

TD-INFO DATA PROTECTION POLICY

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TD-INFO – Data Protection Policy

1. Introduction	2
2. Associated documentation	Error! Bookmark not defined.
3. Data protection principles	2
4. Purpose and scope	3
5. Definitions	3
6. Responsibilities	4
7. How personal data is used by TD-INFO	5
8. Data subject rights	6
9. Special categories	8
10. Criminal convictions	9
11. Third parties, partners and the transferring and disclosure of personal data	9
12. Provision of information	9
13. Record retention	10
14. Privacy by design	10
15. Personal data breaches	11
16. Making a complaint	11

1. Introduction

UKCEB TRADING AS TEAM DEFENCE INFORMATION (TD-INFO) - hereafter called TD-INFO - collects, stores and processes personal data during the course of its day-to-day business, and the use of personal data is an integral aspect of TD-INFO's activities. TD-INFO also works with a limited number of third parties and external personal data controllers and processors. This policy sets out how such data will be used by TD-INFO and its agents to ensure that the various rights and obligations of all relevant individuals with respect to personal data are upheld and enforced. Any questions about this policy should be directed to the Managing Director.

2. Data protection principles

The General Data Protection Regulation sets out a number of principles relating to the lawful processing of personal data, with which TD-INFO and its agents must comply. These are as follows:

Lawfulness, fairness and transparency	Personal data will be processed lawfully, transparently and fairly in relation to the data subject.
Purpose limitation	Personal data will be collected for specified, explicit and legitimate purposes and not further processed in a manner incompatible with this, unless further processing is in the public interest, or is for scientific or historical research purposes, or for statistical purposes.
Data minimisation	Personal data collected will be adequate, relevant and limited to what is necessary to fulfil the purpose of the processing.
Accuracy	Personal data will be accurate and kept up-to-date.

Storage limitation	Personal data will be kept in a form enabling identification of the subject no longer than is necessary to fulfil the purpose for which it was collected in the first place, unless retaining it beyond this point is in the public interest, or is for scientific or historical research purposes, or for statistical purposes.
Integrity and confidentiality	Personal data will be processed to ensure against unauthorised or unlawful processing, accidental loss, destruction or damage.

3. Purpose and scope

This policy has a number of aims:

- a) To ensure that TD-INFO and its agents, acting as either a controller or processor, openly and transparently complies with all relevant legal obligations with respect to personal data, including upholding the data protection principles set out in Section 2
- b) To ensure that agents of TD-INFO use personal data fairly, safely and securely
- c) To ensure that data subjects are aware of their rights and that these rights are upheld
- d) To protect TD-INFO and its data subjects from the misuse of personal data

This policy and any associated documents apply to all agents of TD-INFO, including committee members, staff, and contractors. The policy and any associated documents apply to all personal data for which TD-INFO, or one of its individual agents, acts as either controller or processor. Where there is a disagreement between this policy and any other regulation, policy, procedure or guidance document, this policy will take precedence.

4. Definitions

The following definitions are used throughout this policy, and have been adapted from the relevant legislation:

Personal data	<p>Any information relating to an identified or identifiable person (a 'data subject') or from which a person can be identified either directly or indirectly. Such information may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Name • Address • Email address • Professional and academic qualifications and history • Financial information <p>Personal data also includes an expression of opinion about a person and an expression of the intentions of TD-INFO in respect of that individual.</p>
Special categories of personal data	<p>Personal data relating to the following characteristics of a data subject:</p> <ul style="list-style-type: none"> • Racial or ethnic origin

- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Health
- Sex life
- Sexual orientation

Special categories of personal data also include genetic and biometric data, where that data is used for the purposes of uniquely identifying a person, and data relating to criminal convictions and offences (see Sections 8 - 9 of this policy).

Processing	Any operation or set of operations which is performed on personal data or on sets of personal data. This includes, but is not limited to the collection, recording, organisation, storage, alteration, use or disclosure of personal data, or otherwise making personal data available.
Controller	The person or organisation that determines the purposes and means of the processing of personal data.
Processor	The person or organisation that processes personal data on behalf of a controller.
Filing system	Any structured or unstructured set of personal data which is accessible according to specific criteria. This includes personal data which is stored electronically in any format, such as an email, a website or a photograph, and that which is stored in a physical medium such as a filing cabinet or archive.
Anonymisation	Personal data rendered anonymous in such a manner that the data subject is not or is no longer identifiable. Data protection law does not apply to data that has been rendered anonymous (see Sections 13 and 14 of this policy).
Pseudonymisation	The processing of personal data in such a way that the data can no longer be attributed to a specific data subject without the use of additional information. Data protection law places less onerous restrictions on personal data that has been pseudonymised (see Sections 13 and 14 of this policy).

