

Equal

PRIVACY POLICY

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CONTENTS

CLAUSE

1. Scope and Introduction.....	3
2. Purpose	3
3. Personnel Responsible.....	4
4. Definition of data protection terms	4
5. Data protection principles	5
6. Fair and lawful processing	5
7. Processing for limited purposes	6
8. Notifying data subjects.....	6
9. Adequate, relevant and non-excessive processing	6
10. Accurate data.....	7
11. Timely processing	7
12. Processing in line with data subject's rights	7
13. Data security.....	7
14. Transferring personal data to a country outside the EEA	7
15. Disclosure and sharing of personal information.....	7
16. Dealing with subject access requests	8
17. Changes to this policy	8



1. SCOPE AND INTRODUCTION

- 1.1 This policy applies to all Data Users (as defined below).
- 1.2 This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.3 This policy will be reviewed on a regular basis.

2. PURPOSE

- 2.1 This policy sets out rules on data protection and the legal conditions that must be satisfied when EQUAL INTERNATIONAL obtain, handle, process, transfer and store personal data.
- 2.2 Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities EQUAL INTERNATIONAL will collect, store and process personal data about our customers, suppliers and other third parties, and EQUAL INTERNATIONAL recognise that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.
- 2.3 The types of personal data that EQUAL INTERNATIONAL may be required to handle include information about current, past and prospective employees, suppliers, customers, workers, contractors and others that EQUAL INTERNATIONAL communicate with. The personal data, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 1998 (the Act) and other regulations.
- 2.4 This policy and any other documents referred to in it sets out the basis on which EQUAL INTERNATIONAL will process any personal data EQUAL INTERNATIONAL collect from data subjects, or that is provided to us by data subjects or other sources.
- 2.5 Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action.



3. PERSONNEL RESPONSIBLE

- 3.1 The Managing Director has the overall responsibility for the effective operation of this policy including ensuring compliance with any relevant legislation, its maintenance and review.
- 3.2 The Data Protection Compliance Manager is responsible for ensuring our compliance with the Act and with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the Data Protection Compliance Manager.
- 3.3 All Data Users (as defined below) have the day-to-day responsibility for ensuring the effective operation of this policy.

4. DEFINITION OF DATA PROTECTION TERMS

- 4.1 **Data** is information which is stored electronically, on a computer, or in certain paper-based filing systems.
- 4.2 **Data subjects** for the purpose of this policy include all living individuals about whom EQUAL INTERNATIONAL holds personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
- 4.3 **Personal data** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (for example, a name, address or date of birth) or it can be an opinion about that person, their actions and behaviour.
- 4.4 **Data controllers** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with the Act. EQUAL INTERNATIONAL are the data controller of all personal data used in our business for our own commercial purposes.
- 4.5 **Data users** are those of our employees or workers whose work involves processing personal data. Data users must protect the data they handle in accordance with this data protection policy and any applicable data security procedures at all times.
- 4.6 **Data processors** include any person or organisation that is not a data user that processes personal data on our behalf and on our instructions. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on EQUAL INTERNATIONAL's behalf.



4.7 **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

4.8 **Sensitive personal data** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.

5. DATA PROTECTION PRINCIPLES

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- (a) Processed fairly and lawfully.
- (b) Processed for limited purposes and in an appropriate way.
- (c) Adequate, relevant and not excessive for the purpose.
- (d) Accurate.
- (e) Not kept longer than necessary for the purpose.
- (f) Processed in line with data subjects' rights.
- (g) Secure.
- (h) Not transferred to people or organisations situated in countries without adequate protection.

6. FAIR AND LAWFUL PROCESSING

6.1 The Act is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.

6.2 For personal data to be processed lawfully, they must be processed on the basis of one of the legal grounds set out in the Act. These include, among other things, the data subject's consent to the processing, or that the processing is necessary for the performance of a contract with the data subject, for the compliance with a legal obligation to which the data controller is subject, or for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, additional conditions must be met. When processing personal data as data controllers in the course of our business, EQUAL INTERNATIONAL will ensure that those requirements are met.



