

Data Protection Policy (GDPR)

Data Protection Policy

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1. Introduction

Evolution Safety Solutions has been established since 2003 and is a responsible awarding organisation recognised and regulated by the Office of Qualifications and Examinations (Ofqual) in England, Qualifications Wales and the CCEA in Northern Ireland. It offers regulated qualifications, primarily aimed at the Health and Safety, First Aid and Security sectors. It also provides endorsement for other courses or qualifications which meet the high standards set by EVOLUTION SAFETY SOLUTIONS.

EVOLUTION SAFETY SOLUTIONS is committed to ensuring that the information it holds on its clients and individuals is held in a secure manner and in accordance with all current legislation and Regulation.

Data Protection in the UK underwent a complete overhaul in May 2018 with the introduction of the General Data Protection Regulations (UK GDPR) mandated by the European Union. Many of the Principles and rules were already in place under the Data Protection Act 1998, however the GDPR expanded on these and added new regulations and, most importantly, enhanced rights for the individual whose data was being processed (the 'Data Subject'). This Policy is designed to set out how EVOLUTION SAFETY SOLUTIONS complies with the new regulations but should also be read in conjunction with our Cookie & Privacy Policy which is publicly available on our website at <https://evolutionsafety.com/privacy-policy>.

Whilst the UK has since withdrawn from the EU, the Data Protection Act 2018 remains in force and is governed by the Information Commissioner's Office which now refers to the regulations which enforce the requirements of the Data Protection Act 2018 as the 'UK GDPR'. Maintaining these regulations enables UK businesses to continue to conduct business with the EU.

This Policy is for internal use only as it contains some proprietary information that is not appropriate to be shared to a wider audience.

2. Principles and Definitions

2.1. Principles

The UK GDPR sets out the Principles as a benchmark for all businesses in respect of Data Protection. These are:

- a) **Lawfulness, fairness and transparency** – there must be identified valid grounds for the collection and use of personal data which must be used fairly and not processed in a way that might be unduly detrimental, unexpected or misleading to the individuals concerned. In addition, companies must be clear, open and honest with individuals about how they will use personal data.
- b) **Purpose Limitation** – companies must be clear about what the purposes are for processing data and must record those purposes and specify them in the privacy information provided to individuals. Data can only be used for a new purpose if that purpose is compatible with the original purpose, consent is obtained from the data subject, or the company has a clear obligation or function set out in law.
- c) **Data Minimisation** – companies must ensure that the personal data they are processing is:
 - Adequate – sufficient to properly fulfil their stated purpose
 - Relevant – has a rational link to that purpose; and
 - Limited to what is necessary – that they do not hold more than needed for that purpose
- d) **Accuracy** – companies must take 'all reasonable steps' to ensure the personal data they hold is not incorrect or misleading as to any matter of fact. They must keep personal data updated where this is required for its use and, if any personal data is found to be incorrect or misleading, take all reasonable

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steps to correct or erase it as soon as possible. Companies should also consider any challenges to the accuracy of the personal data they hold.

- e) **Storage Limitation** – Personal Data should only be kept for as long as is needed. To this end, companies should consider how long personal data is kept and be able to justify any decisions made. A policy must be put in place setting out standard retention periods wherever possible and data held should be reviewed periodically with any no longer required being erased or anonymised. Companies also need to consider any challenges to the data retention policy and remember that individuals have the right to erasure if the data is no longer required. Data may be kept for longer periods if it is for the purposes of public interest, archiving, scientific or historical research, or statistical purposes.
- f) **Integrity and Confidentiality (Security)** – appropriate security measures must be in place to process the personal data being held. These measures should ensure protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- g) **Accountability** – Companies must take responsibility for what they do with personal data and how they comply with the other principles. They must have appropriate measures and records in place to be able to demonstrate their compliance.

2.2. Definitions

There are a number of words and phrases that have a particular meaning when used in relation to the UK GDPR:

Cookies - Cookies are small pieces of data used by web servers to save browsing information, allowing websites to remember your device, browser preferences and associated online activity. As at August 2022, Norton (the computer anti-virus software producer) stated that there are three types of cookies, which are:

- **Persistent cookies:** Persistent cookies can save data for an extended period of time. These are the cookies that allow websites to store username and password information for users.
- **Third-party cookies:** Third-party cookies seek out data regarding your online activity to send back to website owners looking to improve advertisements.
- **Session cookies:** Session cookies delete immediately after closing your browser. These are best known for allowing you to keep items in a shopping cart even after clicking on a different page.

