



## Data Protection Policy

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## Revision History

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3.2	6/11/2017	Gerry Forde	Created revised draft
3.3	08/04/2021	Liam Carolan	New template, some tidying, added links

## Distribution

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## Approval

Name:	Fintan Healy
Role:	Chief Operating Officer
Date:	6/11/2017

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## 1.0 Introduction

EssentialSkillz is committed to best practice, and all activities are carried out in line with relevant Irish, UK, and EU legislation. EssentialSkillz aims to be compliant with all applicable data protection legislation. In Ireland the key legislation is General Data Protection Regulation (GDPR) and Data Protection Act 2018 and in the UK Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR).

## 2.0 Data Protection Principles

EssentialSkillz strives to be compliant with the principles of data protection. See Data Protection Commission Ireland and the Information Commissioner Office UK. The Data Protection Principles include:

- Personal data shall be processed fairly and lawfully.
- 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.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 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 and UK General Data Protection Regulation (“GDPR”).
- 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.

### 3.0 Accountability

All staff have a responsibility to adhere to our *Data Protection Policy and related policies*. Not doing so may result in disciplinary action as per the Disciplinary Policy. Senior management and the Data Security Officer have responsibility for developing, implementing and monitoring the data protection policy. This ensures the policy is effectively managed and coordinated.

### 4.0 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, can be provided.

### 5.0 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 an 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 organisational security measures to protect against Personal Data Breaches and to preserve the security and confidentiality of Personal Data processed by EssentialSkillz on behalf of the 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. Our position on data retention is outlined in our [Data Processing Agreement](#).

## 6.0 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.