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## Privacy Policy

### Introduction

We hold personal data about our employees, clients, suppliers and other individuals for a variety of business purposes.

This policy sets out how we seek to protect personal data and ensure that staff understand the rules governing their use of personal data to which they have access in the course of their work. In particular, this policy requires staff to ensure that the Integrated Management System (IMS) Business Manager or IMS Representative should be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

### Definitions

|                                 |  |
|---------------------------------|--|
| <p><b>Business purposes</b></p> | <p>The purposes for which personal data may be used by us:</p> <p>Personnel, administrative, financial, regulatory, payroll and business development purposes.</p> <p><i>Business purposes include the following:</i></p> <ul style="list-style-type: none"> <li>- <i>Compliance with our legal, regulatory and corporate governance obligations and good practice</i></li> <li>- <i>Gathering information as part of investigations by regulatory bodies or in connection with legal proceedings or requests</i></li> <li>- <i>Ensuring business policies are adhered to (such as policies covering email and internet use)</i></li> <li>- <i>Operational reasons, such as recording transactions, training and quality control, ensuring the confidentiality of commercially sensitive information, security vetting, credit scoring and checking</i></li> <li>- <i>Investigating complaints</i></li> <li>- <i>Checking references, ensuring safe working practices, monitoring and managing staff access to systems and facilities and staff absences, administration and assessments</i></li> <li>- <i>Monitoring staff conduct, disciplinary matters</i></li> <li>- <i>Marketing our business</i></li> <li>- <i>Improving services</i></li> </ul> |
| <p><b>Personal data</b></p>     | <p>Information relating to identifiable individuals, such as job applicants, current and former employees, agency, contract and other staff, clients, suppliers and marketing contacts.</p>  |

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|-------------------------|--|
|                         | <i>Personal data we gather may include: individuals' contact details, educational background, financial and pay details, details of certificates and diplomas, education and skills, marital status, nationality, job title, and CV.</i>   |
| Sensitive personal data | <i>Personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership (or non-membership), physical or mental health or condition, criminal offences, or related proceedings—any use of sensitive personal data should be strictly controlled in accordance with this policy.</i> |

## Scope

This policy applies to all staff. You must be familiar with this policy and comply with its terms.

This policy supplements our other policies relating to internet and email use. We may amend this policy or supplement with additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff before being adopted.

## Who is responsible for this policy?

Our IMS Business Manager, Anthony Tomlinson and IMS Representative, Carrolly Torres have the overall responsibility for the day-to-day implementation of this policy.

## Our procedures

### Fair and lawful processing

We must process personal data fairly and lawfully in accordance with individuals' rights. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening.

### The responsibilities of the IMS Business Manager and IMS Representative:

- Keeping the board updated re: our IMS and data protection responsibilities, risks and issues
- Reviewing all IMS and data protection procedures and policies on a regular basis. Arranging IMS and data protection training and advice for all staff members and those included in this policy
- Answering questions on our IMS and data protection from staff and board members.

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- Responding to individuals such as clients and employees who wish to know which data is being held on them by Orion Global Managed Services
- Checking and approving with third parties that handle the company's data any contracts or agreements regarding data processing

## Responsibilities of the IMS IT Competent Person

- Ensure all systems, services, software and equipment meet acceptable security standards and are in line with our IMS
- Checking and scanning security hardware and software regularly to ensure it is functioning properly
- Researching third-party services, such as cloud services the company is considering using to store or process data

## The processing of all data must be:

- Necessary to deliver our services
- In our legitimate interests and not unduly prejudice the individual's privacy
- In most cases this provision will apply to routine business data processing activities.

## Sensitive personal data

In most cases where we process sensitive personal data we will require the data subject's *explicit* consent to do this unless exceptional circumstances apply or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety at work). Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

## Accuracy and relevance

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Individuals may ask that we correct inaccurate personal data relating to them. If you believe that information is inaccurate you should record the fact that the accuracy of the information is disputed and inform the IMS Representative.

## Your personal data

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You must take reasonable steps to ensure that personal data we hold about you is accurate and updated as required. For example, if your personal circumstances change, please inform the IMS Representative so that they can update your records.

## Data security

You must keep personal data secure against loss or misuse. Where other organisations process personal data as a service on our behalf, the IMS Business Manager and IMS Representative will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third-party organisations.

### Storing data securely

- In cases when data is stored on printed paper, it should be kept in a secure place where unauthorised personnel cannot access it
- Printed data should be shredded when it is no longer needed
- Data stored on a computer should be protected by strong passwords that are changed regularly. We encourage all staff to use a password manager to create and store their passwords.
- Data stored on CDs or memory sticks must be locked away securely when they are not being used
- The Board must approve any cloud used to store data
- Servers containing personal data must be kept in a secure location, away from general office space
- Data should be regularly backed up in line with the company's backup policy
- All servers containing sensitive data must be approved and protected by security software and strong firewall.

### Data retention

We must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines.

### Transferring data internationally

There are restrictions on international transfers of personal data. Especially outside of the EEA. You must not transfer personal data anywhere outside the UK without first consulting

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the IMS Business Manager and the IMS Representative to ensure that the appropriate Safeguards have been implemented.

## Subject access requests

Please note that under the Data Protection Act 2018, individuals are entitled, subject to certain exceptions, to request access to information held about them.

If you receive a subject access request, you should refer that request immediately to the IMS Representative. We may ask you to help us comply with those requests.

Please contact the IMS Representative if you would like to correct or request information that we hold about you. There are also restrictions on the information to which you are entitled under applicable law.

## Processing data in accordance with the individual's rights

You should abide by any request from an individual not to use their personal data for direct marketing purposes and notify the IMS Representative about any such request.