Data Subject – the individual whose data is being processed

Data Controller or Controller – This is who determines the purposes and means of processing personal data. This would normally be the person (including organisations) who has initially gathered the information on the individual, whether as part of a contract or via obtaining their consent, however it would also cover information purchased via marketing data sites, etc. If a Controller uses a Processor to perform the administration or processing of that data, the Controller remains responsible at all times.

Data Processor or Processor – is someone who is responsible for processing data on behalf of a Data Controller. Whilst the Controller will set the purposes, retention policy and means of processing data, this does not mean that a Data Processor would not be held accountable should something go wrong. Data Processors should, therefore, have their own Data Protection Policies and also be registered with the ICO in their own right.

Personal Data – is any information relating to an identifiable person who can be directly or indirectly identified by that information. It covers all paper-based information that is held in a recognisable filing system and electronically held data. Data held under coded entries or pseudonyms may also fall under this

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remit if the individual can be identified relatively easily. The types of data included in this definition includes, but may not be limited to:

- Name
- Date of Birth
- ID documents, such as passports and driving licences or their numbers
- Addresses and postcodes
- IP addresses
- Cookie identifiers
- Email addresses

Special Categories of Personal Data – covers information that could be deemed as being sensitive to the individual, including, but may not be limited to:

- Race or Ethnic Origin
- Political opinions
- Religious or philosophical beliefs
- Trade Union Membership
- Genetic
- Biometrics (for ID purposes)
- Health
- Sex Life
- Sexual Orientation

Sensitive Personal Data does not include Criminal History, which is covered separately under the UK GDPR, however there are similar additional safeguards to consider in respect of both Sensitive Data and Criminal History. EVOLUTION SAFETY SOLUTIONS does not collect or process any Special Category Data.

Lawful Basis – All data must be processed in line with a 'Lawful Basis', which is the reason for processing the data. The lawful basis set out in the UK GDPR are:

- **Consent** – where the Data Subject has given a positive affirmation that they have given us permission to use their data for a specific purpose.
- **Contract** – where we must process the data in order to be able to provide our services and fulfil our contract with our clients.
- **Legal Obligation** – where we are obliged to process the data in order to comply with a law, or regulation based on law.
- **Vital interests** – where it is necessary to process the data in order to save a life. Note: this does not cover health information unless the individual is unable to give their consent
- **Public Task** – where data is processed “in the exercise of official authority” – i.e. for public functions (such as the Police) acting on powers set out in Law; or in the public interest, again where set out in law.

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- **Legitimate Interest** – where data is being processed in a way that the Data Subject would reasonably expect, which have a minimal privacy impact or have a compelling justification for the processing. The Legitimate Interests can be our own, that of our clients or that of third parties and may include commercial or individual interests or have social benefits.

3. Scope & Accountability

3.1. Scope of Policy

The UK GDPR applies to 'Controllers' and 'Processors' of Personal Data (as defined above). This policy covers EVOLUTION SAFETY SOLUTIONS's responsibilities as a Data Controller. In addition, this policy covers the arrangements EVOLUTION SAFETY SOLUTIONS has with third party companies who may act as Data Processors for the purpose of the delivery and awarding of EVOLUTION SAFETY SOLUTIONS qualifications.

All staff working for EVOLUTION SAFETY SOLUTIONS, whether as direct employees or under contract or freelance agreements, are included as part of EVOLUTION SAFETY SOLUTIONS for the purpose of managing personal data under this policy.

The UK GDPR covers all businesses in the UK. The basis of these regulations are linked to the EU GDPR and were introduced when the UK was part of the EU. Whilst the UK has left the EU, the responsibilities have remained largely unchanged. Therefore, this Policy covers all personal data we process, regardless of the location of the individual or the business for whom we are working. The UK GDPR clearly states that Data Controllers and Data Processors are equally accountable for ensuring they can demonstrate compliance with the Principles set out in section 2.1 above.

EVOLUTION SAFETY SOLUTIONS acts as Data Controller for all personal data held of staff members, contract and freelance staff and its clients, insofar as that data is used directly for the purposes of the delivery and award of EVOLUTION SAFETY SOLUTIONS qualifications. EVOLUTION SAFETY SOLUTIONS will also act as joint Data Controller with its Awarding Bodies in respect of the personal data of learners taking a EVOLUTION SAFETY SOLUTIONS qualification. This is because we remain Data Controller of the Learner's personal data as they are our direct clients to whom we are delivering the qualifications. Dependant on the arrangements with the learner, this may also mean we are able to conduct marketing to those learners. The Awarding Bodies we deliver for is also the Data Controller in respect of the awarding of those qualifications, including the quality assurance and issuing of results and certificates.

