



1. OVERVIEW AND SCOPE OF THIS POLICY

At The Makings Consulting, we recognise 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.

This Privacy Policy (“**Policy**”) explains how we (**TMC**”, “**our**”, “**we**” or “**us**”) collect and process your Personal Information 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 via TMC’s website.

We reserve the right to update this Policy at any time.

2. HOW INFORMATION IS COLLECTED AND PROCESSED

We collect Personal Information about:

- clients who purchase our Services (or the key contacts that work for our clients) (“**Clients** “); and
- individuals who provide responses (“**Participate**“) in any of our third-party psychometric assessments (“**Assessments**“) at the request of a Client (“**Participants**“).

You may give us Personal Information by filling in forms on our website at www.themakings.co.za (“**Website**“) or by corresponding with us by phone, email or otherwise as you may be invited by us or our client to complete an Assessment. You may provide Personal Data to us when you register to use 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. This information may include the Participant’s name, email address and other contact details. Participants may also provide this information directly to us.

3. TYPES OF INFORMATION WE COLLECT AND PROCESS

3.1 Information Collected and Processed during Assessments

When participating in an Assessment or completing questions online on our website and/or using the third-party online assessment system, we will ask the Participant to provide responses that may constitute Personal Data. 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 in order for us to administer the Assessment, provide results to the Client as well as for purposes explained in the section “Purposes for collecting and processing your Personal Data”.
- “**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 Assessment(s). 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.

- “**Third Party Contact Details**” which means contact details we collect from you regarding a third party. As part of our service offering(s), we may request, or you may volunteer, the contact details of a third party. For example, someone who can answer questions about your work in order to generate a 360-feedback report. If we have contacted you as a result of your details being disclosed to us by a Participant in our Assessment process, we will use that information and any subsequent information you may submit to us in accordance with this Policy.



- **“Research Data”** which means responses to questions about you and which may include information such as:
 - gender;
 - age;
 - racial or ethnic 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.

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. Since the reason for undergoing an Assessment is to test your suitability for purposes of employment, 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 requirement.

3.2 Information Collected Through Our Website

The Personal Data we collect through our website, telephonically or by email, may include your name, occupation, company for which you work, email address, other contact details, and biographical information. If you contact us, we may also keep a record of that correspondence. When you use our website, we also automatically collect the following information through the use of cookies and similar technologies, as explained in our Cookie Policy.

Our website uses cookies to distinguish you from other users of our website. A cookie is a small information file that is sent to your computer and is stored on your hard drive. This helps us to provide you with a better user experience when you use our website. More information about cookies and how they are employed can be found in our Cookie Policy.

3.3 Information Collected from Third Parties

In order 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 needs, 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.

4. PURPOSES FOR COLLECTING AND PROCESSING YOUR PERSONAL DATA

4.1 Personal Information when using our website

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:

4.1.1 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 you with the information, products and Services that you request from us; billing you for the products and Services provided; to provide you with information about further Assessments, reports and Services; to notify you about changes to our Services; to ensure that our website is presented in the most effective manner to you.



4.1.2 In the case of Participants:

To administer Assessments and for our internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes, and to prepare reports and provide feedback on psychometric assessments.

4.2 Personal data and Participating in an Assessment

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 in order 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.

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 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.

5. LEGAL BASES FOR PROCESSING YOUR PERSONAL DATA

We must have a legal basis to process your Personal Data. In most cases the legal basis will be one or more of the following:

- to fulfil our contractual obligations to Clients; for example, to conduct the Assessments, to deliver Assessment results and to ensure that invoices are paid correctly; to comply with our legal obligations;
- to meet our legitimate interests; for example, to provide the Services, to conduct analysis and validation studies that help us to improve our Services and be able to legally defend fairness in Assessments, to ensure that any complaints or concerns can be promptly dealt with, and to ensure our records are kept up to date and accurate; and
- your consent when we collect and process any Special Categories of Personal Data about you. In the case of Research Data, you may respond to any questions asked about Special Categories of Personal Data as "I prefer not to respond".



6. SHARING OF PERSONAL DATA

6.1 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.

6.2 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 uphold the principles of data protection legislation to protect Personal Data against unfair processing. This includes the implementation of appropriate data protection and security measures and a prohibition on using Personal Data for any purpose other than the purpose for which they are provided with or given access to Personal Data.

6.3 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.

7. INFORMATION WE TRANSFER INTERNATIONALLY

Due to the international nature of internet-based assessment and training services, we may, from time to time, appoint third parties as data processors to process data containing information about you, such as scoring of online assessments on our behalf, or store such information in, or transfer it to persons located in, countries outside of the European Economic Area ("EEA") and Switzerland and/or South Africa and in the United States of America. These countries may not have Data Protection Laws equivalent to those in force in the EEA to protect your information.

Where we transfer your information to such third-party data processors and/or third parties outside of the EEA or Switzerland, UK, South Africa and the USA, we shall ensure that they provide sufficient guarantees in respect of the technical and organisational security measures. We shall take reasonable steps to assess their compliance with those measures in order to ensure your information is adequately protected in accordance with applicable Data Protection Laws.

8. PROTECTION OF PERSONAL DATA

We maintain 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.

9. RETENTION PERIOD OF PERSONAL DATA

We only store your Personal Data for as long as is necessary 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 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 RIGHTS

You have the right to request to update, anonymise or correct your Personal Data. Depending on your local law applicable to privacy of personal data, you may also have the right to:

- object to our use of your Personal Information
- restrict our use of or delete your Personal Information
- request further information about the Personal Data that we collect, the purposes for which we collect it and how we protect it;
- to verify information, we hold about you;
- to anonymise your Assessment Data;
- to restrict our use of your Personal Data;
- to receive your Personal Data in a usable electronic format and transmit it to a third party (right to data portability);
- to erasure (right to be forgotten); and
- to withdraw consent to process data

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.

To make requests to us related to your Personal Data rights you can write to us at our address below or email us at [\(debby@themakings.co.za\)](mailto:debby@themakings.co.za)

If you believe that our collection and processing of your Personal Data have not been compliant with the applicable privacy law, you have the right to lodge a complaint with your local competent data protection authority.

To obtain a hard copy of this Policy write to us at our address below or email us at [\(debby@themakings.co.za\)](mailto:debby@themakings.co.za)

11. LINKS TO OTHER WEBSITE

Our website may contain links to independent and unaffiliated external website for extra information. If you follow a link to any of these websites the collection and processing of your Personal Data will no longer be regulated by us or be governed by this Policy. Please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies.

CONTACT INFORMATION

To contact us, please mail us at: [\(debby@themakings.co.za\)](mailto:debby@themakings.co.za)

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