

Data Protection Policy



Leisure Training & Consultancy North East

Policy information	
Organisation	<p>The name of the organisation responsible as the Data Controller</p> <p>Leisure Training and Consultancy North East Ltd</p>
Scope of policy	<p>This policy relates to all operations and trading by Leisure Training and Consultancy North East Ltd. This covers the registered company address and also remote sites where services and courses are provided.</p> <p>Leisure Training and Consultancy does not sub-contact any data processing and does not pass details to third party organisations, save for the processing of certification with Sport Governing Bodies and Awarding Organisations.</p> <p>The use of personal data from our customers allows us to run our business efficiently and effectively for the benefit of our customers. The data we use also enables us to comply with relevant regulations and legal obligations relating to the services which we provide and also guidance under Health and Safety Legislation. Examples of this are checking to ensure age pre-requisites are met as laid down by awarding bodies and also identifying reasonable adjustments for candidates under the Equality Act 2010.</p>
Policy operational date	<p>This revised policy came into force on 25th May 2018 in line with the introduction of the GDPR Regulations 2018.</p>
Policy prepared by	<p>This policy was prepared by Graeme Morgan (Company Director) and will be reviewed at least every three years from the date of introduction.</p>
Date approved by Board/ Management Committee	<p>Policy approved by Company Director</p>
Policy review date	<p>Policy to be reviewed no later than May 25th 2021.</p>

Introduction

Purpose of policy

This policy is in place to ensure that Leisure Training and Consultancy North East Ltd complies with current legislation in force in the UK where there company trades.

The policy is also to ensure that Leisure Training and Consultancy North East Ltd follows current good practice in relation to the control and protection of personal data and how such data, when properly collected, is then used. This policy is also in place to ensure fairness, openness and integrity in all our dealings with clients and third parties and also to ensure that the rights of our clients and staff are properly respected.

This policy is to ensure that personal data that has been entrusted to Leisure Training and Consultancy North East Ltd by our clients is used in a correct manner and is not held un-necessarily. The policy also gives guidance to staff and associate tutors on how to use data which has been provided. By handling data correctly and proportionately we believe our clients will be properly protected against any possible data breaches or loss of personal data which would negatively impact on our clients and their confidence in our company. The policy is also in place to ensure that the rights of clients are protected (including under the ECHR Rights to Private Life etc) and to promote honesty and integrity in our dealings with our clients.

This policy is in place to protect Leisure Training and Consultancy North East Ltd from data breaches and the negative commercial consequences that this would have on the company.

<p>Types of data</p>	<p>Leisure Training and Consultancy North East Ltd will process the following categories of data;</p> <p>Personal – for the administration of training courses including passing details to awarding bodies in order for certificates to be issued to successful candidates. This data will also be used to ensure compliance with Approved Training Centre status with our awarding bodies.</p> <p>Sensitive – the processing of sensitive data will only be done where a candidate applies to participate in a training course or event and discloses a medical condition which would affect their participation for either medical or safety reasons, or would require a reasonable adjustment to enable effective learning. This information would be used with the consent of the client to inform the relevant tutor to enable adjustments to be made or to ensure safety during the event or training course. This information would not be used for any other purpose and would never be shared with any other organisation.</p> <p>https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/</p>
<p>Policy statement</p>	<p>By implementing this policy, Leisure Training and Consultancy North East Ltd makes a firm commitment to:</p> <ul style="list-style-type: none"> • comply with both the law and good practice • respect individuals’ rights • be open and honest with individuals whose data is held • provide training and support for staff who handle personal data, so that they can act confidently and consistently • Notify the Information Commissioner voluntarily, even if this is not required <p>The company notes the guidance from ICO on when breaches should be reported as this is one of the main changes from the current Data Protection Act and GDPR (https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/)</p> <p>The company notes the information on individuals’ rights which is another key change (https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/)</p>

Key risks

Leisure Training and Consultancy North East Ltd identifies the main risks within the organisation are in two key areas:

- information about data getting into the wrong hands, through poor security or inappropriate disclosure of information
- individuals being harmed through data being inaccurate or insufficient