3.2. Accountability

The Data Protection Officer is Laura Chisholm who is also the Director. She has day to day responsibility for ensuring EVOLUTION SAFETY SOLUTIONS is compliant at all times with the UK GDPR and associated data protection legislation.

4. Information Mapping

EVOLUTION SAFETY SOLUTIONS have performed an information mapping exercise in order to determine what information we collect and process, the reason we process that information, the lawful basis we have applied to processing the data and the rationale for why that is the most appropriate lawful basis. We have also looked at how long we store data and how it is deleted or destroyed.

A copy of the mapping exercise can be found at Appendix 1.

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5. Websites and Cookies

EVOLUTION SAFETY SOLUTIONS has a secure website at <https://evolutionsafetyolutions.co.uk> which is hosted by Siteground. The website is built and managed internally by EVOLUTION SAFETY SOLUTIONS.

The Website asks visitors to accept strictly necessary cookies only. These are so that visitors do not have to accept cookies every time they visit the Website but only allows that choice to be stored on the visitor's own internet browser. No information is stored by the Website regarding visitors and EVOLUTION SAFETY SOLUTIONS does not use any form of analytics to track numbers of visitors, etc. to the Website (e.g. Google Analytics). For clarity, EVOLUTION SAFETY SOLUTIONS does not collect or store any IP addresses of visitors to our website, nor is any data collected in a way that would make that visitor identifiable.

The secure portal used by EVOLUTION SAFETY SOLUTIONS's Approved Evolution Safety Solutions and staff is <https://evolutionsafetyolutions.co.uk> which is also hosted by UENI. This is only accessible by registered users and not by the general public. Web usage data is collected on this site to enable us to build a demographic profile or to improve the services provided. This data may also be used to ensure compliance with our statutory regulations in the provision of qualifications.

6. Sharing Information

EVOLUTION SAFETY SOLUTIONS does not share its information unless it is required to do so by law or statutory regulation. We may share information with our clients that are strictly pertaining to them, their staff or learners who have enrolled with them (e.g. the learner's results, etc.), etc. however, this would normally be as the Data Processor under the contract for services in place with our clients.

7. Security of Information

EVOLUTION SAFETY SOLUTIONS ensures that all information held is encrypted. Files are stored on the Cloud server hosted by:

- Evolution Safety Solutions: hosted by UENI and secured by SSL Certificate
- iCloud: Hosted by Apple and encrypted using the Apple encryption software.

8. Data Subject Rights

EVOLUTION SAFETY SOLUTIONS is committed to ensuring that all Data Subjects have easy access to the Rights afforded to them by the UK GDPR. Details of these rights and how we will ensure we can provide these are included on Appendix 2 of this document.

Data Subjects are given clear instructions how to access their rights within the Privacy Policy which is publicly available on our website.

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9. Ongoing Review

EVOLUTION SAFETY SOLUTIONS will ensure that this Policy, together with all related policies, such as our Privacy Policy, are reviewed and updated on a regular basis, but at least biennially. This frequency will itself be reviewed dependent upon changes to the business, the sector or the regulations affecting us.

A handwritten signature in black ink, appearing to read 'Mark Lewis', is positioned above a faint, light blue circular stamp. The signature is fluid and cursive.

This policy was approved by: Mark Lewis – 20th December 2022
Review Due 24 months from approval – 20th December 2024.

