Staff Official

Data Protection Policy – GDPR

RATIONALE

Twin Training International is committed to a policy of protecting the rights and privacy of natural persons, includinglearners, staff, and others, in accordance with the General Data Protection Regulation (GDPR) May 2018.

The new regulatory environment demands higher transparency and accountability in how businesses manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use.

The GDPR contains provisions that Twin Training International will need to be aware of as data controllers, includingprovisions intended to enhance the protection of natural person's personal data. For example, the GDPR requires that:

We must ensure that our Twin Training International privacy notices are written in a clear, plain language.

Twin Training International needs to process certain information about its staff, students, parents and guardians and other individuals with whom it has a relationship for various purposes such as, but not limitedto:

1. The recruitment, management, and payment of staff.

2. The administration of programmes of study and courses.

3. Student/learner enrolment.

4. Examinations and external accreditation.

5. Recording student/learner progress, attendance, and conduct.

6. Collecting fees.

7. Complying with legal obligations to funding bodies and government including local government.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) Twin Training International must ensure that all this information about natural persons is collected and used fairly, stored safely and securely, kept for only as long is necessary andnot disclosed to any third party unlawfully

COMPLIANCE

This policy applies to all natural persons working for or with Twin Training International. Any breach of this policy orof the Regulation itself will be considered an offence and Twin's disciplinary procedures will be invoked.

As a matter of best practice, other agencies and individuals working with Twin Training International and who haveaccess to personal data, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

This policy will be updated as necessary to reflect best practice in data management, security, and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

The Code of Practice on GDPR for Twin Training International gives further detailed guidance and Twin Training Internationalundertakes to adopt and comply with this Code of Practice.

GENERAL DATA PROTECTION REGULATION (GDPR)

This piece of legislation became applicable on the 25th of May 2018. The GDPR regulates the processing of personal data and protects the rights and privacy of natural persons (including children), for example by giving all natural persons who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to a natural person and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images) and may include facts or opinions about a person.

The GDPR also sets out specific rights for natural persons in relation to educational records held within Twin's system. These rights are set out in separate education regulations 'The Education (Pupil Information) (England) Regulations 2000'. For more detailed information on these Regulations see the Data Protection Data Sharing Code of Practice (DPCoP) from the Information Commissioner's Office (ICO). Please follow this link to the ICO's website (www.ico.gov.uk)

RESPONSIBILITIES UNDER THE GDPR

Twin Training International will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data. Twin Training International appoints a Data Protection Officer (DPO), currently Adrian Butcher who is available to address anyconcerns regarding the data held by Twin Training International and how it is processed.

The Senior Leadership Team is responsible for all day-to-day data protection matters and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within Twin Training International.

The Senior Leadership Team is also responsible for ensuring that Twin Training International's notification is keptaccurate.

Details of Twin Training International's notification can be found on the Office of the Information Commissioner'swebsite.

Our data registration number is: ZA236103

Compliance with the legislation is the personal responsibility of all members of Twin Training International who process personal information. Individuals who provide personal data to Twin Training International are responsiblefor ensuring that the information is accurate and up to date.

DATA PROTECTION PRINCIPLES

The legislation places a responsibility on every data controller to process any personal data in accordance with the eight principles. More detailed guidance on how to comply with these principles can be found in the DPCoP. Please follow this link to the ICO's website (www.ico.gov.uk) In order to comply with its obligations, Twin Training International undertakes to adhere to the seven principles:

1. Lawfulness, fairness, and transparency

Twin Training International will make all reasonable efforts to ensure that natural persons who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of theprocessing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

2. Limitation of purpose.

Twin Training International will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before ittakes place.

3. Minimization of data

Twin Training International will not seek to collect any personal data which is not strictly necessary for the purposefor which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

4. Data accuracy

Twin Training International will review and update all data on a regular basis. It is the responsibility of the natural persons giving their personal data to ensure that this is accurate, and each individual should notify Twin Training International if, for example, a change in circumstances mean that the data needs to be updated. It isthe responsibility of Twin Training International to ensure that any notification regarding the change is noted and acted on.

