

Data Protection Policy

Eventcover Education Ltd DATA PROTECTION POLICY (the "Policy")

PART I

TC STATEMENT ON DATA PROTECTION AND EMPLOYEES

Eventcover Education is committed to using all reasonable endeavours to ensure compliance with the requirements of the Data Protection Act 1998 (the " DPA "). Consequently, Eventcover Education requires you to be aware of the purposes for which Eventcover Education will process your personal information (Part 1 of this Policy) and the obligations that both Eventcover Education and its employees are under when processing personal data. (Part II of this Policy).

1. Definitions

For the purpose of understanding this Policy, the following definitions have the following meanings:-

1.1 "personal data" is defined in Section 1, Part 1 of the DPA and includes any information from which a living individual can be identified, either on its own or together with other information which is or is likely to come into the possession of Eventcover Education. This definition also covers expressions of opinion about individuals and indications of the intentions of Eventcover Education or any other person in respect of individuals.

Therefore, personal data includes information such as telephone numbers, names, addresses (including e-mail addresses), sound and image data (for example photographs and voice recordings), indications of status and title as well as remarks about individuals - if the identity of the individual can be ascertained from such information.

1.2 "sensitive personal data" is defined in Section 2, Part 1 of the DPA and includes information relating to racial or ethnic origin, political opinions, religious beliefs or beliefs of a similar nature, trade union membership, physical or mental health or condition, sexual life, offences or alleged offences, information relating to any proceedings for offences committed or allegedly committed by data subjects.

1.3 "processing" is defined in Section 1, Part 1 of the DPA and means obtaining, recording, or holding data or carrying out any operation or set of operations on the data including: organisation, adaptation or alteration of the information or data; or retrieval, consultation or use of the information or data; or disclosure of the information or data by transmission, dissemination or otherwise making available; or alignment, blocking, erasure or destruction of the information or data.

For the purposes of the DPA, personal data will be caught by the DPA, if it is processed in:

i. an automated fashion (for example: by main frame computers, PCs, word-processors, electronic memory typewriters, electronic mail (e-mail) or filing systems, laptops, computer hardware, computer software and Internet accounts); and/or

ii. a manual fashion, which includes a set of information relating to individuals which is structured according to criteria which allows easy access to specific personal data (for example: card indices or manual files of client, employee or supplier data which is stored in a structured fashion).

1.4 "data subject" means the individual who is the subject of personal data which is being processed by Eventcover Education (for example: clients, employees, supporters, recruits and suppliers of Eventcover Education).

1.5 "Information Commissioner" means the UK Information Commissioner responsible for implementing and overseeing the DPA.

2. Processing of Employee Data by TC

2.1 As specified in your Statement of Written Particulars Eventcover Education may, from time to time, process personal data about you for the following purposes:-

a. **Statement of Written Particulars** - for completing and updating your Statement of Written Particulars in relation to your employment with Eventcover Education and your Terms and Conditions of Service and generally for the administration and management of your employment with Eventcover Education and/or Eventcover Education's business.

b. **Payroll Pension and Accounts** - for calculating and paying employee remuneration and pensions and keeping accounts relating to the activities of Eventcover Education.

c. **Benefits** - to assist you to make use of the benefits specified in your Statement of Written Particulars and Terms and Conditions of Service. For these purposes, Eventcover Education may, once you have elected to make use of such benefits, make certain information contained in your personal data available to the organisations who administer the aforementioned benefits, where such information is regarded by Eventcover Education as necessary to provide you with the required benefits.

d. **Back-up** - to ensure the security and accuracy of the data processed by Eventcover Education.

e. **Business Development** - this may include the disclosure of certain information contained in your personal data to potential or existing clients, customers, partners, contractors, suppliers and/or fellow employees (including your name, title and office contact details) for the purposes of marketing or other business related activities of Eventcover Education and/or ensuring client, customer, supplier and employee satisfaction or otherwise for the promotion and/or development of Eventcover Education's business. Such personal data may be disclosed in written, electronic or other form including on an Eventcover Education Extranet or a third party Extranet to which Eventcover Education has access for the purposes described above.