Appendix 1 – Information Mapping Exercise

Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
Candidate registration form	Candidate first and last name	Evolution Safety Solutions	Awarding Organisations	"Clearly and uniquely" identify a learner as required by G5.1 (a)	Evolution Safety Solutions store this document. Some data is passed to us - see below- we will be sent this information during moderation and sampling, but it will be returned to centre if in hard copy or dropbox if scanned.	Contract / Legal Obligation	Controller and Processor
	Candidate contact address	Evolution Safety Solutions		Contact if carrying out an investigation, revoke a certificate I4.2 (c)		Contract / Legal Obligation	Controller and Processor
	Candidate postcode	Evolution Safety Solutions				Contract / Legal Obligation	Controller and Processor
	Candidate Email address	Evolution Safety Solutions				Contract / Legal Obligation	Controller and Processor
	Candidate Date of birth	Evolution Safety Solutions		"Clearly and uniquely" identify a learner as required by G5.1 (a)		Contract / Legal Obligation	Controller and Processor
	Candidate Gender	Evolution Safety Solutions		Unknown			Controller and Processor
	Candidate ID Types	Evolution Safety Solutions		Audit that we have met G5.1(b)		Contract / Legal Obligation	Controller and Processor
	Disability as defined by equality act?	Evolution Safety Solutions		Provide reasonable adjustments as required by Equality Act 2010. Also required by Positive indicators for C2		Contract / Legal Obligation	Controller and Processor
	Medical condition or additional support needs	Evolution Safety Solutions		Provide reasonable adjustments as required by Equality Act 2010 and Condition G7		Contract / Legal Obligation	Controller and Processor
	English as a first language	Evolution Safety Solutions		Provide reasonable adjustments as required by Equality Act 2010 and G6.3		Contract / Legal Obligation	Controller and Processor

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
EVOLUTION SAFETY SOLUTIONS system	Learner first and last name	Evolution Safety Solutions	Awarding Organisations and freelance IQAs	"Clearly and uniquely" identify a learner as required by G5.1 (a), also I1.4 (a), I2.3(a), I3.2(a)	EVOLUTION SAFETY SOLUTIONS - online. Downloaded to laptops shared within EVOLUTION SAFETY SOLUTIONS via Dropbox	Contract / Legal Obligation	Controller and Processor
	Date of birth	Evolution Safety Solutions		"Clearly and uniquely" identify a learner as required by G5.1 (a)		Contract / Legal Obligation	Controller and Processor
	ID Types	Evolution Safety Solutions		Audit that we have met G5.1(b)		Contract / Legal Obligation	Controller and Processor
	Gender	Evolution Safety Solutions		Unknown			
Assessment feedback/portfolios	Full name	Evolution Safety Solutions	Regulators on request	Meet requirement of H6.1 and H5. Also I4.2 (a) & (b), I1.4	Evolution Safety Solutions store this document. Some data is passed to us - see below- we will be sent this information during moderation and sampling, but it will be returned to centre if in hard copy or dropbox if scanned.	Contract / Legal Obligation	Controller and Processor
	Signature	Evolution Safety Solutions		E4.2 (e), G9.2 (e)		Contract / Legal Obligation	Controller and Processor
	Date of birth	Evolution Safety Solutions		E4.2 (e), G9.2 (e)		Contract / Legal Obligation	Controller and Processor
	Result	Evolution Safety Solutions		Meet requirement of H6.1 and H5. Also I4.2 (a) & (b), I1.4		Contract / Legal Obligation	Controller and Processor
	Full name	Evolution Safety Solutions		Meet requirement of H6.1 and H5. Also I4.2 (a) & (b), I1.4	Original - returned to centre via	Contract / Legal Obligation	Controller and Processor

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MCQ Answer sheet	Signature	Evolution Safety Solutions	Regulators on request	E4.2 (e), G9.2 (e)	normal post. Scanned are retained on Dropbox and archived in a iCloud storage facility Evolution Safety Solutions	Contract / Legal Obligation	Controller and Processor
	Date of birth	Evolution Safety Solutions		E4.2 (e), G9.2 (e)		Contract / Legal Obligation	Controller and Processor
	Result	Evolution Safety Solutions		Meet requirement of H6.1 and H5. Also I4.2 (a) & (b), I1.4		Contract / Legal Obligation	Controller and Processor

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
					store this document. Some data is passed to us - see below- we will be sent this information during moderation and sampling, but it will be returned to centre if in hard copy or dropbox if scanned.		
Centre application	Head of centre name	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)	The centre, Other AOs A8.7 notification, Freelance IQAs	Provides link between AO and Centre for purpose of complying with elements of C2.3	EVOLUTION SAFETY SOLUTIONS	Contract / Legal Obligation	Controller
	HOC Email address	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)				Contract / Legal Obligation	Controller
	Business address (maybe home)	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)		Forms part of centre agreement (Contract) C2.2		Contract / Legal Obligation	Controller