Responsibilities	
The Board / Company Directors	Leisure Training and Consultancy North East Ltd recognises that the Company Directors have overall responsibility for ensuring that the organisation complies with its legal obligations.
Data Protection Officer	<p>Leisure Training and Consultancy North East Ltd has appointed Graeme Morgan (Company Director) as the Data Protection Officer within the company</p> <p>Their responsibilities include:</p> <ul style="list-style-type: none"> • Briefing all staff and associate tutors on Data Protection responsibilities • Reviewing Data Protection and related policies • Advising other staff on tricky Data Protection issues • Ensuring that Data Protection induction and training takes place • Notification to the ICO • Handling subject access requests • Approving unusual or controversial disclosures of personal data
Specific Department Heads	There are no specific Heads of Departments within Leisure Training and Consultancy North East Ltd that this would apply to.
Employees & Volunteers	<p>All staff and volunteers should be required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.</p> <p>All staff, associate tutors and volunteers will be issued an up to date copy of this policy and any future revisions will be issued when these go live.</p>
Enforcement	<p>Leisure Training and Consultancy North East Ltd acknowledges the role of the ICO in the enforcement of Data Protection legislation.</p> <p>Within Leisure Training Consultancy North East Ltd, all staff, associate tutors and volunteers will be informed that Data Protection breaches cannot and will not be tolerated. Any breach or potential breach will be thoroughly investigated by the Data Protection Officer and, if necessary, either remedial or disciplinary action would be taken.</p>

Security	
Scope	The scope of the security measures employed by Leisure Training and Consultancy North East Ltd are to ensure proper and effective protection of data but also to ensure business continuity and business security.
Setting security levels	<p>Only Company Directors and the Company Administrator have access to all data held by Leisure Training and Consultancy North East Ltd.</p> <p>Associate Tutors are allowed access to data relevant to courses which they are actively teaching and completed paperwork is then returned to the company office when a course or event is completed and there is no need for the tutor to remain with access to this. The same remains for any volunteer delivering a course directly, but volunteers assisting on courses will not have direct access to personal information of clients as this will remain the responsibility of the Course Tutor.</p>
Security measures	<p>Leisure Training and Consultancy North East Ltd stores data both physically and electronically. The following security measures are currently in place to ensure against unauthorised access;</p> <p>Electronic Storage – data is stored on a storage drive which is password protected. Although this can be accessed remotely, the operator would need access to the username and password to be able to access the drive. Only Company Directors and the Company Administrator currently have this access.</p> <p>Physical storage – data is stored in the format of assessment records and candidate assessment reports as well as application forms and other associated paperwork. This related to the provision and administration of training courses and other events. All paperwork is stored at the registered company address in a specific room and is then secured further in storage boxes. Only Company Directors and the Company Administrator would normally have access to this.</p> <p>When physically stored data is passed to Course Tutors for the purpose of running a training course or event, this is done so in sealed packaged and handed directly to the Course Tutor – never via a third party.</p>
Business continuity	To ensure business continuity, much of the data held by Leisure Training and Consultancy North East Ltd is held in both a physical and electronic format. The vast majority of data (should there be a breach or loss) is recoverable. Copies of accounts, invoices and course registers are backed up to enable ease of recovery.

Specific risks	Leisure Training and Consultancy North East Ltd has not identified any specific or excessive risks associated with data storage at this time. Generic risks which have already been identified in this policy have been addressed and measures put in place as described above
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Data recording and storage	
Accuracy	<p>Leisure Training and Consultancy North East is committed to ensuring the best possible levels of data quality and accuracy.</p> <p>Where information is taken over the telephone, this is checked back with the individual.</p> <p>When information is provided by a candidate (whether through application form, letter or electronic communication), this will be checked by the Course Tutor at the point of attendance on the course as an additional level of accuracy check. In addition, for certain course, the candidate will be required to supply photographic ID at the start of the course.</p>
Updating	Leisure Training and Consultancy North East Ltd will conduct periodic checks to ensure that data held is both necessary and required. Data that is no longer required will be disposed or discarded in a safe manner that poses no risks to either the individual or the company.
Storage	Storage of physical and electronic data is outlined above.
Retention periods	Leisure Training and Consultancy will retain data for at least 7 years when relating to the provision of training courses and events. This is in line with best practice and guidance from the Health and Safety Executive. As many of the courses provided relate to operation safety (eg National Pool Lifeguard Qualification) then this guidance and 7 year period is deemed both necessary and proportionate – especially if required in any subsequent investigation.
Archiving	Leisure Training and Consultancy North East Ltd will archive data (both electronically and physically) in line with the 7 year retention guidance. This data will be stored in line with HSE guidance and in the methods outlined above.

