

# Managing Subcontracted Processing



*May 2018*

*Review Date: May 2021*

## Managing Subcontracted Processing

### *Scope*

All external suppliers that process personal data on behalf of in at the deep end are within the scope of this procedure.

in at the deep end Ltd as a company includes the Training Wave brand. Therefore, throughout all of our policies where we refer to in at the deep end it also applies to any bookings or courses undertaken within the Training Wave brand.

### *Responsibilities*

The Data Protection Officer (DPO), is responsible for approving the selection of all sub-contracted processors of personal data in line with the requirements of this procedure.

### *Procedure*

in at the deep end selects only suppliers that can provide technical, physical and organisational security that meet in at the deep end's requirements in terms of all the personal data they will process on in at the deep end's behalf.

- in at the deep end will ensure that all of the security arrangements are outlined in the contract with the external processor.

Suppliers from outside the EU, will only be selected under the following conditions, in addition to the conditions noted elsewhere in this procedure:

- if the supplier or the state in which it resides has been positively identified in an adequacy decision by the EU Commission; or
- where there are legally binding corporate rules, and organisational and technical safeguards, established between in at the deep end and the supplier to secure the rights and freedoms of data subjects at least equal to those afforded within the EU; or
- where the arrangement has been approved by the supervisory authority.

An information security risk assessment, is carried out before a supplier is engaged. Supplier risk assessments are conducted.

If the Data Protection Officer (DPO) considers it necessary because of the nature of the personal data to be processed or because of the particular circumstances of the processing, an audit of the supplier's security arrangements against the requirements of ISO 27001 may be conducted before entering into the contract.

in at the deep end requires a written agreement to provide the service as specified and

requires the supplier to provide appropriate security for the personal data it will process. All data processing contracts allow in at the deep end to conduct regular audits of the supplier's security arrangements during the period in which the supplier has access to the personal data.

All data processing contracts forbid suppliers from using further subcontractors without in at the deep end's written authorisation for the processing of personal data.

Where in at the deep end permits a supplier to subcontract processing of personal data, the immediate supplier must prohibit the second-level contractor (or further down the chain) from subcontracting these processing operations without in at the deep end's written authorisation.

Contracts with second-level subcontractors will only be approved if they require the subcontractors to comply with at least the same security and other provisions as the primary subcontracting organisation (the supplier) if they specify that, when the contract is terminated, related personal data will either be destroyed or returned to in at the deep end, and so on down the chain of sub-contracting.

## *Monitoring and Review*

We will monitor all of the feedback that we receive in relation to the issues affected by the Policy and will amend the policy as necessary.

The Policy will be updated with any amendments to existing legislation or new legislation.

In any event, all policies are reviewed annually although updates to versions etc. will only take place every three years should there be no other changes to the policy.

## *Document Owner and Approval*

The Data Protection Officer (DPO) is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the review requirements stated above.

A current version of this document is available to all members of staff on BaseCamp.

This policy was approved by the Company Directors on 2nd March 2018 and is issued on a version controlled basis under the signature of Managing Director.

<b>Date</b>	<b>Version</b>	<b>Author/Contributor</b>	<b>Amendment Details</b>
December 2017	1.00	Mark Mc Nichol	Implementation
May 2018	1.10	Mark Mc Nichol	Addition of Training Wave branding

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