5. Responsibilities

TD-INFO has a responsibility to implement appropriate and adequate provisions to ensure the proper use of personal data by its agents. All individual agents of TD-INFO, including staff and contractors, have a responsibility to comply with this policy and any other provisions relating to personal data. Failure by an individual agent to comply with provisions made by TD-INFO to ensure the proper use of personal data, or with any of the obligations set out in this policy, or any other regulation, policy, process or procedure in respect of data protection, may result in disciplinary action being taken against the individual.

Individual agents or groups have the following specific responsibilities under this policy:

6.1 TD-INFO Board of Directors

The TD-INFO Board of Directors has ultimate responsibility for ensuring that TD-INFO complies with its legal obligations in respect of data protection, and has delegated executive responsibility for the development and implementation of this policy and other provisions relating to data protection to the Chapter President.

The TD-INFO Board of Directors will ensure sufficient consideration of data protection in its decision-making process.

6.2 The Managing Director

The Managing Director has overall responsibility for the implementation of this policy and any other provisions relating to data protection. The Managing Director will ensure that adequate resources are available and systems are in place, and that Board of Directors and other staff properly discharge their duties in relation to data protection.

6.3 The Data Protection Officer

TD-INFO has not appointed a Data Protection Officer (DPO).

Under the GDPR, an organisation must appoint a DPO if:

- they are a public authority (except for courts acting in their judicial capacity);
- their core activities require large scale, regular and systematic monitoring of individuals (for example, online behaviour tracking); or
- their core activities consist of large scale processing of special categories of data or data relating to criminal convictions and offences.

Since none of these conditions apply to TD-INFO, a DPO is not required.

6.5 All Staff

All TD-INFO staff, including temporary staff and contractors, have the following responsibilities under this policy:

- To comply with this policy and all other TD-INFO provisions in relation to data protection
- To alert the Managing Director and their line manager of any data protection issues or personal data breaches, and to comply with any subsequent instructions
- To complete all necessary training
- To take reasonable care to ensure that any work undertaken does not jeopardise the integrity of personal data, in line with the following document: [Data Protection for Staff](#)

6. **How personal data is used by TD-INFO**

TD-INFO maintains a Processing Activities Record for its processing activities as a controller or processor. It is the responsibility of the board member who oversees a particular personal data processing activity to maintain the Processing Activities Record.

TD-INFO will process personal data in line with the data protection principles outlined in Section 2 above, and will only do so where there is an identifiable legal basis from the following list.

- The processing is necessary for the performance of a contract between TD-INFO and the data subject
- The processing is necessary for TD-INFO to meet its legal obligations
- The processing is necessary to protect the vital interests of a data subject or other person
- The processing is necessary in the pursuit of the legitimate interests pursued by TD-INFO or a third party, unless the rights and freedoms of the data subject override these interests
- The data subject has given TD-INFO their consent

There may be circumstances in which TD-INFO seeks to use personal data for a purpose other than that for which it was collected. Where this is the case, TD-INFO will consider the following before engaging in the alternative processing activity:

- Any links between the purpose for which the data was originally collected and that of the proposed alternative processing
- The context in which the personal data was collected
- The nature of the personal data
- The possible consequences of any further processing
- The existence of suitable safeguards

Data subjects will be provided with information about the nature of the processing activity, the legal basis on which it is conducted, and their rights in respect of that activity in line with Section 11 below.

7. Data subject rights

Depending on the nature of the data processing activity, data subjects may have one or more of the following rights with respect to their personal data.

Data subjects should contact the Managing Director under the [Data Subject Rights Guidance](#) to discuss or make a request in respect of any of these rights.

8.1 Right of access

Where it is acting as a controller, individuals have the right to obtain from TD-INFO confirmation of whether or not their personal data are being processed, and if so, access to the personal data and the following information:

- The purpose of the processing
- The categories of personal data concerned
- The recipients to whom the personal data have been or will be disclosed
- The period for which the personal data will be stored
- Where the data are not collected directly from the data subject, any available information about their source
- Whether the data are used for automated decision-making, including profiling, and if so, details about such processing

8.2 Right to data portability

A data subject may request to receive personal data in a commonly used format that allows them to transmit the data to another controller. This right does not apply where the processing is in the public interest or is necessary for TD-INFO to exercise its official authority.

8.3 Right to rectification

Data subjects have the right to ask for any inaccurate personal data held by TD-INFO to be corrected, and any incomplete data to be completed. In the case of incomplete data, TD-INFO may request a supplementary statement from the data subject.