7. PROCESSING FOR LIMITED PURPOSES

- 7.1 In the course of our business, EQUAL INTERNATIONAL may collect and process the personal data including data EQUAL INTERNATIONAL receive directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and data EQUAL INTERNATIONAL receive from other sources (including, for example, business partners, sub-contractors in technical, payment and delivery services, credit reference agencies and others).
- 7.2 EQUAL INTERNATIONAL will only process personal data for the specific purposes EQUAL INTERNATIONAL collect it for or for any other purposes specifically permitted by the Act. EQUAL INTERNATIONAL will notify those purposes to the data subject when EQUAL INTERNATIONAL first collect the data or as soon as possible thereafter.

8. HOW EQUAL INTERNATIONAL ARE LIKELY TO USE STAFF'S PERSONAL DATA

- 8.1 EQUAL INTERNATIONAL will process data about staff for legal, personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer, for example to pay staff, monitor their performance and to confer benefits in connection with their employment.
- 8.2 EQUAL INTERNATIONAL may process sensitive personal data relating to staff including, as appropriate:
- (a) information about an employee's physical or mental health or condition in order to monitor sick leave and take decisions as to the employee's fitness for work;
 - (b) the employee's racial or ethnic origin or religious or similar information in order to monitor compliance with Equal International opportunities legislation;
 - (c) in order to comply with legal requirements and obligations to third parties.

9. PROCESSING IN LINE WITH YOUR RIGHTS

- 9.1 You have the right to:
- (a) Request access to any personal data EQUAL INTERNATIONAL hold about you.
 - (b) Prevent the processing of your data for direct-marketing purposes.
 - (c) Ask to have inaccurate data held about you amended.
 - (d) Prevent processing that is likely to cause unwarranted substantial damage or distress to you or anyone else.
 - (e) Object to any decision that significantly affects you being taken solely by a computer or other automated process.



10. DATA RETENTION

10.1 EQUAL INTERNATIONAL will not keep personal data for longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required.

11. NOTIFYING DATA SUBJECTS

11.1 If EQUAL INTERNATIONAL collect personal data directly from data subjects, EQUAL INTERNATIONAL will inform them about:

- (a) The purpose or purposes for which EQUAL INTERNATIONAL intend to process that personal data.
- (b) The types of third parties, if any, with which EQUAL INTERNATIONAL will share or to which EQUAL INTERNATIONAL will disclose that personal data.
- (c) The means, if any, with which data subjects can limit our use and disclosure of their personal data.

11.2 If EQUAL INTERNATIONAL receive personal data about a data subject from other sources, EQUAL INTERNATIONAL will provide the data subject with this information as soon as possible thereafter.

11.3 EQUAL INTERNATIONAL will also inform data subjects whose personal data EQUAL INTERNATIONAL process that EQUAL INTERNATIONAL are the data controller with regard to that data, and who the Data Protection Compliance Manager is.

12. ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

EQUAL INTERNATIONAL will only collect personal data to the extent that it is required for the specific purpose notified to the data subject.

13. ACCURATE DATA

EQUAL INTERNATIONAL will ensure that personal data EQUAL INTERNATIONAL hold is accurate and kept up to date. EQUAL INTERNATIONAL will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. EQUAL INTERNATIONAL will take all reasonable steps to destroy or amend inaccurate or out-of-date data. Individuals are responsible for updating their own data via the Cascade database.

14. TIMELY PROCESSING

EQUAL INTERNATIONAL will not keep personal data longer than is necessary for the purpose or purposes for which they were collected. EQUAL INTERNATIONAL will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

15. PROCESSING IN LINE WITH DATA SUBJECT'S RIGHTS

EQUAL INTERNATIONAL will process all personal data in line with data subjects' rights, in

particular their right to:

- (a) Request access to any data held about them by a data controller (see also clause 19).
- (b) Prevent the processing of their data for direct-marketing purposes.
- (c) Ask to have inaccurate data amended (see also clause 13).
- (d) Prevent processing that is likely to cause damage or distress to themselves or anyone else.