5. Limitations of storage

Twin Training International undertakes not to retain personal data for longer than is necessary to ensurecompliance
with the legislation, and any other statutory requirements. Disposition will be in accordance with the agreed retention policy for a given data set. Data may be electronically or physically stored, the latter in compliance with Government contractual requirements.

Twin Training International will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files asconfidential waste). A log will be kept of the records destroyed.

6. Confidentiality and integrity of data

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

Twin Training International will ensure that all personal data is accessible only to those who have a valid reason forusing it.

7. Accountability

Twin is committed to putting in place the following appropriate technical and organizational measures that are fully compliant with GDPR;

- adopting and implementing a data protection policy
- taking a 'data protection by design and default' approach
- putting written contracts in place with organisations that process personal data on our behalf
- implementing appropriate security measures
- recording and, where necessary, reporting personal data breaches
- appointing a data protection officer
- adhering to relevant codes of conduct

Twin Training International will have in place appropriate security measures e.g. ensuring that hard copy personaldata is kept in lockable filing cabinets/cupboards with controlled access (with the keys then held securely in a key cabinet with controlled access):

- keeping all personal data in a lockable cabinet with key-controlled access.
- password protecting personal data held electronically.
- archiving personal data which are then kept securely (lockable cabinet).
- placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff.
- ensuring that PC screens are not left unattended without a password protected screensaver being used.

In addition, Twin Training International will put in place appropriate measures for the deletion of personal data - manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible destroyed physically. A log will be kept ofthe records destroyed.

This policy also applies to staff and students who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

TERRITORY OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

Twin Training International will not transfer data to such territories without the explicit consent of the individual.

This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so Twin Training International will alwaysseek the consent of individuals before placing any personal data (including photographs) on its website.

If Twin Training International collects personal data in any form via its website, it will provide a clear and detailedprivacy statement prominently on the website, and wherever else personal data is collected.

CONSENT AS A BASIS FOR PROCESSING

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when Twin Training International is processing any special category data (sensitivedata), as defined by the legislation.

Twin Training International understands consent to mean that the natural person has been fully informed of the intended processing and has signified their agreement (e.g. via the enrolment form) whilst being of asound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

“Personal Data, for the purposes of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679 you consent to Twin Training International holding and processing personal data including sensitive personal data of which you are the subject, details of which are specified in Twin Training International's data protection policy. This will include marketing images and Twin Training International CCTV.”

Twin Training International will ensure that any forms used to gather personal data on a data subject will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosedand also indicate whether or not the individual needs to consent to the processing.

Twin Training International will ensure that if the data subject does not give his/her consent for the processing, andthere is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

SUBJECT ACCESS RIGHTS (SARS)

Individuals have a right to access any personal data relating to them which are held by Twin Training International.Any data subject wishing to exercise this right should apply in writing to the DPO. Any member of staff receiving a SAR should forward this to the DPO.

Twin Training International reserves the right to charge a fee for repeated data subject access requests.

Under the terms of the legislation, any such requests must be complied with within 40 calendar days.

DISCLOSURE OF DATA

Only disclosures which have been notified under Twin Training International's data protection notification must be made and therefore staff and students should exercise caution when asked to disclose personal dataheld on another natural person or third party.

Twin Training International undertakes not to disclose personal data to unauthorised third parties, including familymembers, friends, government bodies and in some circumstances, the police.

Legitimate disclosures may occur in the following instances:

- the data subject has given their consent to the disclosure.
- the disclosure has been notified to the ICO and is in the legitimate interests of Twin Training International.
- the disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual.

For detailed guidance on disclosures see the Code of Practice (CoP).

In no circumstances will Twin Training International sell any of its databases to a third party.

