

# Adapt Consulting Company Limited

## DATA PROTECTION POLICY

AdaptConsultingCompany needs to collect and use certain types of information in order to carry on our work, which includes but is not limited to Business Analysis – Projects – Processes – Programmes

This personal information must be collected and dealt with appropriately whether is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the Data Protection Legislation

AdaptConsultingCompany follows the key General Data Protection Regulation GDPR principles

1. Lawfulness, fairness and transparency>>Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject
2. Purpose limitation>>Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
3. Data minimisation>>Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
4. Accuracy>>Personal data shall be accurate and, where necessary, kept up to date
5. Storage limitation>>Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
6. Integrity and confidentiality>>Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures
7. Accountability>>The controller shall be responsible for, and be able to demonstrate compliance with the GDPR

## DATA PROTECTION LEGISLATION

For reference please see the following

Key definitions of the Data Protection Act

<https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

Guide to the General Data Protection Regulation (GDPR)

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/>

Guide to General Data Protection Regulation in Jersey

<https://thinkgdpr.org/resources/guidance-notes/>

# Adapt Consulting Company

## DATA CONTROLLER

AdaptConsultingCompany is the Data Controller under the Data Protection Legislation, which means that it determines what purposes personal information held, will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

## DISCLOSURE

AdaptConsultingCompany may share data with other organisations, but only in-so-far-as it is necessary for us to be able to operate and provide services.

We have a Privacy Notice and this sets out the basics. In some cases there may be additional documents - contract, agreement, terms - with more details specific to the person or service.

The Individual/Service User will be made aware how and with whom their information will be shared. There are circumstances where the law demands AdaptConsultingCompany to disclose data (including sensitive data) without the data subject's consent.

These include:

1. Carrying out a legal duty
2. Protecting vital interests of a Individual/Service User or other person
3. The Individual/Service User has already made the information public
4. Conducting any legal proceedings, obtaining legal advice or defending any legal rights
5. Monitoring for equal opportunities purposes – i.e. race, disability or religion

AdaptConsultingCompany regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal. AdaptConsultingCompany intends to ensure that personal information is treated lawfully and correctly.

To this end, AdaptConsultingCompany will adhere to the Principles of Data Protection, as detailed in the Data Protection Legislation, and following the latest guidance generally available from the ICO website

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

# Adapt Consulting Company

Specifically, the Principles require that personal information:

1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
2. Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes,
3. Shall be adequate, relevant and not excessive in relation to those purpose(s)
4. Shall be accurate and, where necessary, kept up to date,
5. Shall not be kept for longer than is necessary
6. Shall be processed in accordance with the rights of data subjects under the Act,
7. Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information,
8. 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 Individuals/Service Users in relation to the processing of personal information.

AdaptConsultingCompany will, through appropriate management and strict application of criteria and controls:

1. Observe fully conditions regarding the fair collection and use of information
2. Meet its legal obligations to specify the purposes for which information is used
3. Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements
4. Ensure the quality of information used

## DATA COLLECTION

AdaptConsultingCompany will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form, or by mutual agreement (eg contract, terms-and-conditions, etc.)

We have a Privacy Notice and this sets out the basics. In some cases there may be additional documents - contract, agreement, terms - with more details specific to the person or service.

When collecting data, AdaptConsultingCompany will ensure that the Individual/Service User:

# Adapt Consulting Company

1. Clearly understands why the information is needed
2. Understands what it will be used for and what the consequences are should the Individual/Service User decide not to give consent to processing
3. As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
4. Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
5. Has received sufficient information on why their data is needed and how it will be used

## DATA RETENTION AND STORAGE

Information and records relating to service users will be stored securely and will only be accessible to authorised personnel.

We operate a records retention policy which sees the deletion, archive, return of documents at the point of their expire and in accordance with the policy and processes outlined in the records retention policy.

Information will be stored for only as long as it is needed or required by statute, legislation or regulation and will be disposed of appropriately. For contracts with the States of Jersey we are bound by Freedom of Information FOI, and will act in accordance for States of Jersey Contracts.

Generally data is held 1 year and then archived off-line/culled (shredded). Very few of our contracts go beyond 1 year. In such cases the client work is copied from the 2016 folder onto a 2017 folder before the 2016 folder is archived off-line/culled (Secure encrypted off-line media, which is then kept in a locked cabinet)

We operate a information security policy systems which complies with Cyber Essentials principles

1. [Secure your Internet connection](#)
2. [Secure your devices and software](#)
3. [Control access to your data and services](#)
4. [Protect from viruses and other malware](#)
5. [Keep your devices and software up to date](#)

It is AdaptConsultingCompany responsibility to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

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## DATA ACCESS AND ACCURACY

All Individuals/Service Users have the right to access the information AdaptConsultingCompany holds about them. AdaptConsultingCompany will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, AdaptConsultingCompany will ensure that:

1. It has a Data Protection Officer with specific responsibility for ensuring compliance with Data Protection
2. Everyone processing personal information understands that they are contractually responsible for following good data protection practice
3. Everyone processing personal information is appropriately trained to do so
4. Everyone processing personal information is appropriately supervised
5. Anybody wanting to make enquiries about handling personal information knows what to do
6. It deals promptly and courteously with any enquiries about handling personal information
7. It describes clearly how it handles personal information
8. It will regularly review and audit the ways it hold, manage and use personal information
9. It regularly assesses and evaluates its methods and performance in relation to handling personal information
10. All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

## DATA TRANSFERS

No data is \*transferred\* outside the EU, except the use of applications like Microsoft Office, GMail, Hootsuite, GDPR is a key consideration when selecting a service provider and we seek those that confirm that they will keep data private, safe and secure by reference to ISO27001, CyberEssentials or other similar standards.

If the use of Microsoft Office, GMail, Hootsuite, is a concern for clients we can work on the client site, using client systems, and no data will leave the client site. In such circumstances we will operate under the client data-protection, information security or other relevant standards as an explicit term of the contract.

# Adapt Consulting Company

## DATA PROTECTION RIGHTS

We will respect Data Protection Rights. Under the GDPR, individuals will have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information (A.15 <https://gdpr-info.eu/art-15-gdpr/>)
  1. the purposes of the processing;
  2. the categories of personal data concerned;
  3. the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
  4. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
  5. the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
  6. the right to lodge a complaint with a supervisory authority;
  7. where the personal data are not collected from the data subject, any available information as to their source;
  8. the existence of automated decision-making, including profiling, referred to in A.22 <https://gdpr-info.eu/art-22-gdpr/> (1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

## GLOSSARY

Please see

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