16. DATA SECURITY

16.1 EQUAL INTERNATIONAL will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

16.2 EQUAL INTERNATIONAL will put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data will only be transferred to a data processor if they agree to comply with those procedures and policies, or if they put in place adequate measures themselves.

16.3 EQUAL INTERNATIONAL will maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:

- (a) **Confidentiality** means that only people who are authorised to use the data can access it.
- (b) **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed.
- (c) **Availability** means that authorised users should be able to access the data if they need it for authorised purposes. Personal data should therefore be stored on EQUAL INTERNATIONAL's central computer system instead of individual PCs.

16.4 Security procedures include:

- (a) **Entry controls.** Any stranger seen in entry-controlled areas should be reported.
- (b) **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- (c) **Methods of disposal.** Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required.
- (d) **Equipment.** Data users must ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended.

17. TRANSFERRING PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA

17.1 EQUAL INTERNATIONAL may transfer any personal data EQUAL INTERNATIONAL hold to a country outside the European Economic Area ("EEA"), provided that one of the following conditions applies:

- (a) The country to which the personal data are transferred ensures an adequate level of protection for the data subjects' rights and freedoms.
- (b) The data subject has given his consent.
- (c) The transfer is necessary for one of the reasons set out in the Act, including the performance of a contract between us and the data subject, or to protect the vital interests of the data subject.
- (d) The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.
- (e) The transfer is authorised by the relevant data protection authority where EQUAL INTERNATIONAL have adduced adequate safeguards with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

17.2 Subject to the requirements in clause 16.1 above, personal data EQUAL INTERNATIONAL hold may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. That staff may be engaged in, among other things, the fulfilment of contracts with the data subject, the processing of payment details and the provision of support services.

18. DISCLOSURE AND SHARING OF PERSONAL INFORMATION

18.1 EQUAL INTERNATIONAL may disclose personal data EQUAL INTERNATIONAL hold to third parties:

- (a) In the event that EQUAL INTERNATIONAL sell or buy any business or assets, in which case EQUAL INTERNATIONAL may disclose personal data EQUAL INTERNATIONAL hold to the prospective seller or buyer of such business or assets.
- (b) If EQUAL INTERNATIONAL or substantially all of our assets are acquired by a third party, in which case personal data EQUAL INTERNATIONAL hold will be one of the transferred assets.

18.2 If EQUAL INTERNATIONAL are under a duty to disclose or share a data subject's personal data in order to comply with any legal obligation, or in order to enforce or apply any contract with the data subject or other agreements; or to protect our rights, property, or safety of our employees, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction. EQUAL INTERNATIONAL may also share personal data EQUAL INTERNATIONAL hold with selected third parties for the purposes of management and administration.

19. DEALING WITH SUBJECT ACCESS REQUESTS

19.1 Data subjects must make a formal request for information EQUAL INTERNATIONAL hold about them. This must be made in writing. All such written requests should be forwarded to the Managing Director. The Managing Director has 40 days in which to respond to your data request. Employees who receive a written request should forward it to the Data Protection Compliance Manager immediately.

19.2 How to make a data request:

- (a) When requesting your personal information, you should include the following

information:

- (i) your full name, address and contact telephone number;
- (ii) any information used by the organisation to identify or distinguish you from others of the same name (full name, employee number etc.);
- (iii) details of the specific information you require and any relevant dates.

19.3 When receiving telephone enquiries, EQUAL INTERNATIONAL will only disclose personal data EQUAL INTERNATIONAL hold on our systems if the following conditions are met:

- (a) EQUAL INTERNATIONAL will check the caller's identity to make sure that information is only given to a person who is entitled to it.
- (b) EQUAL INTERNATIONAL will suggest that the caller put their request in writing if EQUAL INTERNATIONAL are not sure about the caller's identity and where their identity cannot be checked.