f. **Employee Administration and Management** - this may include sensitive personal data about you where this is necessary to comply with legislation and/or your Statement of Written Particulars and/or Terms and Conditions of Service and/or Eventcover Education employee administration policies. Examples of purposes for which personal data relating to you may be processed in the administration, management and carrying out of your employment include (but are not limited to):-

- Recruitment activities;



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- Administration of absence records, including sick leave and sick pay, monitoring sickness absences and attendance and manpower planning;
- Administration and maintenance of personnel records, payroll and other benefits;
- Administration of holiday and other absence records such as maternity leave, parental leave, paternity leave, time off for dependents;
- Equal opportunities matters including the operation of the [Equal Opportunities Policy](#);
- Carrying out performance appraisals and development reviews;
- Disclosure to prospective employers;
- The pursuit of disciplinary and grievance matters;
- Recording the commission or alleged commission of any offence;
- The provision of information to any government body or agency for legitimate purposes including social security and income tax.

g. Prevention and Detection of Crime - this may include information relating to offences or alleged offences, and information relating to any proceedings for offences committed or allegedly committed for the purpose of the prevention and/or detection of crime.

h. Monitoring and Promotion of Equal Opportunities and Trade Union Membership - this may involve sensitive data about you, such as religious beliefs or similar beliefs, ethnic origin and trade union membership.

i. Corporate Finance, Mergers and Acquisitions - this may include the disclosure of certain personal information about you to other individuals and organisations with whom Eventcover Education may consider entering into commercial transactions.

j. Regulatory and Professional Requirements - this may include the disclosure of certain information within your personal data to regulatory and professional bodies.

k. Administration of Membership Records - to administer your membership with clubs, associations and other organisations for business and/or professional purposes.

l. Assessment and Collection of Taxes and Other Revenue - to administer Eventcover Education and employee revenue and tax obligations which will require the disclosure of certain information to the Inland Revenue amongst others.

m. Training and Career Development - to administer employee training and oversee career development which may require the disclosure of certain personal data (including contact and qualification details) to training organisations.

n. Health & Safety - to comply with prevailing health and safety legislation and Eventcover Education policies. This may include the processing of certain sensitive data, such as mental and physical health details about you.

o. Internal Communications - to facilitate communications between Eventcover Education's employees, certain personal data, such as your photograph, CV, status and office contact details may from time to time be included in any internal communications and/or on an Eventcover Education Intranet and/or in internal newsletters, magazines or other similar publications.

p. Monitoring - please note that Eventcover Education may (at any time and without notice) monitor or keep a record of communications sent and/or received over Eventcover Education's IT resources (including: computer hardware, software,



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telephones, fax machines, voicemail, e-mail, building and facility access and CCTV systems) and/or record your use of Eventcover Education's IT resources in order to:

- detect and/or prevent crime;
- establish the existence of business related facts. (e.g., in your absence to establish whether or not you have responded to a client's e-mail);
- ascertain whether you and/or Eventcover Education are complying with Eventcover Education's rules and policies (including, but not limited to, this Policy) and also with legal and/or regulatory obligations to which you and/or Eventcover Education are subject;
- ascertain whether communications are relevant to Eventcover Education's activities (e.g. checking incoming messages in your absence to ensure that Eventcover Education's standards of service do not suffer);
- ascertain and/or demonstrate whether you are attaining standards which are achieved or ought to be achieved by you (e.g. compliance with service obligations);
- carry out maintenance of IT resources and to monitor for viruses and/or any other programme which has contaminating and/or destructive properties;
- investigate or detect unauthorised use of the IT resources; and
- protect the vital interests of you as an individual including without limitation concerns regarding your whereabouts and/or safety.

Eventcover Education will, in conducting such monitoring activities, use all reasonable endeavours to comply with the UK Information Commissioner's best practice guidelines and to respect your privacy and that of third parties using the IT Resources.

