for OHC's legitimate interests or those of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

In Australia, Canada and the United States, OHC processes personal data for the purposes notified to you at the point of collection, with your consent where consent is required, and otherwise as permitted or required by law. In every jurisdiction, the purpose of processing must be one of which you have been informed in this Statement or in a local privacy statement.

OHC does not make decisions about students or staff by solely automated means where those decisions would have a legal or similarly significant effect on the individual. Should that position change at any centre, it will be set out in the local privacy statement.

1.8 Sharing Personal Data

As a student or employee of OHC, we will share your personal data with third parties only where there is a lawful ground for doing so. Recipients may include:

- other OHC entities and centres, for admissions, transfers between centres, and group administrative, finance and IT functions;
- education regulators, accrediting bodies, awarding bodies and quality assurance agencies;
- immigration, border, visa and law enforcement authorities, where required;
- recruitment and education agents acting on your behalf;
- auditors, insurers, banks and professional advisers;
- service providers who process personal data on our instructions, for example IT, learning platform, payment and student records providers; and
- emergency services, and a parent, guardian or next of kin, where necessary to protect health, safety or welfare.

Where a third party processes personal data on our behalf, OHC puts a written agreement in place requiring that party to act only on our instructions, to apply appropriate security measures, and to assist us in meeting our obligations to you. OHC does not sell personal data.



1.9 International Transfers of Personal Data

Because OHC operates internationally, your personal data may be transferred between OHC centres and to service providers located in other countries – for example to process an application, to transfer a student between centres, or to deliver group IT and finance services. The country receiving the data may not provide the same level of legal protection as your own.

Where personal data is transferred out of the European Economic Area or the United Kingdom, OHC will only agree a transfer, or set of transfers, where the transfer satisfies one or more of the following:

- the receiving country is covered by an adequacy decision;
- appropriate safeguards are in place, such as standard contractual clauses or the UK international data transfer agreement;
- the transfer is made with the individual's informed consent;
- the transfer is necessary for the performance of a contract between the individual and the organisation, or for pre-contractual steps taken at the individual's request;
- the transfer is necessary for the performance of a contract made in the interests of the individual between the controller and another person;
- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defence of legal claims;
- the transfer is necessary to protect the vital interests of the data subject or other persons, where the data subject is physically or legally incapable of giving consent; or
- the transfer is made from a register which, under applicable law, is intended to provide information to the public.

Where personal data is transferred from Australia, OHC takes such steps as are reasonable to ensure that the recipient does not breach the Australian Privacy Principles in relation to that information. Where personal data is transferred from Canada, OHC remains accountable for that information and uses contractual means to secure a comparable level of protection. Comparable protections are applied to transfers from other jurisdictions in which OHC operates.

Details of the transfers relevant to your centre, and of the safeguards applied to them, are available from your Campus Director.

1.10 Data Security, Storage and Disposal

Personal data can be breached or compromised when it is lost, damaged, accessed and/or altered by unauthorised sources, used for purposes other than those for which it was collected, retained for longer than the purpose warrants, or shared without authorisation or lawful ground. OHC implements a range of mechanisms at every centre to protect the personal data that it retains. These include:



- restricted access to personal data by designated roles, relevant to the role and in accordance with the purpose for which the data was collected;
- appropriate technical security measures, including password protection, encryption, firewalls, access logging and back-ups;
- publication and implementation of policies and procedures to protect personal data;
- use of secure physical storage, including lockable cabinets and rooms;
- the provision of staff training and the implementation of data protection audits; and
- risk assessment and contractual control of any third-party data processing carried out on behalf of OHC.

1.10.1 Data Storage and Disposal

Personal data is retained only for as long as is necessary to fulfil the purpose for which it was obtained and will not be used for purposes beyond that. Retention periods, and deletion, archiving or destruction methods, are documented in the Records Retention Policy at each centre, which reflects the statutory retention requirements of that country. Individual responsibilities are assigned for the destruction of data in accordance with that policy.

OHC takes all reasonable steps to ensure personal data is accurate and up to date. Staff and students are encouraged to notify the relevant department, or the Campus Director, of any required updates or inaccuracies requiring correction in respect of their personal data. Records and personal data may be retained for a longer period than that specified in retention schedules in cases of internal or external dispute and legal cases.

1.11 Personal Data Breaches

Every OHC centre maintains an incident reporting and response procedure. All suspected or actual personal data breaches must be reported immediately to the Campus Director, who is responsible for ensuring the incident is assessed, contained and recorded on the centre's breach register.

Where a breach is likely to result in a risk to the rights and freedoms of affected individuals, OHC will notify the relevant supervisory authority, and the individuals concerned where required, within the timeframes set by local law. In the European Economic Area and the United Kingdom this is within 72 hours of becoming aware of the breach. Notification obligations in Australia, Canada and the United States are set out in the local privacy statement for the centre concerned.

1.12 Children and Junior Learners

Some OHC centres deliver programmes to students under the age of 18. Where they do, personal data relating to those students is:

- collected and processed with the involvement of, and where required the consent of, a parent or legal guardian;



- limited to what is necessary for the delivery of education and for the welfare, supervision and safeguarding of the student; and
- handled in accordance with the child protection and safeguarding policy of that centre, and with the requirements of the local education regulator.

The age at which a young person can consent on their own behalf, and the extent of a parent's or guardian's right of access to their child's records, differ between jurisdictions. These points are addressed in the local privacy statement. Requests concerning the personal data of a junior learner should be made to the Campus Director.

1.13 Your Rights as a Data Subject

Data protection law gives data subjects rights in relation to their personal data, and requires data controllers to notify data subjects of those rights. This Statement seeks to fulfil that obligation. So far as local law permits, OHC extends the following rights to data subjects at all of its centres. Individuals have the right to:

- be informed about the collection and use of their personal data. This is a key transparency requirement;
- withdraw consent, where consent is the basis for the data processing;
- access their personal data (a data subject access request);
- have inaccurate personal data rectified, or completed if incomplete;
- have personal data erased, in certain circumstances;
- request the restriction or suppression of their personal data, in certain circumstances;
- data portability, allowing individuals to reuse their data across different services, where feasible;
- object to personal data processing, in certain circumstances; and
- not be treated less favourably because they have exercised any of these rights.

The scope of these rights, and whether they are legally enforceable, varies between jurisdictions. Where local law provides additional or narrower rights, this is explained in the local privacy statement for your centre.

To exercise any of these rights, please contact the Campus Director at your OHC centre. Where we require additional information from you to verify your identity and the legitimacy of the request, or to establish the specific reasons for the request so that OHC can respond appropriately, we will seek it promptly. We will respond within the timeframe set by the law applicable to your centre and, in any event, without undue delay. There is normally no fee applied in respect of any rights request.

1.14 Changes to This Statement



OHC reviews this Statement at least annually, and whenever there is a material change to the law, to our operations, or to the way we process personal data. The current version is published on the OHC website. Previous versions are available from your Campus Director on request.

Version 1.0 | Approved by: [] | Date of approval: [] | Next review due: []

This Statement should be read together with the privacy statement and data protection policies of your local OHC centre. For any matter not addressed here, or where local requirements differ, please contact your Campus Director.