

EQUINOX TRAINING DATA POLICY

CONDENSED VERSION

This is the shortened version of the full Data Policy for Equinox Training.

Equinox Training collects private data on you, may send this to third parties and might send you emails. We comply with the Data Protection Act 1998 and the Privacy and Electronic Communications (EC Directive) Regulations 2003 in handling your data and in our communications with you.

Course Candidates. When you undertake a training course we compile a training record for you; this includes your personal data. We retain this training record as proof of training and some of this information may be passed to an external agency for them to issue your certificate. Additionally, we will contact you or your company with notification that your certification needs renewing. If you pay us directly, we will keep these records for tax audit purposes.

Instructors/Assessors. If you work for us as an assessor or instructor we are required to hold a copy of your Personal Portfolio, which we inspect to ensure your credentials are valid. Your name and qualification details will be sent to the certifying agency as part of your appointment as an instructor/assessor on a specific course. We may hold financial details for you to pay you. Details of financial transactions will be retained for tax purposes.

Company Representatives. As a representative of a company with whom we do business, we hold your contact details. We will contact you with details of courses we think may be of interest to you. Also, we will tell you when one of your company staff requires a refresher course.

EQUINOX TRAINING DATA POLICIES

Introduction

This privacy policy sets out how EquinoxTraining uses and protects any information that you give them.

EquinoxTraining is committed to ensuring that your privacy is protected. You can be assured that any personal data you provide will only be used in accordance with this privacy policy.

EquinoxTraining may change this policy from time to time to keep it accurate and current. You should check this policy from time to time to ensure that you are happy with any changes.

Policy Version

This privacy policy will be updated to reflect current practices. You should review the policy occasionally to ensure you are content with the changes. Changes from previous versions are identified by sidebars.

Date of Previous Version: ~~1 Jan 2007~~.

Deleted: None

Date of Current Version: ~~25 Jan 2007~~

Deleted: 1

Legal Obligations

The Data Protection Act 1998:

- a. Requires the Company to implement data handling procedures.
- b. Gives individuals rights in regard to the data held on them.

EquinoxTraining holds data on individuals. Therefore, the company is required to comply with the general rules on data protection.

The data held on individuals is processed¹. Therefore, the Company is required to comply with the 8 principles specified in the Data Protection Act 1998.

EquinoxTraining emails companies and individuals to let them know of courses that are being run and to notify them when their personnel require refresher training. This may

¹ Processing information means obtaining, recording, using, holding, retrieving, disclosing, erasing or destroying personal data. Quote from Reference ii.

constitute unsolicited email marketing. Consequently, this activity is governed by the Privacy and Electronic Communications (EC Directive) Regulations 2003.

Categories of Data

No 'sensitive'² data is held.

Data Controller

KH Abbott is the Data Controller for EquinoxTraining.

Information Commissioner Notification Requirements

We are exempt from notifying the Information Commissioner. The following paragraphs detail the grounds for our exemption.

Data is only processed for the purposes of staff administration, advertising, marketing, and accounts and records.

Individuals' records are processed for staff administration. Exemption from notifying the Commissioner is appropriate because we comply with the following:

- a. Information is only processed for appointments, pay and work management for the staff.
- b. Individuals give permission to share their information with people and organisations necessary to do this.
- c. We only keep the information whilst the individual is a member of staff or as long as necessary for staff administration.

Client Information is processed for marketing. Exemption from notifying the Commissioner is appropriate because we comply with the following:

- a. Information is only processed for marketing the business.
- b. Individuals give permission to share their information with third parties for marketing of the business in the specific circumstances detailed in our Data Register.
- c. We only keep the information whilst we have a relationship with the individual it refers to or as long as necessary for our marketing purposes.

² Data relating to racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition, sexual life, offences or alleged offences committed and proceedings relating to those offences or alleged offences

Client Information is held for accounts and financial records. Exemption from notifying the Commissioner is appropriate because we comply with the following:

- a. We only process information necessary for undertaking and managing transactions with our suppliers and customers.
- b. We do not share this information with third parties.
- c. We only keep the information whilst we have a relationship with the supplier or customer it refers to or for as long as necessary for our accounts and financial records.
- d. We only use information that was **not** obtained from a credit reference agency.

