



DATA PROTECTION POLICY STATEMENT

InVentry Limited

1. Introduction

1.1 Background to the General Data Protection Regulation ('GDPR')

The General Data Protection Regulation 2016 replaces the EU Data Protection Directive of 1995 and supersedes the laws of individual Member States that were developed in compliance with the Data Protection Directive 95/46/EC. Its purpose is to protect the "rights and freedoms" of natural persons (i.e. living individuals) and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent.

1.2 Definitions used by the organisation (drawn from the GDPR)

Material scope (Article 2) – the GDPR applies to the processing of personal data wholly or partly by automated means (i.e. by computer) and to the processing other than by automated means of personal data (i.e. paper records) that form part of a filing system or are intended to form part of a filing system.

Territorial scope (Article 3) – the GDPR will apply to all controllers that are established in the EU (European Union) who process the personal data of data subjects, in the context of that establishment. It will also apply to controllers outside of the EU that process personal data in order to offer goods and services, or monitor the behaviour of data subjects who are resident in the EU.

1.3 Article 4 definitions

Establishment – the main establishment of the controller in the EU will be the place in which the controller makes the main decisions as to the purpose and means of its data processing activities. The main establishment of a processor in the EU will be its administrative centre. If a controller is based outside the EU, it will have to appoint a representative in the jurisdiction in which the controller operates to act on behalf of the controller and deal with supervisory authorities.

Personal data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special categories of personal data – personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Data controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Data subject – any living individual who is the subject of personal data held by an organisation.



Processing – any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Profiling – is any form of automated processing of personal data intended to evaluate certain personal aspects relating to a natural person, or to analyse or predict that person's performance at work, economic situation, location, health, personal preferences, reliability, or behaviour. This definition is linked to the right of the data subject to object to profiling and a right to be informed about the existence of profiling, of measures based on profiling and the envisaged effects of profiling on the individual.

Personal data breach – a breach of security leading to the accidental, or unlawful, destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. There is an obligation on the controller to report personal data breaches to the supervisory authority and where the breach is likely to adversely affect the personal data or privacy of the data subject.

Data subject consent - means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data.

Child – the GDPR defines a child as anyone under the age of 16 years old, although this may be lowered to 13 by Member State law. The processing of personal data of a child is only lawful if parental or custodian consent has been obtained. The controller shall make reasonable efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child.

Third party – a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Filing system – any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis.

2. Policy statement

- 2.1 The Board of Directors and management of InVentry Ltd located at Unit 22-23, Howley Business Park, Morley, Leeds LS27 0BZ are committed to compliance with all relevant EU and Member State laws in respect of personal data, and the protection of the “rights and freedoms” of individuals whose information InVentry Ltd collects and processes in accordance with the General Data Protection Regulation (GDPR).
- 2.2 Compliance with the GDPR is described by this policy and other relevant policies such as the Information Security Policy, along with connected processes and procedures.
- 2.3 The GDPR and this policy apply to all of InVentry Ltd personal data processing functions, including those performed on customers', clients', employees', suppliers' and partners' personal data, and any other personal data the organisation processes from any source.
- 2.4 This policy applies to all Employees/Staff of InVentry Ltd such as outsourced suppliers. Any breach of the GDPR will be dealt with under InVentry Ltd disciplinary policy and may also be a criminal offence, in which case the matter will be reported as soon as possible to the appropriate authorities.



- 2.5 Partners and any third parties working with or for InVentry Ltd, and who have or may have access to personal data, will be expected to have read, understood and to comply with this policy. No third party may access personal data held by InVentry Ltd without having first entered into a data confidentiality agreement non-disclosure agreement, which imposes on the third party obligations no less onerous than those to which InVentry Ltd is committed, and which gives InVentry Ltd the right to audit compliance with the agreement.