19.4 Our employees will refer a request to their line manager or the Data Protection Compliance Manager for assistance in difficult situations. Employees should not be bullied into disclosing personal information.

20. CHANGES TO THIS POLICY

EQUAL INTERNATIONAL reserve the right to change this policy at any time. Where appropriate, EQUAL INTERNATIONAL will notify data subjects.

21. PERSONAL USE OF OUR SYSTEMS

EQUAL INTERNATIONAL permits the incidental use of internet, e-mail and telephone systems to send personal e-mail, browse the internet and make personal telephone calls subject to certain conditions set out below. Personal use is a privilege and not a right. It must not be overused or abused.

22. MONITORING

22.1 Our systems enable us to monitor telephone, e-mail, voicemail, internet and other communications. For business reasons, and in order to carry out legal obligations in our role as an employer, use of our systems including the telephone and computer systems, and any personal use of them, may be continually monitored by automated software or otherwise. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for business purposes.

22.2 EQUAL INTERNATIONAL reserves the right to retrieve the contents of e-mail messages or check internet usage (including pages visited and searches made) as reasonably necessary in the interests of the business, including for the following purposes (this list is not exhaustive):

- (a) to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this policy;
- (b) to find lost messages or to retrieve messages lost due to computer failure;

- (c) to assist in the investigation of alleged misconduct or wrongdoing; or
- (d) to comply with any legal obligation.

22.3 EQUAL INTERNATIONAL reserves the right to monitor, filter and / or block internet traffic that has accessed web sites or attempted to / procured services that are included in or are similar to the list in paragraph 10.3. This list is not exhaustive.

23. PROHIBITED USE OF OUR SYSTEMS

23.1 Access is granted to the internet, telephones and other electronic systems for legitimate business purposes only. Incidental personal use is permissible provided it is in full compliance with our rules, policies and procedures (including but not limited to this policy, the Equal International Opportunities Policy, Anti-Harassment Policy, Data Protection Policy and Disciplinary Procedure). Personal use of our systems must not interfere with business commitments or commit us to any additional costs.

23.2 Systems may be monitored as described in paragraph 9 and breaches of any EQUAL INTERNATIONAL policy may be dealt with under the Disciplinary Procedure.

23.3 Misuse of the internet and / or email can in some circumstances be a criminal offence. In particular, misuse of the e-mail system or inappropriate use of the internet by participating in online gambling or chain letters or by creating, viewing, accessing, transmitting or downloading any of the material listed below. Any breach of this element of the IT Policy will be treated very seriously. Access to any of the information provided in the list below is not appropriate under any circumstances and if, after investigation, EQUAL INTERNATIONAL finds it amounts to misconduct or gross misconduct it will be dealt with under the Disciplinary Procedure. An investigation may involve the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the Disciplinary Procedure. If necessary, such information may be handed to the police without notice in connection with a criminal investigation. The list below is not exhaustive:

- (a) pornographic material (that is, any content, writing, pictures, films and video clips of a sexually explicit, exploitive or arousing nature);
- (b) offensive, obscene, exploitive or criminal material or material which is liable to cause embarrassment to us or to our clients;
- (c) procurement, or supply, of services that are pornographic, sexual, exploitive, obscene, criminal or offensive;
- (d) a false and / or defamatory statement about any person or organisation;
- (e) material which is discriminatory, explicit, exploitive, offensive, derogatory or may cause embarrassment to others (including material which breaches our policies including our Equal International Opportunities Policy or our Anti-harassment and Bullying Policy);
- (f) confidential information about us or any of our staff or clients (except as authorised in the proper performance of your duties);
- (g) any other statement or action which is likely to create any criminal or civil liability (for you or us) and / or damage EQUAL INTERNATIONAL's reputation; or
- (h) material in breach of copyright.