

# StackTrek Privacy Policy

Effective Date: October 09, 2019

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## 1. PRIVACY STATEMENT

StackTrek Enterprise Inc. (“StackTrek”) is an EdTech company which focuses on improving education, career and employment opportunities for young men and women. StackTrek recognizes the importance of protecting personal data we receive from visitors and any other individual or entity (“Users”) who visit or use StackTrek’s website, features, data, and other StackTrek related sites, applications, software, communications, capabilities, products, and services, including StackED Learning Management System (LMS), Assessment, and StackLeague (“Products” or “Services”), which are accessible on or by any top-level StackTrek Enterprise domain owned by us (each, a “Site” and collectively the “Sites”).

We have developed a Privacy Policy to ensure and maintain transparency on how we collect, process, record, use and store Personal Information as defined by the Philippine Republic Act No. 10173 or the Data Privacy Act of 2012 (DPA), its implementing rules and regulations, and other existing laws and regulations relating to the handling of Personal Information.

## 2. SCOPE AND LIMITATIONS

This Policy describes the way in which the Company, as a data controller, collects, process, records, use, and store Personal Information; how it safeguard Personal Information; and interact with affiliates and third parties that may have access to Personal Information.

All Users irrespective of the country where the Services are accessed, this Policy shall apply, and shall authorize StackTrek to transfer, store, and use Personal Information in the Philippines, and any other country where StackTrek operates, or Products or Services are available. In some of these countries, the privacy and data protection laws and rules regarding when government authorities may access data may vary from those in the country where the User live.

StackTrek’s data transfer operation is provided in the “International Transfer” section below. If you do not agree to the transfer, storage and use of your information in another country where we operate, please do not use the Sites or Services.

Information independently disclosed to StackTrek partners/clients outside StackED, Assessment, StackLeague, or StackTrek Site shall not be covered by this Policy.

This Privacy Policy does not apply to services offered by other companies or individuals, including products or sites that may be displayed to you, or other sites linked to/from our Services. This Policy also does not cover the information practices of other companies and organizations who advertise our Services, and who may use cookies, pixel tags and other technologies to serve and offer relevant ads.

## 3. TERMS OF SERVICE

By accessing or using the Sites in any manner, you also agree to be bound by StackTrek Terms and Conditions (the “StackTrek T&C”). Please read the StackTrek T&C carefully. If you do not accept all of the terms and conditions contained in or incorporated by reference into the StackTrek T&C, please do not use the Sites and Services.

#### **4. INFORMATION COLLECTED**

Through User’s consent, we collect information, including personal data, to provide better services to all our Users. We use the term “Personal Data” to refer to any information that identifies or can be used to identify you. Common examples of Personal Data include: full name, email address, digital identity, such as a login name or handle, information about your device, and certain metadata.

“Sensitive Personal Data” refers to a smaller subset of Personal Data which is considered more sensitive to the individual, such as race and ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic or biometric information, physical or mental health information, medical insurance data, or sexual orientation.

We obtain Personal Information from the following categories of sources:

- Directly from our customers or their agents. For example, from information that customers input into our applications and systems.
- Indirectly from our customers or their agents. For example, through information we collect from our clients in the course of providing Services to them.
- Directly and indirectly from activity on our website. For example, from website usage details that are collected automatically. In addition, like many companies, we use “cookies” which are small text files a website can use to recognize repeat users, facilitate the user’s ongoing access to and use of the site and to track usage behavior of, for example, the webpages you visit.
- From social media websites, such as Facebook, Twitter, and LinkedIn.
- From third parties that assist us in providing certain transactions and services (e.g. payment processing, hosting), even though it appears that you may not have left our Site.

When Users use our Sites and Services, we may collect, use, and/or process Personal Data in the following circumstances:

##### **a. Subscription and Registration for StackTrek Products or Services**

Customers or Users subscribing or registering or creating StackTrek accounts or profiles, or signing up with StackED, Assessment, StackLeague will be required to provide certain personal information in order to create an account, including but not limited to: name, e-mail address, nationality, identification card number.

While it is not mandatory to provide Personal Information, if you do not agree to provide the Personal Information marked as “required” and in the processing of the same, StackTrek will be unable to provide the relevant services and the application for such services will be rejected. In providing Personal Information, the Customer or User agree to StackTrek’s processing of the Personal Information.