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	Exams officer name/main contact	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)	The centre, Freelance IQAs	Provides link between AO and Centre for purpose of complying with elements of C2.3	Contract / Legal Obligation	Controller
	Exams email	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)			Contract / Legal Obligation	Controller
	Contact address (maybe home)	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)		Arrange site visits in order to undertake moderation / monitoring activities - H2 & C2.3 (c)	Contract / Legal Obligation	Controller
	Invoice / Finance name	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)		Legal requirement for invoices https://www.gov.uk/invoicing-and-taking-payment-from-customers/invoices-what-they-must-include, name is	Contract / Legal Obligation	Controller
	Invoice address (maybe home)	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)			Contract / Legal Obligation	Controller

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
				added to ensure correct addressing			
	Tel (may be personal)	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)		TO chase invoices or to discuss content of invoice		Contract / Legal Obligation	Controller
	Email (may be personal)	EVOLUTION SAFETY SOLUTIONS (EVOLUTION SAFETY SOLUTIONS)		Used as address for invoice as email is most common form of communication		Contract / Legal Obligation	Controller
Appeals application form	Head of centre name	Centre	EVOLUTION SAFETY SOLUTIONS Staff, Independent reviewer	nominated person to deal with appeals C2.3i	Dropbox	Contract / Legal Obligation	Controller
	Email address (may be personal)	Centre				Contract / Legal Obligation	Controller
	Telephone	Centre				Contract / Legal Obligation	Controller
	Learner names	Centre		I1		Contract / Legal Obligation	Controller
	Qualification appealing	Centre		I1		Contract / Legal Obligation	Controller
	Learner Date of Birth	Centre		Uniquely identify the learner. Also positive indicator G9 "appropriate safeguards to identify and authenticate each Learner's work";		Contract / Legal Obligation	Controller

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	Ground for appeal	Centre		I1		Contract / Legal Obligation	Controller
Trainer application	Trainer name	EVOLUTION SAFETY SOLUTIONS	EVOLUTION SAFETY SOLUTIONS Staff (EQAS), Centre staff	Check our compliance with C2.3 (f) and (g)	EVOLUTION SAFETY SOLUTIONS online system	Contract / Legal Obligation	Controller

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
	Email address	EVOLUTION SAFETY SOLUTIONS	EVOLUTION SAFETY SOLUTIONS Staff (EQAS), Head of centre, IQA - optional other delivery staff and Exams officer	Have as a user on the system	EVOLUTION SAFETY SOLUTIONS online system	Contract	Controller
	Photo	EVOLUTION SAFETY SOLUTIONS		Allows us to confirm identity on visit and assist with required monitoring under C2.3 (c)	EVOLUTION SAFETY SOLUTIONS online system	Consent / Legal Obligation	Controller
	Address	EVOLUTION SAFETY SOLUTIONS		Enables us to contact trainers in relation to malpractice investigation under C2.3 (c), A8.2 and A8.4	EVOLUTION SAFETY SOLUTIONS online system	Contract / Legal Obligation	Controller
	Tele	EVOLUTION SAFETY SOLUTIONS		Enables us to contact trainers in relation to malpractice investigation under C2.3 (c), A8.2 and A8.4	EVOLUTION SAFETY SOLUTIONS online system	Contract / Legal Obligation	Controller
	Date of birth	EVOLUTION SAFETY SOLUTIONS		Enables us to confirm the identity of the trainers delivering our qualifications and meet C1.1 (a) and C2.3(f)	EVOLUTION SAFETY SOLUTIONS online system	Contract / Legal Obligation	Controller
	Copies of certs	EVOLUTION SAFETY SOLUTIONS		Demonstrate occupational competence in order to differentiate between a range of levels of attainment as per C2.3(f) and (g)	EVOLUTION SAFETY SOLUTIONS online system	Contract / Legal Obligation	Controller
	CV	EVOLUTION SAFETY SOLUTIONS			EVOLUTION SAFETY SOLUTIONS	Contract / Legal Obligation	Controller

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		SOLUTIONS			SOLUTIONS online system		
	CPD record	EVOLUTION SAFETY SOLUTIONS		Allows trainer to record CPD and for EVOLUTION SAFETY SOLUTIONS to check they are maintaining occupational competence to comply with C2.3 (f) and (g)	EVOLUTION SAFETY SOLUTIONS online system	Consent / Legal Obligation	Controller
Generated by us A8.7 notification	Staff member name	Compliance manager	Other AOs	Compliance with A8.7	Email server and Dropbox	Legal Obligation	Controller
	Centre name					Legal Obligation	Controller