PUBLICATION OF TWIN TRAINING INTERNATIONAL INFORMATION

Email

It is the policy of Twin Training International to ensure that senders and recipients of email are made aware that under the Data Protection Act 1998, and Freedom of Information Legislation, the contents of emailmay have to be disclosed in response to a request for information. One means by which this will becommunicated will be by a disclaimer on Twin Training International's email.

Under the Regulation of Investigatory Powers Act 2000, Lawful Business Practice Regulations, any email sent to or from Twin Training International may be accessed by someone other than the recipient for systemmanagement and security purposes.

CCTV

There are some CCTV systems operating within Twin Training International for the purpose of protecting Twin Training International members and property. Twin Training International will only process personal data obtained by the CCTVsystem in a manner which ensures compliance with the legislation.

DATA BREACHES

In the event of a Data Breach (non-compliant data processing incident), the Twin Data Breach Policy must be immediately implemented. In such an event, contact Twin's Data Protection Officer for details on how to report a breach.

PROCEDURE FOR REVIEW

This policy will be updated as necessary to reflect best practice or future amendments made to the General Data Protection Regulation (GDPR) May 2018 and Data Protection Act 1998 and the International Data Transfer Agreement (ITDA), expected to be implemented in March 2022.

Please follow this link to the ICO's website (www.ico.gov.uk) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

For guidance on how to implement this policy for their specific processing activities, please see Annex 1 – Implementation Guidelines below

For help or advice on any data protection or freedom of information issues, please do not hesitate to contact:

The Data Protection Officer (DPO): Adrian Butcher, email: AButcher@twinuk.com

Annex 1 - Policy Implementation Guidelines

INTRODUCTION

The Twin Training International manages a disparate range of activities with respect to personal data. As a result, different activities will necessitate variations in specific areas with respect to data processing. It is not practicable to list each one in a policy, but Twin managers with personal data processing responsibilities are charged with specific data protection activities to ensure policy compliance

1. Risk-based Data Protection Impact Assessment

Data protection Risk and Mitigation registers must be maintained for each activity (e.g., a contract) and professional archiving services either deployed internally (Electronic, secure cloud storage) or externally to ensure confidentiality and availability of relevant data and resilience of data custodianship, all subject to the application of the relevant disposition policy in line with regulatory or contractual stipulation. Such Impact Assessments may be incorporated into the broader Risk Register for the activity in question

2. Recording of Consent

All Twin consent-based processing must meet standards of active, informed consent. Such consent must be agreed, documented and shared with participating data subjects and forms a part of their engagement agreement, recorded in programme onboarding, which is available for authorised auditing subject to checks on the authenticity of the auditing individual or body. This may be in the form of a “wet” signature or via a digital authorisation process to ensure the participant has received, read and understood what they are consenting to.

For UK Government Contracts, this must be implemented by the Claims, Compliance and Quality team. The signature of consent forms must be checked to ensure they are signed and correctly filed in lockable cabinets. Regular spot checks will take place, also quarterly internal audits and at archiving stage. Personal Data is archived in suitable archive boxes and stored in paid for storage.

3. Recording Data Processing activities

The maintenance of records of personal data processing activities is intrinsic to the operation contracts using the supporting IT systems. Each activity is both time-stamped and identified with a named system user. In the event of any need to retrospectively explore informal processing by email, all emails are archived for an agreed time period and hence likewise identifiable in terms of activity, timestamping and the processing individual. All systems used have the ability to make records anonymous if the personal data is no longer required for the appropriate business activities.

4. Subject Access Requests

Any Subject Access Request must be complied with within 40 calendar days. It is essential to verify the identity of the requesting person. All requests must be in writing, either electronically or physically. Any request must be subjected to an immediate notification to the Data Subject to verify the request and all responses must be securely sent or given to the Data Subject in a manner agreed by her/him in writing.

5. Ongoing testing of the above

The risk-based Data Processing Impact Assessment must be reviewed periodically. This should be either at yearly intervals or in the event of a significant changes to data processing activities.