

# Privacy Procedure



*May 2018*

*Review Date: May 2021*

## Privacy Procedure

### *Scope*

All processing of personal data by in at the deep end is 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 ensuring that the privacy notice(s) is correct and that mechanisms exist such as having the Privacy Notice(s) on in at the deep end's website to make all data subjects aware of the contents of this notice prior to in at the deep end commencing collection of their data.

All staff that need to collect personal data are required to follow this procedure.

### *Procedure*

in at the deep end identifies the legal basis for processing personal data before any processing operations take place by clearly establishing, defining and documenting:

- the specific purpose of processing the personal data and the legal basis to process the data under:
  - consent obtained from the data subject;
  - performance of a contract where the data subject is a party;
  - legal obligation that in at the deep end is required to meet;
  - protect the vital interests of the data subject, including the protection of rights and freedoms;
  - official authority of in at the deep end or to carry out the processing that is in the public interest;
  - necessary for the legitimate interests of the data controller or third party, unless the processing is overridden by the vital interests, including rights and freedoms;
  - national law.
- any special categories of personal data processed and the legal basis to process the data under:
  - explicit consent obtained from the data subject;
  - necessary for employment rights or obligations;
  - protect the vital interests of the data subject, including the protection of rights and freedoms;
  - necessary for the legitimate activities with appropriate safeguards;

- personal data made public by the data subject;
- legal claims;
- substantial public interest;
- preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, provision of health or social care treatment, or management of health and social care systems and services, under the basis that appropriate contracts with health professionals and safeguards are in place;
- public health, ensuring appropriate safeguards are in place for the protection of rights and freedoms of the data subject, or professional secrecy;
- national laws in terms of processing genetic, biometric or health data.

## *Privacy notices*

### **When personal data collected from data subject with consent**

in at the deep end is transparent in its processing of personal data and provides the data subject with the following:

- in at the deep end's identity, and contact details of the Data Protection Officer (DPO) and any data protection representatives;
- The purpose(s), including legal basis, for the intended processing of personal data (see below);
- Where relevant, in at the deep end's legitimate interests that provide the legal basis for the processing;
- Potential recipients of personal data;
- Any information regarding the intention to disclose personal data to third parties and whether it is transferred outside the EU. In such circumstances, in at the deep end will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards;
- Any information on website technologies used to collect personal data about the data subject;
- Any other information required to demonstrate that the processing is fair and transparent.

All information provided to the data subject is in an easily accessible format as requested by the data subject using clear and plain language, especially for personal data addressed to a child. This can include orally if required.

in at the deep end facilitates the data subject's rights in line with the data protection policy (*1—Data Protection Policy*) and the subject access request procedure (*4—Subject Access Request*).

Privacy notice for this personal data processing is recorded (*12—Privacy Notice*).

### **When data is contractually required for processing**

in at the deep end processes data without consent in order to fulfil contractual obligations such as bank details to process salaries, postal address in order to supply products and services, etc.

Privacy notice for this personal data processing is recorded in '12—Privacy Notice'.

in at the deep end does not obtain any data from any other source other than that explicitly provided to it by its customers.

### *Timescales*

in at the deep end provides the information stated above within:

- one month of obtaining the personal data, in accordance with the specific circumstances of the processing;
- at the first instance of communicating in circumstances where the personal data is used to communicate with the data subject;
- when personal data is first disclosed in circumstances where the personal data is disclosed to another recipient.

The above does not apply:

- If the data subject already has the information;
- If the provision of the above information proves impossible or would involve an excessive effort;
- If obtaining or disclosure of personal data is expressly identified by Member State law; or
- If personal data must remain confidential subject to an obligation of professional secrecy regulated by Member State law, including a statutory obligation of secrecy.

## *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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