Please note that where Eventcover Education identifies the commission or alleged commission of a specific criminal activity and determines that there is a need to obtain evidence of this activity by monitoring, which would be prejudiced by informing employees about any such monitoring, Eventcover Education will conduct covert monitoring by means and for a period of time which Eventcover Education considers necessary to obtain evidence of the criminal activity. Any such activity may be conducted with the knowledge of and/or in conjunction with law enforcement authorities.

q. CCTV - please note that Eventcover Education may use CCTV monitoring on its premises to:

- protect your personal safety and the safety of the public when they are on Eventcover Education's premises;
- investigate, detect and/or prevent crime and to apprehend/prosecute offenders; and/or
- ascertain whether employees are complying with behavioural requirements and standards specified in their employment contracts, Eventcover Education rules and policies and statutory or regulatory obligations to which employees and/or Eventcover Education are subject.

Any such CCTV monitoring will be carried out in accordance with the DPA. To do this, Eventcover Education will rely on the CCTV Code of Practice issued by the Information Commissioner. If you would like to see a copy of the CCTV Code, please contact the Head of Human Resources or the Head of Legal Services.

Eventcover Education may sometimes disclose CCTV footage to third parties such as law enforcement authorities, solicitors and the Courts for the purposes listed above at 2.1(p).

Eventcover Education may also disclose CCTV



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footage to the media if it believes that this will assist in the apprehension of criminals.

Other parties who may come into contact with the CCTV footage which Eventcover Education records, include individuals or organisations operating the CCTV system on Eventcover Education's behalf and organisations providing Eventcover Education with footage editing services.

2.2 Your personal data will, on occasion, be made available to third parties who perform services for Eventcover Education (e.g. solicitors, auditors, banks, agents etc) or to inward investors or other potential business partners. These individuals may be situated outside of the United Kingdom. Any such disclosures will be subject to written contracts, confidentiality requirements and security arrangements where necessary in order to protect your personal data.

2.3 Eventcover Education operates an Intranet to which Eventcover Education employees, and potentially contractors and temporary staff may be given access for the purpose of facilitating communication between such individuals and promoting Eventcover Education's business... You should be aware that certain of your personal data (e.g. names and office details) may be included on any Intranet and Extranets.

2.4 Eventcover Education operates Internet websites to provide information about the activities of Eventcover Education. This may include the disclosure of certain of your personal data. The information placed on these websites may be downloaded and transferred anywhere in the world. Information placed on the Internet may be accessed by various individuals within and outside Eventcover Education. We therefore require you to be aware that if being placed on the Eventcover Education Internet websites, you are in fact consenting to this data being transferred outside of the United Kingdom and being viewed by third parties.

2.5 In accordance with the DPA, you may request access to your personal data which is being processed by Eventcover Education and/or request Eventcover Education not to process certain of your personal data and/or to amend or update any personal data relating to you which is inaccurate. This will also include CCTV footage on which you appear and from which you can be identified. Any such request must be made in writing to the Quality Manager, a copy of which will be retained on your personnel file. Where you have exercised any of the above-mentioned rights, Eventcover Education will comply with your request, subject to any lawful requirements and/or exemptions granted to Eventcover Education under the DPA.

If you would like more information about your right to request access to your personal data (including CCTV footage), held by Eventcover Education who may charge you a fee (subject to the statutory maximum) for supplying you with your personal data please see the leaflet called "[Personal Information Access Form](#)". These forms are available from the company

If you have any comments, concerns or complaints about Eventcover Education's use of your personal data, CCTV and/or Eventcover Education's compliance with the Information Commissioner's codes of practice, please contact the Quality Manager. Any such complaints will be dealt with in accordance with Eventcover Education's grievance procedure which can be found on the Eventcover Education Intranet.

PART II

EMPLOYEES' OBLIGATIONS WHEN PROCESSING PERSONAL DATA

When processing any personal data for and on behalf of Eventcover Education, we require you to comply with the following obligations:

1. Process personal data fairly and lawfully

This means that we require you:

1.1 not to **mislead or deceive** data subjects as to the **identity** of who will be holding their personal data and for what **purposes** such data will be processed by Eventcover Education.