Users, who shall disclose personal data relating to another individual or data subject, warrant to have secured the necessary consent from the data subject for the disclosure to and processing of the same by StackTrek as required under the DPA.

#### **b. Information Volunteered**

As you evaluate whether StackTrek and its Products or Services are appropriate for your needs, you may choose to provide us with Personal Data about yourself, including your name, company name, phone number, billing address, payment card information, job title, industry, country of residence, and email address by completing forms on our website, such as when you request to schedule a demo. You may also choose to provide us with employment and education information when you apply for a job at StackTrek via our Site.

In some instances, you may elect to provide us with location and address information. You may also provide us with Personal Data about yourself when you report a problem or have a question about our Products or Services.

The Sites offer interactive and social features that permit you to submit content and communicate with us. You may provide Personal Data to us when you post information in these interactive and social features. Please note that your postings in some areas of the Sites may be publicly accessible or accessible to other Users.

#### **c. Use of Products, Services, or Sites**

We collect certain information automatically, such as your operating system version, browser type, and internet service provider. We also collect information about your interaction with the Services, such as creating or logging into your account, or opening or interacting with the Services on your devices. When you use our Site, we automatically collect and store this information in service logs. This includes: details of how you used our Site; Internet protocol address; cookies that uniquely identify your browser, the referring web page and pages visited. We may also collect and process information about your actual location. The information we collect automatically is statistical data and may or may not include Personal Data, but we may maintain it or associate it with Personal Data we collect in other ways or receive from third parties.

When you choose to avail of any Products, or Services, we collect directly from you the following information:

- Name
- Nationality
- Country of Residence
- Age
- Date of Birth
- Phone/Mobile Number
- Photo
- Educational Background
- Identification documents from school/college/university/institute
- Personal Interest and Preferences

- Work Experiences
- Educational or Professional Awards
- Academic or Professional References

It should be noted that any interactions made with third parties using StackTrek Sites may be read, collected, or used by other users, including any Personal Information disclosed during the interaction.

Use and participation with StackED, Assessment, and StackLeaguemay be linked and form part of the User's profile. This shall include any assessment on the skills, ability, qualifications, or knowledge undertaken, and performance, output, and ranking in any tournament joined.

Further Information may be collected from Users, devices, or other third parties including government agencies or professional recruitment firms for lawful purposes, including career matching, information verification, improvement of services and security, or fulfillment of legal or contractual obligations, or as required by law, or regulators.

#### **d. Visit to StackTrek Sites**

We and our partners use various technologies to collect and store information when you visit one of our services, and this may include using cookies or similar technologies to identify your browser or device. We also use these technologies to collect and store information when you interact with services from our partners, such as advertising services. Our third party advertising and analytics partners include Google Analytics, Facebook Ads and similar partners.

The technologies we use for this automatic data collection may include cookies. A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our services.

### **5. Purpose and Use of Information**

We use and process your Personal Information in ways that are compatible with the ultimate purpose of matching StackED, Assessment, and StackLeague Users with available and compatible education and career opportunities based on available User Information.

Unless and until User accounts are deleted by the Users themselves, Users may access activities within the StackTrek Site, StackED LMS, Assessment, and StackLeague including: educational assessments, progress, status, and interactions; tournaments joined, performance, output, and ranking in the same; availability, and status of career opportunities marked, flagged or applied to; previous communications and interactions through StackTrek Site, StackED, Assessment, or StackLeague. StackTrek may also use these information to determine and notify you of available educational and career opportunities, StackTrek products and services, relevant to you.

Personal Information previously made public upon active search for opportunities shall also remain available for StackTrek partners, who may use such information to connect you with education and career opportunities assessing your skills, qualifications, or knowledge based on Information available.

