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Privacy Policy

# Safeguarding your information

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## Privacy Policy

### Safeguarding your information

At Braining we recognize the importance of processing your personal data, so we hereby inform you of our Privacy Policy, which includes information of your rights and how we collect and use your personal data.

We are committed to use your personal data in a complete and confidential manner, taking such data into consideration only for clear and defined purposes. We adopt several security measures of technical and organizational nature, in order to protect your personal data against disclosure, loss, modification, misuse and unauthorized access, as well as against any other form of illicit processing.

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### Who is responsible for the processing of personal data?

Braining is the entity responsible for the processing of personal data, since it defines what data is collected, the means of processing and the purposes for which the data is used.

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### What is personal data?

The General Data Protection Regulation (GDPR) was used in the context of this policy, so we consider personal data to be all information relating to an identified or identifiable natural person - the data subject. In turn, an identifiable natural person is considered to be a natural person capable of being identified, directly or indirectly, in particular through an identifier, such as a name, an identification number, location data, electronic identifiers or one or more specific elements of physical, physiological, genetic, mental, economic, cultural or social identity.

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### What categories of personal data are processed by Braining?

The personal data collected is strictly necessary to comply with what is legally imposed or required for the activity carried out. In this context, collected data used for providing our services may include the following:

- i. Contact information: such as email, telephone number, address;
- ii. Identification data: such as name, address, date of birth, taxpayer number, citizen card details, and nationality;
- iii. Academic and professional data: such as education, qualifications, certifications, current position, spoken and written languages and other information related to the *curriculum vitae*;
- iv. Billing and expense data: such as tax identification, fees, and expenses;
- v. Image and sound data: such as photographic and video records;
- vi. Data from applications, websites and social networks: such as profiles, location and behaviours.

### How and when are your personal data collected?

Your personal data may be collected in the following circumstances:

- i. Through our digital platforms, when you make a request for contact, clarification, quotation, meeting, training and when you apply for a job opportunity or make a spontaneous application;
- ii. When you sign up for our training, either through our digital platform or by registering or pre-registering in person;
- iii. When you enter into a contract with us within the scope of our activity, in particular, when you contract or purchase a service;
- iv. When you visit our physical facilities provide us with your personal data.
- v. When you participate in events, conferences, workshops and training organized by Braining or by partners represented by us and with express consent, you provide us with your personal data;
- vii. When you subscribe to our newsletters;
- vii. For marketing and communication campaigns, when receiving institutional and product/service information.

### Grounds and purposes of processing personal data

The grounds that legitimize the processing of your personal data by Braining are the following:

**Consent:** your personal data may be processed by means of a freely given, specific, informed and explicit expression of will, under which you accept, through a declaration or unequivocal affirmative act, that your personal data will be subject to processing.

**Precontractual measures and/or contractual performance:** your personal data may be necessary for the clarification of any doubts, to present you with a proposal, and for the conclusion, performance and management of a contract entered into with Braining.

**Compliance with legal obligation:** your data may be necessary to comply with legal obligation to which the controller, in this case Braining, is or will be subject.

**Legitimate interest:** your data may be necessary to perform certain operations related to Braining's business activity, except in cases where your privacy and data protection rights prevail.

The processing of the personal data collected is performed with the following purposes:

- For the purpose of adapting the services we provide to the needs and interests of our clients;
- For administrative management, auditing and continuous improvement of the services provided, namely for the registration and integration of customers and



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their identification in databases, for internal management purposes, statistical studies or for the development and maintenance of information systems;

- To provide informational or administrative services;
- For billing of the services provided and accounting management;
- To communicate changes to the conditions of the provided services;
- So that we can calculate and pay remuneration, allowances, subsidies and services;
- To comply with legal obligations with the entities we interact with;
- In the context of the processing of data from trainees and trainers, particularly under the legal framework imposed by Community Funds:
  - Decree-Law No. 242/88 - Republic Diary No. 155/1988, Series 1 of 1988-07-07
  - Decree-Law No. 159/2014 - Republic Diary No. 207/2014, Series 1 of 2014-10-27
  - Government Order No. 97-A/2015 - Republic Diary No. 62/2015, Series 1 of 2015-03-30
  - Government Order No. 60-A/2015 - Republic Diary No. 42/2015, Series 1 of 2015-03-02
- To manage the contractual relationship and its execution, complying with mandatory legal provisions and sharing with imposed legal entities;
- To send promotional actions or special offers on behalf of Braining with the customer's consent;

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- To optimize visits and navigability on our website.

If there is a need imposed by the service provided to collect and process special categories of personal data ("sensitive data"), this processing will only be carried out in accordance with the exceptions provided in Article 9, Paragraph 2 of GDPR (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016). This data will be collected from the data subject and the processing of "sensitive data" will be carried out based on their consent. In this condition, the data subject will be informed of the right to withdraw consent, however, this does not compromise the lawfulness of the processing carried out previously, based on the consent given.