1.2 to be aware that personal data cannot be processed by Eventcover Education unless, either:

1.2.1 the data subject has given his/her **consent**; or

1.2.2 the processing is necessary for the **performance of a contract** or for the **entering into of a contract** with the data subject; or

1.2.3 the processing is necessary for **compliance with any legal obligation** to which Eventcover Education is subject (other than an obligation imposed by a contract); or

1.2.4 the processing is necessary to protect the **vital interest** of the data subject; or

1.2.5 the processing is necessary for the **administration of justice**; or

1.2.6 the processing is necessary for the purposes of **legitimate interests** pursued by Eventcover Education, except where the processing is unwarranted by reason of prejudice to the rights or legitimate interests of the data subject.

1.3 to comply with all **procedures** which Eventcover Education put in place in order to process personal data fairly and lawfully;

1.4 to exercise a high degree of **care and security** when required to process any personal data and in particular **sensitive personal data**;

1.5 be aware that at least **one of the conditions** set out below must be met when processing sensitive personal data:

a. the data subject must have given his/her **explicit consent**; or

b. the processing must be necessary to enable Eventcover Education to exercise its legal rights or obligations in connection with **employment**; or

c. the processing must be necessary to protect the **vital interest** of the data subject (e.g. in life and death situations); or

d. the processing must be carried out for the purpose of monitoring **equal opportunities** in respect of race or ethnic origin; or



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e. the information contained in the **personal data has been made public** as a result of steps deliberately taken by the data subject; or

f. the processing must be necessary for the purposes of establishing, exercising or defending the **legal rights** of Eventcover Education; or

g. the processing must be necessary for the **administration of justice**; or

h. the processing must be necessary for **medical purposes** and is undertaken by a health professional (or equivalent).

2. Personal data must only be obtained and processed for one or more specified and lawful purposes

2.1 This means that you should only be processing data during the course of your employment with Eventcover Education for purposes which are either **obvious** to the data subject; or have been **made apparent** to the data subject and are reflected in **Eventcover Education's Data Protection registration or notification**.

2.2 Eventcover Education's Data Protection registration or notification is available from Eventcover Education's Data Protection Officer. If you become aware of any additional purposes (other than those set out in the registration or notification), for which personal data is being processed by Eventcover Education, you should report the additional purposes to **Eventcover Education's Data Protection Officer**.

3. Personal data must be processed in accordance with certain data quality requirements

3.1 Personal data must be **adequate, relevant and not excessive** in relation to the purpose or purposes for which such data is processed.

3.2 Personal data must be **accurate** and where necessary, **up to date**.

3.3 Personal data processed for any purpose or purposes must **not be kept for longer than is necessary** for that purpose or those purposes.

3.4 In relation to points 3.1, 3.2 and 3.3 above, Eventcover Education require you to:-

a. comply with the Eventcover Education Document Retention Policy;

b. **update** information which appears to you to have become inaccurate and/or out of date; and

c. only collect, disclose and/or further process personal data which is **necessary** for a particular business related purpose.

4. Personal data must be processed in accordance with the rights of data subjects under the DPA

4.1 You should be aware that data subjects have rights under the DPA with respect to the processing of their personal data by Eventcover Education, including where this consists of CCTV footage. In order to assist Eventcover Education to comply with data subjects' rights, you are required to inform the Head of

Human Resources/ Eventcover Education's Data Protection Officer when:

- a. any request is made by a data subject for **access** to or for a copy of information about themselves which is being processed by Eventcover Education. Any such request must not be complied with, without consent from Eventcover Education's Data Protection Officer.
- b. any request is made by a data subject to **refrain** from starting to process or from any further processing of the data subject's personal data;
- c. a data subject requests further information about the logic involved in a decision which has been taken by Eventcover Education by automated means (without any human input) about the data subject (e.g. by a computer).

5. Security arrangements

5.1 You must comply with all **appropriate technical** and **organisational security** measures taken by Eventcover Education against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data processed by Eventcover Education including the Eventcover Education Information Security and associated policies to be found on the Eventcover Education Intranet.

5.2 In particular, you must comply with all other organisational **policies** issued to you by Eventcover Education including, but not limited to the Eventcover Education Information Security and associated policies and any other security access and disclosure procedures notified to you.