Do not send direct marketing material to someone electronically (e.g. via email) unless you have an existing business relationship with them in relation to the services being marketed.

Please contact the IMS Business Manager or the IMS Representative for advice on direct marketing before starting any new direct marketing activity.

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## Training

All staff will receive training on this policy. New joiners will receive training as part of the induction process. Further training will be provided at least every two years or whenever there is a substantial change in the law or our policy and procedure.

Training is provided through an in-house webinar on a regular basis.

It will cover:

- The law relating to data protection
- Our data protection and related policies and procedures.

Completion of training is compulsory.

## GDPR provisions

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Where not specified previously in this policy, the following provisions will be in effect on or before 25 May 2018.

## Privacy Notice - transparency of data protection

Being transparent and providing accessible information to individuals about how we will use their personal data is important for our organisation. The following are details on how we collect data and what we will do with it:

| What information is being collected? |  |
|--------------------------------------|--|
| Who is collecting it?                | Marketing Department<br>Global Recruitment<br>Service Delivery<br>Administration<br>Finance  |
| How is it collected?                 | Via our website<br>Via Email<br>Via Social Networks<br>By telephone<br>Via authorised 3 <sup>rd</sup> party websites e.g. recruitment websites<br>Recruitment agencies |

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| Why is it being collected?                           | For Communication<br>To fulfil the Operations and provision of our services   |             |         |       |    |
| How will it be used?                                 | Ongoing communication with existing partners and subcontractors   |             |         |       |    |
| Who will it be shared with?                          | In the case of marketing – it will not be shared with any third parties<br>For Operations and Service Delivery we may share with our partners or their end users  |             |         |       |    |
| Identity and contact details of any data controllers | ISO Team<br>Anthony Tomlinson – Business Manager<br><a href="mailto:atomlinson@orionms.co.uk">atomlinson@orionms.co.uk</a><br>Carrolly Torres – Integrated Management System Representative / Internal Auditor<br><a href="mailto:ctorres@orionms.co.uk">ctorres@orionms.co.uk</a><br>Tom Powell – IT Competent Person / Internal Auditor<br><a href="mailto:tpowell@orionms.co.uk">tpowell@orionms.co.uk</a> |             |         |       |    |
| Details of transfers to third country and safeguards | All data is held on our server and is transferred via individual VPN's. This process is encrypted end to end. We may also use email for the transfer of data which is also fully encrypted.   |             |         |       |    |
| Retention period                                     | We reserve the right to retain data for 3 years, we monitor data collected on a 12 monthly basis to ensure the data is still in use. If it is not in use, we delete it. Any party who requests for their data to be deleted can do so with immediate effect. Please contact <a href="mailto:atomlinson@orionms.co.uk">atomlinson@orionms.co.uk</a>  |             |         |       |    |

## Conditions for processing

We will ensure any use of personal data is justified using at least one of the conditions for processing and this will be specifically documented. All staff who are responsible for processing personal data will be aware of the conditions for processing.

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## Justification for personal data

We will process personal data in compliance with all six data protection principles.

We will document the additional justification for the processing of sensitive data, and will ensure any biometric and genetic data is considered sensitive.

## Consent

The data that we collect is subject to active consent by the data subject. This consent can be revoked at any time.

## Criminal record checks

Any criminal record checks are justified by law. Criminal record checks cannot be undertaken based solely on the consent of the subject.

## Data portability

Upon request, a data subject should have the right to receive a copy of their data in a structured format. These requests should be processed within one month, provided there is no undue burden and it does not compromise the privacy of other individuals. A data subject may also request that their data is transferred directly to another system. This must be done for free.

## Right to be forgotten

A data subject may request that any information held on them is deleted or removed, and any third parties who process or use that data must also comply with the request. An erasure request can only be refused if an exemption applies.

## Privacy by design and default

Privacy by design is an approach to projects that promote privacy and data protection compliance from the start. As a team we will be responsible for conducting Information Security Risk Assessments and ensuring that all IT projects are adhering to GDPR.

When relevant, and when it does not have a negative impact on the data subject, privacy settings will be set to the most private by default.



## International data transfers

No data may be transferred outside of the EEA without first discussing it with the IMS Representative. Specific consent from the data subject must be obtained prior to transferring their data outside the EEA. Relevant safeguards must be implemented.

## Data audit and register

Regular data audits to manage and mitigate risks will inform the data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant.

## Reporting non-conformity's

All members of staff have an obligation to report actual or potential data protection compliance failures. This allows us to:

- Investigate the non-conformity and take remedial steps if necessary
- Maintain a register of non-conformity's
- Notify the IMs Business Manager or the IMS Representative of any compliance failures that are material either in their own right or as part of a pattern of failures
- The IMS team must notify the Information Commissioners Office of any information security breach.
- All non-conformity's must be reported using the following documents which can be obtained from the IMS Representative:  
[PASF31 \(b\) Non-conformance Report Form](#)  
[PASF32 Corrective Action Report Form](#)

## Monitoring

Everyone must observe this policy. The CEO has overall responsibility for this policy. The IMS Business Manager and IMS Representative will monitor it regularly to make sure it is being adhered to.

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## Consequences of failing to comply

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We take compliance with this policy very seriously. Failure to comply puts both you and the organisation at risk.

The importance of this policy means that failure to comply with any requirement may lead to disciplinary action under our procedures which may result in dismissal.

If you have any questions or concerns about anything in this policy, do not hesitate to contact the IMS Business Manager or the IMS Representative:

[atomlinson@orionms.co.uk](mailto:atomlinson@orionms.co.uk)

[ctorres@orionms.co.uk](mailto:ctorres@orionms.co.uk)

Signed by:

Date: **27.3.19**



**CEO**

Signed by:

Date: **27.3.19**



**Director of Service Delivery**