Right of Access	
Responsibility	Leisure Training and Consultancy North East Ltd has designated Graeme Morgan (Company Director) as being responsible for ensuring that right of access requests are handled within the legal time limit which is one month.
Procedure for making request	<p>Right of access requests must be in writing. There is a clear responsibility on all staff, course tutors and volunteers to pass on anything which might be a subject access request to the appropriate person without delay.</p> <p>Leisure Training and Consultancy North East Ltd recognises that requests are infrequent and can be complex. They may require taking legal advice</p> <p>https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/</p>
Provision for verifying identity	Where the person managing the access procedure does not know the individual personally the application will be subject to verification of identity. This will be depend on how the request is received and from whom, but the procedure will be robust. All checks made and their outcome will be recorded.
Charging	<p>Leisure Training and Consultancy North East Ltd will aim to provide the information free of charge. However a 'reasonable fee' will be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive.</p> <p>A reasonable fee to comply with requests for further copies of the same information will be charged.</p> <p>The fee will be based on the administrative cost of providing the information and outlined to the person making the request before the information is released.</p>
Procedure for granting access	If the request is made electronically, the information will be provided in a commonly used electronic format.

Transparency

Commitment	Leisure Training and Consultancy North East Ltd is committed to ensuring that Data Subjects are aware that their data is being processed and <ul style="list-style-type: none">• for what purpose it is being processed• what types of disclosure are likely, and• how to exercise their rights in relation to the data
Procedure	Leisure Training and Consultancy North East Ltd will ensure that Data Subjects are aware of how and why their data is being used by; Informing clients on the application form as part of the application procedure. Informing Course Tutors at the point of request why their data is being requested and why it is being held. This may sometimes be in a written or alternatively verbal format. By publishing this policy on the company website and informing course candidates that it is readily available.
Responsibility	The responsibility for these procedures lies with the Company Directors in all cases.

Lawful Basis

Underlying principles	<p>Leisure Training and Consultancy North East Ltd holds and processes data for the following lawful purposes;</p> <p>To facilitate the efficient and effective running of the company and to ensure clients receive the best possible service.</p> <p>To ensure effective Health and Safety control of all operations, bearing in mind that some activities on offer are physically demanding and have specific and significant risks attached.</p> <p>To ensure that all achievements are properly processes, identified and registered with the appropriate awarding body.</p> <p>(https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/)</p>
Opting out	<p>Any client may opt out of our requirements for data collection and retention. However, should they request this, they will be informed of the potential detrimental impact to them with regards to both registering achievement and health and safety implications.</p>
Withdrawing consent	<p>Leisure Training and Consultancy North East Ltd acknowledges that, once given, consent can be withdrawn, but not retrospectively. There may be occasions where the organisation has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.</p>

Employee training & Acceptance of responsibilities

Induction	Leisure Training and Consultancy North East Ltd will ensure all employees who have access to any kind of personal data have their responsibilities outlined during their induction procedures.
Continuing training	<p>Leisure Training and Consultancy North East Ltd will ensure that any training needs for staff, Course Tutors or volunteers that are identified will be addressed effectively and efficiently.</p> <p>Any changes in legislation or guidance from relevant organisations will be enacted as soon as practicable.</p>
Procedure for staff signifying acceptance of policy	Staff and Course Tutors are asked to confirm that they have received, understood and agree to implement this policy

Policy review

Responsibility	Leisure Training and Consultancy will ensure that this policy is checked and updated as necessary by a Company Director.
Procedure	All staff and Course Tutors working with Leisure Training and Consultancy North East Ltd at the time of the next review will be consulted as to any changes deemed necessary and asked to identify any areas they believe could be improved. Continual improvement is an important feature of our operations and gives opportunity for improving our systems and policies for the ultimate benefit of our clients.
Timing	The next full review of this policy is due NO LATER THAN 25 th May 2021.