6. Disclosure of personal data

6.1 YOU MUST NOT DISCLOSE ANY PERSONAL DATA PROCESSED BY TC UNLESS SUCH DISCLOSURE:

- a. is with the consent of Eventcover Education (such consent to be provided by Eventcover Education's Data Protection Officer or the Head of Human Resources) or in circumstances where Eventcover Education would agree to the disclosure; **and**
- b. is to an organisation and/or individual whose identity you have ascertained and are certain is entitled to obtain such information; **and**
- c. is necessary for the business purposes of Eventcover Education; **and**
- d. is, where necessary, protected by sufficient security safeguards and/or confidentiality obligations

6.2 The consent of Eventcover Education can be assumed, where the disclosure is required for:

- a. the prevention or detection of **crime**; or
- b. the **apprehension** or **prosecution** of offenders or
- c. the assessment or collection of any **tax** or **duty** or compliance with any obligation of a similar nature; or

- d. the purpose of **discharging statutory functions** on Eventcover Education; or
- e. under any **enactment**, or by any **rule of law** or by the **order of a Court**; or
- f. the purpose of, or in connection with, any **legal proceedings** (including prospective legal proceedings); or
- g. the purpose of establishing, exercising or defending **legal rights**.

7. Transfer of personal data outside of the European Economic Area (EEA) ¹

7.1 You should be aware that there are **restrictions** on Eventcover Education's ability to transfer personal data to a territory outside of the EEA, unless:-

- a. such territory is regarded by the European Commission as providing an **adequate level of protection** for such personal data (currently only Switzerland, Hungary, Canada and Argentina); or
- b. **consent** has been obtained from the data subject in question; or
- c. **agreements** are in place to offer adequate protection to the data; or
- d. the transfer is in order to **give effect to a contract** for or with the data subject; or
- e. the recipient company/organisation, if based in the USA, is certified as a member of the "safe harbor" program in the USA.

7.2 If you are unsure about whether you are entitled to transfer personal data in an automated or manual fashion out of the EEA on behalf of Eventcover Education, consult the Head of Human Resources.

8. Liability

8.1 Eventcover Education will regard a failure by you to comply with the contents of this policy as a **disciplinary offence**.

8.2 You need to be aware that in your capacity as an employee of Eventcover Education it is a **criminal offence** under Section 55 of the DPA if you knowingly or recklessly obtain or disclose personal data (or the information contained in such data), or procure the disclosure to another person of that information, without the consent of Eventcover Education.

9. Confidentiality

9.1 You should be aware that the obligations placed on you as a result of the DPA and this compliance policy are in addition to the **duty of confidentiality** which you owe to Eventcover Education in respect of all information (including personal data) processed by you about Eventcover Education, its clients, employees, suppliers and any other data subjects.

9.2 You must keep all personal data which you process on behalf of Eventcover Education completely secret and confidential and must not disclose any such information unless

authorised to do so by:

9.2.1 in the case of personal data relating to Eventcover Education employees, the Directors or Management;

9.2.2 in the case of personal data relating to persons other than Eventcover Education employees.

9.2.3 in the case of any personal data this policy document and other security documents referred to in this policy and/or contained in your Conditions of Service.

10. Termination

You should be aware that all information (including personal data) processed by you, during your employment with Eventcover Education (whether in a manual or automated fashion), is and will remain **the property of Eventcover Education**. On termination of your employment with Eventcover Education, you must promptly **return** the original and any copies (whether in manual or automated form) of any information including personal data) obtained by you during your employment to Eventcover Education.

11. Updates to this Policy

This Policy will change from time to time to keep abreast of legislation in this area. You are therefore required to refer to this Policy on a regular basis. You will be informed of any changes to the policy.

12. Further assistance

12.1 If you are involved day to day in handling personal data you should ensure you are familiar with this policy

12.2 If you have any questions about this Policy or are in doubt as to whether or not you and/or Eventcover Education are entitled to process any particular personal data, you should check with your manager

12.3 If you become aware of any breach of this Policy or of the DPA you should notify a Director.

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