8.4 Right to be forgotten ('erasure')

A data subject has the right to request that TD-INFO erases any of their personal data in the following circumstances:

- The data is no longer required to fulfil the purpose for which it was collected
- Where the processing is based on consent and this is withdrawn, and where there are no other legal grounds for processing
- Where the subject objects to the processing under Section 7.6
- Where the data is being unlawfully processed
- Where the data has to be erased to comply with TD-INFO's legal obligations
- Where the data was collected in relation to the offer of information society services directly to a child

TD-INFO may decline to erase the data where it considers that the processing is necessary for the following reasons:

- To exercise the right of TD-INFO or any of its member to freedom of expression and information
- To comply with TD-INFO's legal obligations, or where the processing is in the public interest or is necessary for TD-INFO to exercise its official authority
- For public interest reasons relating to public health
- For archiving purposes in the public interest, for scientific or historical research, or for statistical purposes, to the extent that complying with the right would make the purpose of the processing too difficult to achieve
- To establish, exercise or defend legal claims

Where TD-INFO has transferred this data to a third party, it will take reasonable steps to notify the third party that the data should be erased.

8.5 Right to request a restriction of processing

A data subject has the right to request that TD-INFO restricts processing of their personal data in the following circumstances:

- The accuracy of the data is contested by the subject, in which case the restriction applies for a period sufficient to enable TD-INFO to verify the accuracy of the data

- The processing is unlawful and the data subject prefers a restriction to processing over erasure
- TD-INFO no longer needs the data for processing, but the data subject needs it to establish, exercise or defend legal claims
- The data subject has objected to the processing pending verification as to whether the legitimate grounds of TD-INFO override their rights

Where a legitimate request to restrict processing is made, TD-INFO may nevertheless continue the processing activity in the following circumstances:

- To establish, exercise or defend legal claims
- To protect the rights of individuals
- For public interest reasons

8.6 Right to object to personal data processing

A data subject may object to a processing activity if the processing is based on the following:

- The public interest
- The exercise of official authority or the legitimate interests of TD-INFO

TD-INFO will stop the processing unless there are compelling and legitimate reasons to do so, or in the interests of establishing, exercising or defending legal claims.

Where data is used for direct marketing purposes, a data subject may object to the processing at any time, in which case TD-INFO will cease using the data for this purpose.

Where data is processed for scientific, historical or statistical purposes the subject can object to processing on grounds related to their personal circumstances, unless the processing is in the public interest.

8.7 Rights regarding automated individual decision-making, including profiling

A data subject has the right not to be subject to a decision based on purely automated processing which affects them in some way. This right does not apply if the decision:

- Is necessary to enter into a contract between TD-INFO and the data subject
- Is authorised by law

8. **Special categories**

‘Special categories’ of personal data are defined in Section 5 above. TD-INFO will only undertake processing activities relating to special categories of personal data in the following circumstances:

- The data subject has given explicit consent
- The processing is necessary to exercise the rights or obligations of TD-INFO with respect to employment, social security or social protection law
- Processing is necessary to protect the vital interests of the data subject where they are incapable of giving consent

- Processing is carried out in the course of the legitimate activities of TD-INFO, as a not-for-profit body, with respect to its own agents, former agents or persons with whom it has regular contact in respect of these activities
- The data subject has already made the data public
- The establishment, exercise or defence of legal claims
- Processing is in the public interest
- Processing is necessary for the purposes of preventative or occupational medicine
- Processing is necessary for reasons of public interest in the area of public health
- Processing is necessary for archiving in the public interest, for scientific or historical research purposes, or for statistical purposes.

9. Criminal convictions

TD-INFO will only process personal data relating to alleged criminal offences or criminal convictions in the following circumstances:

- To comply with an obligation under employment law, social security law, or the law relating to social protection
- If to do so is necessary for health or social care purposes, or for reasons of public interest in area of public health

10. Third parties, partners and the transferring and disclosure of personal data

In certain circumstances, TD-INFO may transfer personal data to external controllers or processors, or with other third parties. The data subject should normally be informed in advance of such a transfer in line with the provisions of Section 11.

TD-INFO may in exception circumstances release personal data to third parties without seeking the permission of or notifying the data subject, but will only do so in compliance with its legal obligations.

In the absence of the express permission of the data subject, agents of TD-INFO should not disclose personal data to a third party without first consulting with the Managing Director. Further guidance regarding the disclosure of personal data is available in the following document: [Frequently Asked Questions about Disclosing Personal Data](#).