Other purposes for which your Personal Information may be used are as follows:

1. To present, operate or improve the Site and Services, including analysis of Site activity;
2. To inform you about Products or Services available from StackTrek;
3. To authorize access to our Sites and Products or Services;
4. To provide, maintain, administer or expand the Products or Services, performing business analyses, or for other internal purposes to support, improve or enhance our business, the Services, and other products and services we offer;
5. To offer and administer programs;
6. To customize or tailor your experience of the Products or Services;
7. To administer content, promotion, surveys, voting polls or other Site features;
8. To communicate about, and administer your participation in, special programs, surveys, contests, online campaigns, online programs, and other offers or promotions, and to deliver pertinent emails;
9. To send you marketing information and other non-transactional communications via email, telephone calls, SMS, or push notifications about us as necessary for our legitimate interest in conducting director marketing or to the extent that you have provided prior consent;
10. With your consent as required by applicable law, we may send marketing and/or service-related text messages to your mobile device. You may opt out of receiving these messages by following the prompt in an individual message or updating your "Notifications" preferences under the website settings or the mobile application settings that control push notifications.
11. To improve our Site and Products or Services;
12. To secure our Products or Services, including to authenticate and verify User identities;
13. To verify academic and professional qualification by contacting school/college/university/ institute/ professional qualifying bodies;
14. To use statistical information that we collect in any way permitted by law, including from third parties in connection with their commercial and marketing efforts;
15. To respond to and support Users regarding their use of the Sites and Products or Services;
16. To comply with all applicable legal requirements;
17. To enforce our Terms of Use and other agreements;
18. To perform data analysis and testing;
19. To understand User browsing preferences to tailor content per User accordingly;
20. To investigate possible fraud or other violations of our Terms of Use or this Privacy Policy and/or attempts to harm our Users;
21. To resolve disputes;
22. To otherwise fulfill the purpose for which the information was provided.

We will ask for your consent before using information for a purpose other than those set out in this Privacy Policy.

## **6. Information Sharing**

Users acknowledge that in using StackED, Assessment, or StackLeague User profiles and other relevant Information voluntarily disclosed therein shall be shared to client/partners looking for candidates based on their current and disclosed requirements for education and career matching; and thus Users in maintaining StackED accounts agree and consent to the sharing of information.

Users further acknowledge that in using the StackTrek site to actively search for opportunities, their User profiles and other relevant information made available therein shall be shared to the relevant parties to the opportunities joined or applied to.

StackTrek shall only share Information and access to Information to clients/partners that assured through contractual obligation their observance with prevailing data privacy laws.

StackTrek shall not be responsible, under this Policy, for the availability, accessibility, and storage of Information outside of StackED, Assessment, StackLeague or StackTrek site, nor StackTrek a party to any agreement entered by its Users with third parties or client/partners.

## **7. Retention of Personal Information**

We may retain your Personal Information for a period of time consistent with the original purpose for collection. For example, we keep your Personal Information for no longer than reasonably necessary for your use of our Products or Services and for a reasonable period of time afterward. We also may retain your Personal Information during the period of time needed for us to pursue our legitimate business interests, conduct audits, comply with our legal obligations, resolve disputes and enforce our agreements.

We retain your Information even after your business relationship with us ends if reasonably necessary to comply with our legal obligations (including law enforcement requests), meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our Terms of Use, or fulfill your request to “unsubscribe” from further messages from us.

## **8. Privacy Rights and Choices**

You may have certain rights relating to your Personal Information, subject to local data protection law. Whenever you use our Products or Services, we aim to provide you with choices about how we use your Personal Data. We also aim to provide you with access to your Personal Data. If that information is wrong, we strive to give you ways to update it quickly or to delete it – unless we have to keep that information for legitimate business or legal purposes. Subject to applicable law, you may obtain a copy of personal information we maintain about you or you may update or correct inaccuracies in that information by contacting us. To help protect your privacy and maintain security, we will take steps to verify your identity before granting you access to the information. In addition, if you believe that personal information we maintain about you is inaccurate, subject to applicable law, you may have the right to request that we correct or amend the information by contacting us as indicated in the How to Contact Us section below.

## **9. Third Party Links**

The Sites may contain links to webpages operated by parties other than StackTrek. We do not control such websites and are not responsible for their contents or the privacy policies or other practices of such websites. Our inclusion of links to such websites does not imply any endorsement of the material on such websites or any association with their operators. Further, it is up to the User to take precautions to ensure that whatever links the User selects or software the User downloads (whether from this Site or other websites) is free of such items as viruses, worms, trojan horses, defects and other items of a destructive nature. These websites and services may have their own privacy policies, which the User will be subject to upon linking to the third party's website. StackTrek strongly recommends that each User review the third party's terms and policies.