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### Period of retention of personal data

Braining retains the data subject's personal data only for the period strictly necessary to achieve the purpose for which they were collected, after which they will be subjected to appropriate processing, through destruction or anonymization (anonymized data may be stored). For processing based on the data subject's consent, this data will be stored until the data subject expresses objection.

Exceptions are made to cases in which the law requires the retention of data for a specific period, always in accordance with the current legislation. The retention period for the respective data may also be extended, for legal action reasons, until the final judgment is reached.

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### Transmission of personal data

Braining will never transmit your personal data to third parties, except when required by state, judicial or police authorities and always in accordance with current law.

For the purposes listed in 5., your data may be provided to:

- The Certification System of training entities, for possible consultation on training actions;
- Certifying Entities for the purposes of approving the training action;
- The European Social Fund Information System;
- Centros Qualifica, General Directorate of Employment and Labor Relations, Integrated Information and Management System for Educational and Training Offers;
- Beneficiary entities and/or promoters of co-financed projects.

Braining's suppliers, service providers or subcontractors are contractually bound by the same terms and conditions for the processing personal data as this privacy policy establishes, and they are prohibited from using, transferring, disclosing or recording the personal data of data subjects for any purpose other than the one for which they were specifically contracted (or without your consent, as applicable).

### Hyperlink to other websites

Braining is not responsible for the privacy practices of third parties, whose websites have a hyperlink to our website, and we cannot guarantee that the content and information contained therein are in accordance with the new data protection regulations. Therefore, you are advised to read the privacy policies of these websites.



### Rights of data subjects

Braining guarantees the applicability and fulfillment of all the rights of data subjects provided for in the GDPR and national legislation in force, namely:

**Right of access:** You have the right to obtain confirmation to whether or not personal data concerning you are processed and, when appropriate, the right to access your personal data and information relating to that same processing.

**Right to rectification:** You also have the right to obtain, without undue delay, the rectification of inaccurate personal data concerning you, namely the right to correct or complete them.

**Right to erasure of data ("right to be forgotten"):** You may exercise the right to erasure of your personal data without undue delay, provided that: the data is no longer necessary for the purpose for which it was processed; when you withdraw your consent and there are no other valid grounds for storage thereof; whenever you object to this processing and there are no prevailing legitimate interests, in addition to other legally provided cases.

**Right to restriction of processing:** You have the right to obtain restriction of processing of your data if one of the following situations applies:

- If you contest the accuracy of personal data for a period that allows the controller to verify its accuracy;
- If the processing is unlawful and the data subject opposes to the erasure of personal data and requests, in turn, the limitation of its use;

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- In cases where the controller no longer needs personal data for processing purposes, but such data is required by the data subject for the purposes of declaring, exercising or defending a right in judicial proceedings;
- If you have objected to your processing, until it is verified that the legitimate reasons of the controller prevail over those of the data subject.

**Right to data portability:** You have the right to receive personal data related to you and provided to Braining, in a structured, currently used and machine-readable format, as well as the right to transmit this data to another data controller (if this is technically possible), when the processing is based on consent or on a contract, and the processing is carried out by automated means.

**Right to withdraw consent:** You may, at any time, change your consent, restrict it to certain types of processing, or withdraw it. However, withdrawal of consent does not hinder the lawfulness of the processing carried out based on the consent previously given.

**Right to object:** You may also object, at any time, to the processing of personal data relating to you, when there are no compelling and legitimate reasons for the processing that prevail over your interests, rights and freedoms, or for declaration purposes, exercise or defense of a right in judicial proceedings.

**Right not to be subject to any automated decision:** You have the right not to be subject to any decision taken exclusively based on automated processing, including the definition of profiles that produces legal effects or that significantly affects you in a similar way.

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### How to exercise your rights?

You may exercise your rights free of charge, except if the request is manifestly unfounded or excessive, in which case a reasonable fee may be charged to account for the costs.

We will respond to your requests within a maximum period of 30 days, except in cases of more complex requests.

You can exercise your rights through the following address: [info@brainingai.com](mailto:info@brainingai.com) .

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### Procedural measures and security techniques

Braining makes use of appropriate physical, technological and organizational security measures to protect your personal data against disclosure, loss, misuse, alteration, unauthorized processing or access, as well as against any other form of illicit treatment.

Braining has provided its IT system with levels of data security and a high level of confidence against accidental events or malicious or illicit actions that compromise the availability, integrity and confidentiality of personal data stored or transmitted.

Braining has a Data Protection Officer (DPO) who ensures the controller is informed on the obligations arising from the rules on the privacy and protection of personal data and is the point of contact with the data subject, in order to clarify possible questions about data processing performed by Braining.

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### Cookies

Braining uses 'cookie' type technologies on its website that allows it to locate the routes taken by you to this website, helping us to record user activity on this web platform. Despite the use of this technology, Braining does not record information about individual users.

Additionally, you can preset your browser not to accept cookies or to warn you if they are used.

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### Privacy Policy update

Braining reserves the right to update this policy at any time, according to legal requirements and/or needs of commercial activity. Therefore, it is recommended that you periodically consult this policy on our website to stay informed about the processing of your personal data.

This Privacy Policy was last updated in March 2024.

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