TD-INFO has relationships with a wide range of external partners. TD-INFO will ensure as far as it is responsible that these partnerships are conducted in a way that is compliant with the relevant legal obligations. Any variations to this policy, as well as specific provision in respect of a partnership, will be set out in the relevant agreement and operations manual.

11. Provision of information

Where it is acting as a controller, TD-INFO will provide data subjects with the following information, in the form of a privacy notice, at the time the personal data is obtained:

- Confirmation that TD-INFO is acting as personal data controller
- Contact information for the Managing Director

- The purpose and legal basis for the personal data processing, and whether provision of the information is optional or mandatory
- Details of any third parties who will have access to the data and, if the data is to be sent outside of the EU, where to
- How long the data will be stored for
- Whether the data will be used for automated decision making
- The rights of the data subject as set out in Section 7 of this policy
- The right of the data subject to make a complaint to the Information Commissioner's Office, as set out in Section 15 of this policy

There may be circumstances where TD-INFO becomes the controller of personal data that it did not collect directly from a data subject. In such circumstances, TD-INFO will provide the data subject with the above information, as well as information about where the data originated from. TD-INFO will provide this information to the data subject within one month of receipt of the data, when it first communicates with the data subject, if the data is to be used to communicate with the data subject, or if the data is disclosed to a third party, whichever occurs soonest.

If the data is to be used for a purpose other than that for which it was originally collected, TD-INFO will inform the data subject of this and the additional purpose of the processing.

TD-INFO has developed a Privacy Notice Template to assist in the provision of information to data subjects. Queries about the wording of privacy notices should be directed to the relevant Data Protection Champion in the first instance, followed by the Managing Director as required.

The data subject will be given an opportunity to request the above information in an alternative, accessible format.

12. Record retention

In line with the principles outlined in Section 3 above, TD-INFO will retain all personal data in line with TD-INFO Record Retention Schedule. TD-INFO will provide the Data Subject with specific information about how long it will keep the personal data at the point of capture, in line with Section 11. TD-INFO may retain personal data beyond the point originally specified where it is in the public interest to do so, or where this is required for scientific, historical research or statistical purposes. Where personal data is retained beyond the point originally specified, TD-INFO will ensure that appropriate technical and organisational measures are in place to uphold the principle of 'data minimisation' as set out in Section 2. This may include subjecting personal data to a process of anonymisation or pseudonymisation, details of which can be found in the following documents: Data Protection for Staff and Data Protection for Researchers.

13. Privacy by design

TD-INFO is committed to the principle of 'privacy by design' in respect of all of its personal data processing activities. Accordingly, it will ensure that appropriate technical and organisational measures are in place to safeguard personal data and to implement the data protection principles set out in Section 3. TD-INFO has developed the following guidance to assist its agents in undertaking operational activities involving personal data: Data Protection for Staff. This guidance includes information about how to anonymise or pseudonymise personal data in a way that is compliant with TD-INFO's legal obligations.

Where an activity or operation is developed that involves the processing of personal data, for example the implementation of a new records management system, the manager responsible for the development of the system should consult the following document: [Guidance on conducting Data Protection Impact Assessments](#).

14. Personal data breaches

Where it is suspected that a data breach has occurred, members of staff will inform their line manager and the Chapter President immediately. Contractors should inform their line manager, who will report the breach to the Chapter President.

TD-INFO strives to ensure that personal data is processed safely and securely, but it is also essential that appropriate processes are in place should this safety and security be compromised at any point and should a personal data breach occur.

Where a breach occurs that is likely to result in a risk to the rights and freedoms of a person, TD-INFO as data controller may be required to report the breach to the Information Commissioner's Office within 72 hours of its occurrence. It is also the responsibility of TD-INFO as data controller to make a report to the ICO in cases where a third party is processing data on its behalf.

Where a breach is likely to result in a high risk to the rights and freedoms of a person, TD-INFO as data controller may be required to report the breach to the person in question.

The Board of Directors is jointly responsible for deciding whether a report should be made to the ICO and/or to the person in question, and for communication of the relevant information as required.

In cases where TD-INFO is acting as the data processor, it will report any personal data breaches to the relevant data controller without undue delay.

15. Making a complaint

TD-INFO endeavors to ensure that all personal data for which it is responsible is handled in an appropriate manner. If you have any concerns about TD-INFO's handling of personal data, then please contact TD-INFO's Managing Director.

All data subjects have the right to make a complaint about TD-INFO's handling of personal data to the Information Commissioner's Office, and can do so at <https://ico.org.uk/concerns/>.