

DATA PROTECTION POLICY

Issue: 28-11-2023 v1.2

Introduction

Gold Tap Training Limited ("the Company") is committed to being transparent about how it collects and uses the personal data of its workforce, customers and third parties and to meeting its data protection obligations. This policy sets out the company's commitment to data protection, and individual rights and obligations in relation to personal data.

This policy applies to the personal data of job applicants, employees, workers, contractors, volunteers, interns, apprentices and former employees, referred to as HR-related personal data as well as the personal data of customers and clients of Gold Tap Training.

The company has appointed Karen Nelson as its Data Protection Officer. Their role is to inform and advise the company on its data protection obligations. They can be contacted at compliance@goldtaptraining.co.uk. Questions about this policy, or requests for further information, should be directed to the data protection officer.

Definitions

"Personal data" is any information that relates to a living individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

Data protection principles

The company processes personal data in accordance with the following data protection principles:

- The Company processes personal data lawfully, fairly and in a transparent manner.
- The Company collects personal data only for specified, explicit and legitimate purposes.
- The Company processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- The Company keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.
- The Company keeps personal data only for the period necessary for processing.
- The Company adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

The Company tells individuals the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of individuals for other reasons. Personal data will not be shared with third parties, except as set out in privacy notices. Where the Company relies on its legitimate interests as the basis for processing data, it will carry out an assessment to ensure that those interests are not overridden by the rights and freedoms of individuals.

The Company will update personal data promptly if an individual advises that their information has changed or is inaccurate.

The Company keeps a record of its processing activities in respect of data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Individual rights

As a data subject, individuals have a number of rights in relation to their personal data.

Subject access requests

Individuals have the right to make a subject access request. If an individual makes a subject access request, the company will tell them:

- whether or not their data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual.
- to whom their data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers.
- for how long their personal data is stored (or how that period is decided)
- their rights to rectification or erasure of data, or to restrict or object to processing.
- their right to complain to the Information Commissioner if they think the Company has failed to comply with their data protection rights; and
- whether or not the Company carries out automated decision-making and the logic involved in any such decision-making.

The company will also provide the individual with a copy of the personal data undergoing processing. This will normally be in electronic form if the individual has made a request electronically unless they agree otherwise.

If the individual wants additional copies, the Company will charge a fee, which will be based on the administrative cost to the Company of providing the additional copies.

To make a subject access request, the individual should send the request to compliance@goldtaptraining.co.uk or use the Company's form for making a subject access request. In some cases, the Company may need to ask for proof of identification before the request can be processed.

The Company will normally respond to a request within a period of one month from the date it is received. In some cases, such as where the Company processes large amounts of the individual's data, it may respond within three months of the date the request is received. The Company will write to the individual within one month of receiving the original request to tell them if this is the case.

If a subject access request is manifestly unfounded or excessive, the Company is not obliged to comply with it. Alternatively, the Company can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the Company has already responded. If an individual submits a request that is unfounded or excessive, the Company will notify them that this is the case and whether or not it will respond to it.

Other rights

Individuals have a number of other rights in relation to their personal data. They can require the company to:

- rectify inaccurate data.
- stop processing or erase data that is no longer necessary for the purposes of processing.
- stop processing or erase data if the individual's interests override the company's legitimate grounds for processing data (where the company relies on its legitimate interests as a reason for processing data)
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the individual's interests override the company's legitimate grounds for processing data.

To ask the Company to take any of these steps, the individual should send the request to compliance@goldtaptraining.co.uk.

Data security

The Company takes the security of personal data seriously. The Company has internal controls in place to protect personal data against loss, accidental destruction, misuse, or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties. All systems that are used to store personal data are kept password protected and can only be accessed by those who require access for the performance of their duties as an employer. These systems include, but not limited to, Office 365 and Dropbox.

Where the Company engages third parties to process personal data on its behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Data breaches

If the Company discovers that there has been a breach of personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery. The Company will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

International data transfers

The Company will not transfer personal data to countries outside the EEA.

Individual responsibilities

Individuals are responsible for helping the Company keep their personal data up to date. Individuals should let the company know if data provided to the Company changes, for example if an individual moves to a new house or changes their name.

Individuals who have access to personal data are required:

- to access only data that they have authority to access and only for authorised purposes.
- not to disclose data except to individuals (whether inside or outside the Company) who have appropriate authorisation.
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction)
- not to remove personal data, or devices containing or that can be used to access personal data, from the Company's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device.
- not to store personal data on local drives or on personal devices that are used for work purposes; and
- to report data breaches of which they become aware to the Data Protection Officer immediately.