3. Responsibilities and roles under the General Data Protection Regulation

- 3.1 InVentry Ltd is a data controller and data processor under the GDPR dependent on the data and its location.
- 3.2 Top Management and all those in managerial or supervisory roles throughout InVentry Ltd are responsible for developing and encouraging good information handling practices within InVentry Ltd, specific responsibilities are set out in individual job descriptions as appropriate
- 3.3 The Data Protection Officer, a role specified in the GDPR, should be a member of the senior management team, is accountable to Board of Directors of InVentry Ltd for the management of personal data within InVentry Ltd and for ensuring that compliance with data protection legislation and good practice can be demonstrated. This accountability includes:
 - 3.3.1 development and implementation of the GDPR as required by this policy; and
 - 3.3.2 security and risk management in relation to compliance with the policy.The specification for this role can be found in the role specification.
- 3.4 A Data Protection Officer, who the board of Directors considers to be suitably qualified and experienced, has been appointed to take responsibility for InVentry Ltd compliance with this policy on a day-to-day basis and, in particular, has direct responsibility for ensuring that InVentry Ltd complies with the GDPR, as do all managers and employees in respect of data processing that takes place within their area of responsibility.
- 3.5 The Data Protection Officer, has specific responsibilities in respect of procedures such as the Subject Access Request Procedure and are the first point of call for Employees/Staff seeking clarification on any aspect of data protection compliance.
- 3.6 Compliance with data protection legislation is the responsibility of all Employees/Staff of InVentry Ltd who process personal data.
- 3.7 InVentry Ltd Training Policy sets out specific training and awareness requirements in relation to specific roles and Employees/Staff of InVentry Ltd generally.
- 3.8 Employees/Staff of InVentry Ltd are responsible for ensuring that any personal data about them and supplied by them to InVentry Ltd is accurate and up-to-date.

4. Data protection principles

All processing of personal data must be conducted in accordance with the data protection principles as set out in Article 5 of the GDPR. InVentry Ltd policies and procedures are designed to ensure compliance with the principles.

- 4.1 Personal data must be processed lawfully, fairly and transparently
Lawful – identify a lawful basis before you can process personal data. These are often referred to as the “conditions for processing”, for example consent.



Fairly – in order for processing to be fair, the data controller has to make certain information available to the data subjects as practicable. This applies whether the personal data was obtained directly from the data subjects or from other sources.

The GDPR has increased requirements about what information should be available to data subjects, which is covered in the 'Transparency' requirement.

Transparently – the GDPR includes rules on giving privacy information to data subjects in Articles 12, 13 and 14. These are detailed and specific, placing an emphasis on making privacy notices understandable and accessible. Information must be communicated to the data subject in an intelligible form using clear and plain language.

InVentry's Privacy Notice Procedure is set out in its Privacy policy document and all changes tracked in the appropriate record.

The specific information that must be provided to the data subject must, as a minimum, include:

- 4.1.1 the identity and the contact details of the controller and, if any, of the controller's representative;
- 4.1.2 the contact details of the Data Protection Officer;
- 4.1.3 the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- 4.1.4 the period for which the personal data will be stored;
- 4.1.5 the existence of the rights to request access, rectification, erasure or to object to the processing, and the conditions (or lack of) relating to exercising these rights, such as whether the lawfulness of previous processing will be affected;
- 4.1.6 the categories of personal data concerned;
- 4.1.7 the recipients or categories of recipients of the personal data, where applicable;
- 4.1.8 where applicable, that the controller intends to transfer personal data to a recipient in a third country and the level of protection afforded to the data;
- 4.1.9 any further information necessary to guarantee fair processing.

4.2 Personal data can only be collected for specific, explicit and legitimate purposes

Data obtained for specified purposes must not be used for a purpose that differs from those formally notified to the supervisory authority as part of InVentry Ltd register of processing with the ICO. The organisation's Privacy Procedure sets out the relevant procedures.

4.3 Personal data must be adequate, relevant and limited to what is necessary for processing

- 4.3.1 The GDPR owner is responsible for ensuring that InVentry Ltd does not collect information that is not strictly necessary for the purpose for which it is obtained as identified in data flow/mapping (Article 30) and any Data Protection Impact Assessments (Article 35)
- 4.3.2 All data collection forms (electronic or paper-based), including data collection requirements in new information systems, must include a fair processing statement or link to privacy statement and approved by the GDPR owner
- 4.3.3 The Data Protection Officer will ensure that, on an *annual* basis all data collection methods are reviewed by *internal audit support with external support where appropriate* to ensure that collected data continues to be adequate, relevant and not excessive.