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
	Centre address (maybe home)					Legal Obligation	Controller
	Accusation/finding					Legal Obligation	Controller
Sent to us us A8.7 notification	Staff member name	Any email account	Compliance manager, EQA team, Centre support	Compliance with A8.7	Email server and Dropbox	Legal Obligation	Controller
	Centre name					Legal Obligation	Controller
	Centre address (maybe home)					Legal Obligation	Controller
	Accusation/finding					Legal Obligation	Controller
Supplier invoicing/bills	Supplier name	Accounts team via an invoice	Accountant, possibly HMRC	In order to pay for goods and services	xero external software in NZ or US	Contract	Controller
	Account number						Controller
	Main contact						Controller
	Main contact email address						Controller
	Contact address						Controller
	Postal address						Controller
	Company number						Controller

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Document	Data Type	Collected by	Shared with	Purpose	Storage location	Lawful basis for processing	Controller or processor
Customer invoice	Company name	EVOLUTION SAFETY SOLUTIONS	Debt recovery company, HMRC, accountant	In order to invoice clients for products and services and to demonstrate compliance with tax rules	Zoho external software in NZ or US, Dropbox, EVOLUTION SAFETY SOLUTIONS	Contract / Legal obligation	Controller
	Account number (Centre number)	EVOLUTION SAFETY SOLUTIONS					Controller
	Invoice contact name	EVOLUTION SAFETY SOLUTIONS	Debt recovery company, HMRC, accountant				Controller
	Contact email address	EVOLUTION SAFETY SOLUTIONS	Debt recovery company, HMRC, accountant				Controller
	Company address (may be personal)	EVOLUTION SAFETY SOLUTIONS	Debt recovery company, HMRC, accountant				Controller
	Postal address (May be personal)	EVOLUTION SAFETY SOLUTIONS	No one				Controller
	Company registration number	Companies house	Debt recovery company, HMRC, accountant				Controller
	VAT Number	Invoices	Debt recovery company, HMRC, accountant				Controller
	Skype name	(Appears to auto fill)	No one	No reason but part of Zoho function	Zoho external software in NZ or US,	Consent	Controller

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Appendix 2 – Data Subject Rights

Data Subject Right	Details of Right	How Accessed	Who Receives Request	Who Responsible for fulfilment	Timescale for escalation to responsible person	How is right fulfilled?	Timescale for fulfilment	Comment
To be informed	Must be informed of what data is collected and how used, etc.	Details provided within Cookie & Privacy Policy available on website	N/A – accessible directly	Data Protection Officer	N/A	Accessible on website	Immediate	No action required due to publicly available
To have access	Can request copy of all data held by EVOLUTION SAFETY SOLUTIONS directly relating to the data subject, free of charge*	Via email, postal request or verbally (i.e. telephone)	Administration	CEO & Administration	3 working days	Administration will collate all relevant information which will be checked by the CEO prior to issuing to data subject to ensure that there is no information included which should not be nor anything excluded	20 Working days (standard is one calendar month, so this ensures compliance)	A 'reasonable' fee can be applied if request is unfounded or excessive. CEO will liaise with Data Protection Officer regarding this
Of Rectification	Usually following an access request, can ask for any inaccuracies to be amended	Via email, postal request or verbally (i.e. telephone)	Administration	CEO & Administration	3 working days	Immediately, Data Subject details will be restricted and not processed until request is fully completed. Administration will check the rectification requested to ensure it is accurate and then pass to CEO to double check. Written confirmation that the amendment has been made or why it was not made must be sent to Data Subject	20 working days (standard is 1 calendar month so ensures compliance)	If rejected and Data Subject appeals, Data Protection Officer to look at case. Final appeal can be made to Governing Board