## **10. International Transfer**

We are committed to complying with applicable laws, regulations and mandatory government standards regarding the protection of Personal Data.

Personal Data and any additional information submitted may be used globally in connection with employment, business processes within StackTrek, or communicating with our StackED LMS, Assessment, and StackLeague Partners. Therefore, Personal Data may be transferred to such entities worldwide, where it will be processed in accordance with this Privacy Policy and laws that are applicable in each country. Countries where we process data may have laws which are different, and potentially not as protective, as the laws of your own country.

If we transfer your Personal Data out of your jurisdiction, we will implement suitable safeguards and rely on legally-provided mechanisms to lawfully transfer data across borders to ensure that your Personal Data is protected.

## **11. Rights of Data Subjects**

The following are the rights of Data Subject in relation to personal information or data under the Republic Act No. 10173 or Data Privacy Act of 2012 (DPA):

- a. **Right to be informed** – Data Subjects to be notified of the processing of personal information, including its description and amendment thereof; purposes, scope, and method of processing; period of retention thereof.
- b. **Right to access** – Data Subjects shall have the right to access personal information in the portal or interface where available; and other information or data relating to its collection, source, processing, and disclosure.
- c. **Right to rectify or correct erroneous data** – Data Subjects shall have the right to correct personal information or data if found to be outdated or inaccurate, unless request is vexatious or otherwise unreasonable.
- d. **Right to erase or block** – Data Subjects shall have the right to request blocking, removal, destruction, or erasure of personal information or data such as it is no longer necessary to achieve legitimate business purpose.

- e. **Right to secure data portability** – Data Subjects shall have the right to secure a copy of a personal information or data processed by electronic means in a commonly used electronic or structure format that will allow the Data Subject’s further use thereof.
- f. **Right to withdraw consent** – Data Subjects shall have the right to withdraw authorization and consent for the additional personal information or data collected. But any withdrawal of consent will not affect the processing of information based on previous consent given prior to the withdrawal.
- g. **Right to indemnified for damages and Right to file a complaint** – Data Subjects shall have the right to be indemnified for any damages sustained due to such inaccurate, incomplete, outdated, false, unlawfully obtained or unauthorized use of personal information.

## **12. How We Protect Personal Data**

StackTrek maintains administrative, technical and physical safeguards designed to protect the User’s Personal Data and information against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. We implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk, taking into account technological reality, cost, the scope, context and purposes of processing weighted against the severity and likelihood that the processing could threaten individual rights and freedoms. For example, we restrict access to personal information to StackTrek employees, contractors, business partners and agents who need to know that information in order to operate, develop or improve our Products or Services. These individuals are bound by confidentiality obligations and may be subject to discipline, including termination and criminal prosecution, if they fail to meet these obligations. We use commercially reasonable security measures such as encryption, firewalls, and Secure Socket Layer software (SSL) or hypertext transfer protocol secure (HTTPS) to protect Personal Data.

If StackTrek collects account information for payment or credit, StackTrek will use the information only to complete the task for which the account information was offered.

## **13. Changes to this Privacy Policy**

StackTrek reserves the right to change the program’s privacy policy at any time. Users will be notified of any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice (including, for certain services or programs, email notification or privacy policy changes). We will also keep prior versions of this Privacy Policy in an archive for your review. Continued use of the Products or Services, or Sites after the date of effectivity of the changes shall indicate the User’s agreement to be bound by the new terms.

Users who do not agree to this Privacy Policy, should desist from the use of StackTrek Products, Services, and Sites.

## **14. Consent**



In using StackTrek Product or Services, or Sites, you consent to the collection and use of your personal information by StackTrek in the manner and for the purposes provided herein unless and until you notify StackTrek to the contrary and stop the use of such products, services, or sites.

## **15. Contact Information**

If you have any specific questions about this Privacy Policy, you can contact StackTrek's Data Protection Officer via email or phone or by writing to us at the address below:

**StackTrek Enterprise, Inc.**

ATTN: Data Protection Officer

Email: [privacy@stacktrek.com](mailto:privacy@stacktrek.com)

Phone: +63 9190659174

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