4.4 Personal data must be accurate and kept up to date with every effort to erase or rectify without delay

- 4.4.1 Data that is stored by the data controller must be reviewed and updated as necessary. No data should be kept unless it is reasonable to assume that it is accurate.



- 4.4.2 The Data Protection Officer is responsible for ensuring that all staff are trained in the importance of collecting accurate data and maintaining it.
 - 4.4.3 It is also the responsibility of the data subject/client to ensure that data held by InVentry is accurate and up to date. Entry by the client and/or completion of details by a data subject will include a statement that the data contained therein is accurate at the date of submission.
 - 4.4.4 Employees/Staff should be required to notify Inventory Ltd of any changes in circumstance to enable personal records to be updated accordingly. This will form part of the staff annual review. Clients are responsible for ensuring that records entered by themselves either manually or via electronic transfer mechanisms. It is the responsibility of Inventory Ltd to ensure that any notification regarding change of circumstances is recorded and acted upon.
 - 4.4.5 The Data Protection Officer is responsible for ensuring that appropriate procedures and policies are in place to keep personal data accurate and up to date, taking into account the volume of data collected, the speed with which it might change and any other relevant factors.
 - 4.4.6 On at least an annual basis, the Data Protection Officer will review the retention dates of all the personal data processed by InVentry Ltd by reference to the data inventory, and will identify any data that is no longer required in the context of the registered purpose. This data will be securely deleted/destroyed in line with the Secure Disposal of Storage Media Procedure.
 - 4.4.7 The Data Protection Officer is responsible for responding to requests for rectification from data subjects, once identification of the data subject has been confirmed within one month. This can be extended to a further two months for complex requests. If InVentry Ltd decides not to comply with the request, the Data Protection Officer must respond to the data subject to explain its reasoning and inform them of their right to complain to the supervisory authority and seek judicial remedy.
 - 4.4.8 The Data Protection Officer is responsible for making appropriate arrangements that, where third-party organisations may have been passed inaccurate or out-of-date personal data, to inform them that the information is inaccurate and/or out of date and is not to be used to inform decisions about the individuals concerned; and for passing any correction to the personal data to the third party where this is required.
- 4.5 Personal data must be kept in a form such that the data subject can be identified only as long as is necessary for processing.
- 4.5.1 Where personal data is retained beyond the processing date, it will be minimised/encrypted in order to protect the identity of the data subject in the event of a data breach. This is documented in the Data Storage and Security policy.
 - 4.5.2 Personal data will be retained in line with the Data Storage and Security policy and, once its retention date is passed, it must be securely destroyed as set out in this procedure.
 - 4.5.3 The Data Protection Officer must specifically approve any data retention that exceeds the retention periods defined in Data Storage and Security policy, and must ensure that the justification is clearly identified and in line with the requirements of the data protection legislation. This approval must be written.
- 4.6 Personal data must be processed in a manner that ensures the appropriate security as identified in Articles 24 and 32
- The Data Protection Officer will carry out a risk assessment taking into account all the circumstances of InVentry Ltd controlling or processing operations.

In determining appropriateness, the Data Protection Officer should also consider the extent of possible damage or loss that might be caused to individuals (e.g. staff or customers) if a security breach occurs, the effect of any security breach on Inventory Ltd itself, and any likely reputational damage including the possible loss of customer trust.



All data storage and device use will be in line with the Data Storage and Security policy.

4.7 The controller must be able to demonstrate compliance with the GDPR's other principles (accountability)

The GDPR includes provisions that promote accountability and governance. These complement the GDPR's transparency requirements. The accountability principle in Article 5(2) requires you to demonstrate that you comply with the principles and states explicitly that this is your responsibility.