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Of Erasure	All data to be erased permanently – subject to legal or regulatory restrictions	Via email, postal request or verbally (i.e. telephone)	Administration	Administration & Data Protection Officer	3 working days	Immediately, Data Subject details will be restricted and not processed until request is fully completed. Administration will refer the request directly to DPO with any details of Data Subject (e.g. if member, learner, public, etc.). DPO to look at case and determine if data can be erased. If so, will instruct Admin to delete data, depending where held. DPO to write to Data Subject (email is fine) to inform them of decision and give reasons.	20 working days (standard is one calendar month so ensures compliance)	If case is rejected and Data Subject appeals decision, then will be escalated to CEO in first instance then to Governance Committee
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Data Subject Right	Details of Right	How Accessed	Who Receives Request	Who Responsible for fulfilment	Timescale for escalation to responsible person	How is right fulfilled?	Timescale for fulfilment	Comment
To restrict processing	Asks for data to be 'archived' and not processed in any way, usually for a defined period – subject to legal and regulatory restrictions	Via Email, postal request or verbally (i.e. telephone) All processing is restricted whilst dealing with request for data portability, or objection, erasure or rectification	Administration	Administration & Data Protection Officer	3 working days	Usually actioned immediately. If restriction is to be permanent, DPO to look into reasons why and determine if this is appropriate given any legal or regulatory requirements.	20 working days (standard is 1 calendar month so this ensures compliance)	If there are legal or regulatory issues which means restriction cannot be held for time asked by Data Subject, full details of those to be provided to them. Appeals to go to Governing Board
To Object	Can object to processing data for the purposes of statistics or marketing, etc.	Via Email, postal request or verbally (i.e. telephone).	Administration	Administration & CEO	3 working days	Immediately, Data Subject details will be restricted and not processed until request has been fully completed. Admin will look at objection being made and pass details to CEO who will decide if objection is appropriate. If so, Data to be archived and Data Subject informed of decision in writing (email).	20 working days (standard is 1 calendar month so this ensures compliance)	Unlikely to be any reason to reject a request but must ensure the request does not encroach on any regulatory requirements and that the Data Subject understands their data will continue to be processed for those reasons only.
Data Portability	Can request that all electronic data held is securely sent across to another provider, nominated by the Data Subject. Subject to legal and regulatory requirements	Via Email, postal request or verbally (i.e. telephone)	Administration	Administration & CEO	3 working days	Immediately, Data Subject details will be restricted and not processed until request completed. Admin to look to see where data is held and move to a single electronic folder. CEO to check data and ensure no errors in inclusions or omissions. If all okay, Electronic folder to be encrypted, if necessary, zipped, and the receiving provider to be contacted to arrange transfer. All possible security checks to be made prior to transfer, such as asking Data Subject to pass on a secure password to access the files, etc. Once completed, inform Data Subject in writing. Also inform them if we have to retain a copy of the information in order to fulfil legal or regulatory requirements.	20 working days (standard is 1 calendar month so ensures compliance)	There should be no reason to refuse request unless security cannot be confirmed with new provider. If necessary, request assistance from Serif for encryption.

Data Protection Policy

Data Subject Right	Details of Right	How Accessed	Who Receives Request	Who Responsible for fulfilment	Timescale for escalation to responsible person	How is right fulfilled?	Timescale for fulfilment	Comment
Related to Automated Decision Making including Profiling	Applies to where a decision is made that affects a data subject and has been made by an automated system with no human involvement. A data subject has the right to be informed this is the case plus be provided with simple ways to request human intervention or challenge a decision. The Data Controller must also carry out regular checks of such automated system	Via Email, postal request or verbally (i.e. via telephone)	The Centre, EDClass (providers of the proctoring system) or EVOLUTION SAFETY SOLUTIONS Administration	Administration & CEO	3 working days	If a Data Subject requests that their results not be calculated by the automated system, then their request would be sent to Centre Support either by the Centre or by EDClass to arrange for their answer sheet to be marked manually. This would be undertaken by a member of EVOLUTION SAFETY SOLUTIONS staff as soon as the answer sheet is downloadable from EDClass. Where the result has already been calculated and the learner is challenging the decision, the request will be treated as an Appeal under EVOLUTION SAFETY SOLUTIONS's Appeals Policy	10 working Days	Refer to the Appeals Policy for full details of timescales, etc. depending on whether the appeal is escalated if denied in the first instance.
To Complain	Data subject has the right to complain about how their data is stored or processed by us and also to escalate a complaint to the ICO if unsatisfied with the outcome	Via email, postal complaint or verbally (i.e. telephone)	Administration	Data Protection Officer	3 working days	DPO to look at the whole case and provide a response to the Data Subject within 10 working days of receipt of the complaint. If still unsatisfied, Data Subject can appeal to the Governance Committee. This will be issued to them via email with a request that a committee, excluding the DPO, be convened, either in person, via Skype or via email, to look at the case and provide an opinion. The CEO will then respond to the Data Subject with the final decision on the complaint	10 working days – DPO response 30 working days (total) – Governance Committee (if appealed)	This should be in line with our Complaints procedures.