Adherence to the 8 Data Protection Principles

1. Processed fairly and lawfully

- a. When we obtain personal information we tell individuals:
 - i. That we are the company EquinoxTraining and that our training or services may be provided under the auspices of other organisations such as PADI, EFR, DAN, TDI, SDI and BSAC. We make clear our relationship with other organisations in respect of any training or services we are providing to a client.
 - ii. Why we are collecting the information and what we will do with it. We tell the individuals that we will only use their information for the purposes we have told them about.
 - iii. Who we pass their information to. In particular, we advise clients that their information is passed to the Certifying Agency for them to be awarded the relevant certification.
 - iv. That they can see the information we hold on them and have any factual errors corrected.

2. Usage

We only use the information for the stated purposes. These are detailed in the data register

3. Adequacy and Relevance

We only collect the minimum information required for the operation of the business.

4. Accuracy and Currency

Where appropriate we keep retained data current. When we collect data we make sure it is accurate.

5. Retention

We retain data for the periods specified in the data register.

6. Individuals' Rights

We notify individuals that they have the right to see the data we hold on them for a fee of £10 and to have us correct any inaccuracies.

7. Security

We hold all personal data securely. Hard copy information is protected by physical locks. Electronic information is protected by passwords and locked access to hardware.

8. Transfer Outside EU

We do not transfer personal data outside the EU.

Staff Training

Staff are provided with procedures that ensure the protection of personal data. These procedures are detailed in the document entitled 'Equinox Personal Data Usage Agreement'.

COMPLIANCE WITH EC DIRECTIVE

The Privacy and Electronic Communications (EC Directive) Regulations 2003 are the rules that govern how we conduct our marketing by electronic means, such as by email or by telephone. Also, the Regulations will affect how we use cookies on our website.

Use of Cookies on the Web Site

The web site uses a 'session' cookie called "seen". It records that you have seen certain pricing information and is used to prevent this information being automatically shown again, which would annoy you. No personal data is held in the cookie and it is destroyed

when you close your browser. No cookies from our site are retained when you shut down your computer.

We do not allow any third-party cookies on our site.

Electronic Marketing

The rules covering electronic mail apply to any message that consists of text, voice, sound or images.

We engage in electronic marketing by contacting company representatives about courses that we are running; if known to us, we will contact a specific individual with management responsibility for the Training concerned. In doing so, we comply with the Privacy and Electronic Communications (EC Directive) Regulations 2003. We utilise the 'soft opt-in' exemption allowing us to send unsolicited emails to individuals, which carry a statement that the individuals can opt-out from receiving emails from us.

We engage in electronic marketing by contacting individuals who have undertaken previous training with us. We offer individuals the option of stopping this service in the emails we send.

EQUINOX TRAINING PERSONAL DATA REGISTER

Data Description	Data Usage	Data Passed To	Retention	Accuracy and Currency
Candidate Data				
Candidate Name, Address, email, telephone, Date of Birth, Gender	Certification Process.	Certifying Agency	See Training Records	Updated only on request
Candidate Name	Identifying requirement for refresher training.	Company Training Manager	See Training Records	Updated only on request
Candidate Training Records	Proof of training. Retention required by Certifying Agencies	Not passed to third parties except in the case of litigation or other extenuating circumstances	Held for 5 years. <u>(HSE Requirement)</u>	Updated only on request
Name and Financial Details	Payment details held for tax purposes.	Only released if requested by the tax office.	Held for 7 years.	Not altered.
Staff Data				
Name and Qualification data	Appointment as FAW assessor/instructor	Passed to auditing agency when the specific course is registered.	See Portfolio	See Portfolio
Instructor/Assessor Portfolio which includes name and some demographic information.	Verify the credentials of the instructor/assessor.	Passed to the HSE or Certifying Agency but only if requested. The portfolio likely to be inspected when Equinox Training is subject to the annual audit.	Retained whilst the individual is providing instructor/assessor services to Equinox Training and for 2 years thereafter.	Reviewed prior to every usage and updated at least annually
Name and Financial Details	Payment details held for tax purposes.	Only released if requested by the tax office.	Held for 7 years	Not altered
Company Contacts				
Personal contact information for company representatives	1. Routine business correspondence. 2. Contact about forthcoming training events. 3. Notification of requirement for retraining for their company personnel.	Not released to third parties.	Retained whilst a business client.	Corrected when notified of a change.