

# Privacy Policy for Clients Using TrainCaster Learning Management System

**EFFECTIVE DATE: November 13, 2023**

NetCasters Inc. hosts a learning management system, TrainCaster LMS, for companies located in the United States and the European Economic Area. We do not request, gather, or store personal information about any individuals on our behalf. We provide a safe and secure processing facility for information provided by these companies regarding their employees or others using their instance of our learning management system. Note that all information stored in the LMS is provided by the company for the sole purpose of delivering training materials and tracking training completion records that are used by the company to produce reports.

## DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

NetCasters Inc. ("us", "we", or "our") operates and maintains <https://traincaster.com>.

"LMS" is the TrainCaster Learning Management System.

"Client" means any customer of NetCasters Inc. for whom we host an instance of our LMS on our servers in the United States. "NetCasters Inc." means NetCasters Inc., its successors, subsidiaries, divisions and groups in the United States.

"Personal information" means any information or set of information that identifies or could be used to identify an individual. Personal information does not include information that is encoded or anonymized. Our employees do not access any personal information without the express consent of the client.

## PRIVACY PRINCIPLES

This Policy sets forth the privacy principles NetCasters Inc. follows with respect to transfers of personal information from our Clients to our LMS servers. Note that we may offer a software process to upload a data file provided by our Client to populate the LMS database with employee information. This information may contain personal data (such as first/last name) but is not required and is provided at the Client's sole discretion.

## NOTICE:

We do not collect personal information directly from individuals using the LMS. When NetCasters Inc. receives, stores, or processes personal information from our Clients, we will do so in accordance with the provisions of our service agreement in effect between the Client and NetCasters Inc. We will endeavor, as much as is practicable, to ensure that all data transferred to the LMS by the Client uses a secure protocol.

## **ACCOUNTABILITY FOR ONWARD TRANSFER:**

NetCasters Inc. does not transfer data to third parties.

Please be aware that NetCasters Inc. may be required to disclose an individual's personal information in response to a lawful request by public authorities, including meeting national security or law enforcement requirements.

## **SECURITY:**

NetCasters Inc. will take reasonable precautions to protect personal information in its possession from loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

## **DATA INTEGRITY AND PURPOSE LIMITATION:**

NetCasters Inc. does not use personal information provided by our Clients for any purpose other than tracking training records and associated data, which allows trainees to complete, pause & resume training at any time. NetCasters Inc. does not access personal information stored on our services, except as directed by our clients.

## **ACCESS AND RECOURSE**

Individuals have the right to access their personal information. Individuals can access their personal information in the LMS anytime by logging into their account. Should the information in the LMS be incorrect, individuals should contact our client's appropriate personnel to have the information corrected.

## **ENFORCEMENT AND LIABILITY:**

NetCasters Inc. conducts compliance audits of its relevant privacy practices to verify adherence to this Policy. Any employee that NetCasters Inc. determines is in violation of this policy will be subject to disciplinary action up to and including termination of employment.

## **DISPUTE RESOLUTION:**

Any questions or concerns regarding the use or disclosure of personal information should first be directed to the appropriate personnel of the Client. If the question or concern is from our Client, the concern should be directed to NetCasters Inc. at the address given below. We will investigate and attempt to resolve complaints and disputes regarding the use and disclosure of personal information by reference to the principles contained in this Policy.

## **LIMITATION ON APPLICATION OF PRINCIPLES:**

Adherence by NetCasters Inc. to this Policy may be limited (a) to the extent required to respond to a legal or ethical obligation; (b) to the extent necessary to meet national security, public interest, or law enforcement obligations; (c) to the extent expressly permitted by an applicable law, rule or regulation; and (d) to the extent that NetCasters Inc. has limited or no control over the actions of its Clients regarding use of personal information that they have collected.

## CONTACT INFORMATION

Questions or comments regarding this Policy should be submitted to NetCasters Inc. by mail to:

NetCasters Inc.  
461 Boston Street, Suite B3  
Topsfield, Massachusetts 01983  
United States

Or by e-mail to: [privacy@netcasters.com](mailto:privacy@netcasters.com)

## CHANGES TO THIS DATA PRIVACY POLICY

This Policy may be amended from time to time. A notice will be posted on the LMS web page ([www.traincaster.com/privacy-policy.shtml](http://www.traincaster.com/privacy-policy.shtml)) for 60 days whenever this Privacy Policy is changed in a material way.