

The Ken Blanchard Companies Safe Harbor and Data Privacy Policy

Introduction

The Ken Blanchard Companies (the “Company”) is a global leader in workplace learning, productivity, performance, and leadership training solutions. We help companies improve their performance, productivity, and bottom-line results. Protecting the privacy of our clients is important to the Company. The Company adheres to the Safe Harbor Agreement concerning the transfer of personal data from the European Union (“EU”) to the United States of America. Accordingly, the Company follows the Safe Harbor Principles published by the U.S. Department of Commerce (the “Principles”) with respect to all such data. If there is any conflict between the policies in this privacy policy and the Principles, the Principles shall govern. This privacy policy outlines the Company’s general policy and practices for implementing the Principles, including the types of information gathered, how it is used, and the notice and choice affected individuals have regarding the use of and their ability to correct that information. This privacy policy applies to all personal information received by the Company whether in electronic, paper or verbal format.

Definitions

“Personal Information” means information that

- is transferred from the EU to the United States;
- is about, or pertains to a specific individual; and
- is able to be linked to that individual.

It does not include information that pertains to a specific individual, but from which that individual could not reasonably be identified.

Principles

Notice and Choice

To the extent permitted by the Safe Harbor Agreement, we reserve the right to process personal information in the course of providing professional services to our clients. Where we collect and process, at the direction of our clients, personal information directly from individuals in the E.U., we shall inform the individual of the purposes for which we collect and use it and the types of non-agent third parties to which the information is disclosed. It is our responsibility to inform those individuals about the choices and means, if any, offered the individuals for limiting the use or disclosure of their information.

Disclosures and Transfers

Company will not disclose an individual’s personal information to third parties unless directed by our client or when one or more of the following conditions are true:

- We have the individual’s permission to make the disclosure;
- The disclosure is required by law or professional standards;
- The disclosure is reasonably related to the sale or disposition of all or part of our business;
- The information in question is publicly available;
- The disclosure is reasonably necessary for the establishment or defense of legal claims; or

- The disclosure is to another Company entity or to persons or entities providing services on our or our client’s behalf (each a “transferee”), consistent with the purpose for which the information was obtained, if the transferee, with respect to the information in question:
 - is subject to law providing an adequate level of privacy protection;
 - has agreed in writing to provide an adequate level of privacy protection; or
 - subscribes to the Principles.

Permitted transfers of information, either to third parties or within the Company, include the transfer of data from one jurisdiction to another, including transfers to and from the United States of America. Because privacy laws vary from one jurisdiction to another, personal information may be transferred to a jurisdiction where the laws provide less or different protection than the jurisdiction in which the information originated.

Data Security

Company shall take reasonable steps to protect the Information from loss, misuse and unauthorized access, disclosure, alteration and destruction. Company has put in place appropriate physical, electronic and managerial procedures to safeguard and secure the Information from loss, misuse, unauthorized access or disclosure, alteration or destruction. Company cannot guarantee the security of Information on or transmitted via the Internet.

Data Integrity

Company shall only process Personal Information in a way that is compatible with and relevant for the purpose for which it was collected or authorized by our clients. To the extent necessary for those purposes, Company shall take reasonable steps to ensure that Personal Information is accurate, complete, current and reliable for its intended use.

Access and Correction

Company processes data under the guidance and direction of our clients. If an individual becomes aware that information we maintain about that individual is inaccurate, or if an individual would like to update or review his or her information, the individual must contact us and request amendments.

Enforcement and Dispute Resolution

Company uses a self-assessment approach to assure compliance with this privacy policy and periodically verifies that the policy is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented and accessible and in conformity with the Principles. We encourage interested persons to raise any concerns using the contact information provided and we will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of Personal Information in accordance with the Principles.

With respect to any complaints relating to this policy that cannot be resolved through our internal processes, we have agreed to participate in the dispute resolution procedures of the panel established by the EU data protection authorities to resolve disputes pursuant to the Safe Harbor Principles. In the event that we or such authorities determine that we did not comply with this policy, we will take appropriate steps to address any adverse effects and to promote future compliance.

Amendments

This privacy policy may be amended from time to time consistent with the requirements of the Safe Harbor. We will post any revised policy on this website.

Contact Information

Questions, comments or complaints regarding the Company's Safe Harbor Policy or data collection and processing practices can be or emailed to:

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1-800-728-6000