

Data Protection Policy

Document Control			
Document Title		Data Protection Policy	
Version	3.2	Author(s)	Gerry Forde
Date Approved	6/11/2017	Document Status	Final
Effective Date	6/11/2017	Approved By	Fintan Healy
Superseded Version	Data Protection Policy v3.1	Date of Next Review	01/12/2020

EssentialSkillz is committed to best practice, and all activities are carried out in line with relevant Irish, UK, and EU legislation. This includes, but is not limited to the Irish Data Protection Act 1988 and Data Protection (Amendment) Act 2003, the UK Data Protection Act 1998 (DPA), the EU Data Protection Directive 95/46/EC, and the EU General Data Protection Regulation (“GDPR”).

EssentialSkillz are registered as a *data processor* with the Irish Data Protection Commissioner. Our registration reference number is 9517/A.

Data Protection Principles

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under Irish and UK data protection acts, the EU Data Protection Directive 95/46/EC, and the EU General Data Protection Regulation (“GDPR”).
7. Appropriate technical and organisational measures shall be taken against unauthorised and unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Accountability

Although all staff have a responsibility for adhering to our *Data Processing Policy*, senior management have day-to-day responsibility for developing, implementing and monitoring the data protection policy. This ensures the policy is effectively managed and coordinated.

Education and awareness

All staff are briefed on their data protection responsibilities upon appointment, with training updates at regular intervals or when required. Specialist training for staff with specific duties, such as marketing, information security and database management, is provided.

Commitments

Obtain and process information fairly

All data within Workwize has been provided by our client company and/or uploaded by us on their behalf and/or input directly by the client company employees and/or generated by Workwize in the course of tracking online training courses and risk assessments. Users are made aware that the information they are submitting is for the purpose of completing online training courses and risk assessments.

Keep data for a specified and lawful purpose.

Workwize only records data pertinent to the training and risk assessments undertaken by employees of our client companies. The information is retained to compile a training and risk assessment record for each employee. The need to maintain these records is a legal requirement under current Health and Safety legislation.

Provide a copy of individual's personal data on request.

Workwize provides client company employees with instant, real-time access to all personal, training and risk assessment data relating to them.

Keep data safe and secure

EssentialSkillz implements and maintains appropriate technical and organizational security measures to protect against Personal Data Breaches and to preserve the security and confidentiality of Personal Data processed by EssentialSkillz on behalf of Customer in the provision of the services (“Security Measures”).

The Security Measures are subject to technical progress and development. EssentialSkillz may update or modify the Security Measures from time to time provided that such updates and

modifications do not result in the degradation of the overall security of the Services purchased by the Customer.

Keep data accurate and up-to-date

We endeavour to ensure all data is accurate and up-to-date. Workwize provides client company administrators with the opportunity and tools to keep data on individual employees up-to-date.

Ensure that data is adequate, relevant and not excessive.

Only data that is adequate, relevant and not exceeding the purpose of conducting and recording online training and risk assessments is retained by Workwize.

Retain data no longer than is necessary for the specified purpose.

Client companies are required by law to retain training and risk assessment records for their employees.

Once a client company terminates our service, we return all their company data prior to deleting those records from our servers. We endeavour not to retain data beyond 30 days of the termination of the service.

Data Processing

Personal data is only ever used and disclosed for the purpose of conducting and reporting upon the online training and risk assessments undertaken by employees of client companies.

In line with GDPR regulations EssentialSkillz will:

1. only act on the written instructions of the controller;
2. ensure that people processing the data are subject to a duty of confidence;
3. take appropriate measures to ensure the security of processing;
4. only engage sub-processors with the prior consent of the controller and under a written contract;
5. assist the controller in providing subject access and allowing data subjects to exercise their rights under the GDPR;
6. assist the controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments;
7. delete or return all personal data to the controller as requested at the end of the contract; and
8. submit to audits and inspections, provide the controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if it is asked to do something infringing the GDPR or other data protection law of

the EU or a Member State.

Additionally, as a *data processor*, EssentialSkillz are obliged to keep a written or electronic record of data processing activities which we perform on behalf of customers.

These records include the following:

1. the name and contact details of each data controller on behalf of which EssentialSkillz is acting and where applicable, the data protection officer;
2. the categories of processing carried out on behalf of each controller;
3. where applicable, transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and, in the case of transfers referred to in the second subparagraph of GDPR Article 49(1), the documentation of suitable safeguards;
4. where possible, a general description of the technical and organisational security measures referred to in GDPR Article 32(1).

EssentialSkillz will make these records available to the relevant supervisory authority on request.