InVentry Ltd will demonstrate compliance with the data protection principles by implementing data protection policies, adhering to codes of conduct, implementing technical and organisational measures, as well as adopting techniques such as data protection by design, DPIAs, breach notification procedures and incident response plans.

5. Data subjects' rights

5.1 Data subjects have the following rights regarding data processing, and the data that is recorded about them:

- 5.1.1 To make subject access requests regarding the nature of information held and to whom it has been disclosed.
- 5.1.2 To prevent processing likely to cause damage or distress.
- 5.1.3 To prevent processing for purposes of direct marketing.
- 5.1.4 To be informed about the mechanics of automated decision-taking process that will significantly affect them.
- 5.1.5 To not have significant decisions that will affect them taken solely by automated process.
- 5.1.6 To sue for compensation if they suffer damage by any contravention of the GDPR.
- 5.1.7 To take action to rectify, block, erased, including the right to be forgotten, or destroy inaccurate data.
- 5.1.8 To request the supervisory authority to assess whether any provision of the GDPR has been contravened.
- 5.1.9 To have personal data provided to them in a structured, commonly used and machine-readable format, and the right to have that data transmitted to another controller.
- 5.1.10 To object to any automated profiling that is occurring without consent.

5.2 InVentry Ltd ensures that data subjects may exercise these rights:

- 5.2.1 Data subjects may make data access requests as described in Subject Access Request Procedure; this procedure also describes how InVentry Ltd will ensure that its response to the data access request complies with the requirements of the GDPR.
- 5.2.2 Data subjects have the right to complain to InVentry related to the processing of their personal data, the handling of a request from a data subject and appeals from a data subject on how complaints have been handled in line with the Complaints Procedure.

6. Consent

6.1 InVentry understands that where 'consent' is used as means for lawful processing that it has been explicitly and freely given, and a specific, informed and unambiguous indication of the data subject's wishes that, by statement or by a clear affirmative action, signifies agreement to



the processing of personal data relating to him or her. The data subject can withdraw their consent at any time.

- 6.2 InVentry Ltd understands 'consent' to mean that the data subject has been fully informed of the intended processing and has signified their agreement, while in a fit state of mind to do so and without pressure being exerted upon them. Consent obtained under duress or on the basis of misleading information will not be a valid basis for processing.
- 6.3 There must be some active communication between the parties to demonstrate active consent. Consent cannot be inferred from non-response to a communication. The Controller must be able to demonstrate that consent was obtained for the processing operation.
- 6.4 For sensitive data, explicit written consent (Consent Procedure) of data subjects must be obtained unless an alternative legitimate basis for processing exists.
- 6.5 Where consent is obtained to process personal and sensitive data it forms part of the appropriate documents e.g. when a new client signs a contract, or during induction for participants on programmes.

7. Security of data

- 7.1 All Employees/Staff are responsible for ensuring that any personal data that InVentry Ltd holds and for which they are responsible, is kept securely and is not under any conditions disclosed to any third party unless that third party has been specifically authorised by InVentry Ltd to receive that information and has entered into a non-disclosure agreement.
- 7.2 All personal data should be accessible only to those who need to use it, and access may only be granted in line with the Access Control Policy. All personal data should be treated with the highest security and must be kept:
 - in a lockable room with controlled access; and/or
 - in a locked drawer or filing cabinet; and/or
 - if computerised, password protected in line with corporate requirements in the Access Control Policy; and/or stored on (removable) computer media which are encrypted in line with Data Storage and Security policy.
- 7.3 Care must be taken to ensure that PC screens and terminals are not visible except to authorised Employees/Staff of InVentry Ltd. All Employees/Staff are required to enter into an Acceptable Use Agreement before they are given access to organisational information of any sort, which details rules on screen time-outs.
- 7.4 Manual records may not be left where they can be accessed by unauthorised personnel and may not be removed from business premises without explicit *written* authorisation. As soon as manual records are no longer required for day-to-day client support, they must be removed for secure archiving or shredded in line with the Data Storage and Security policy.
- 7.5 Personal data may only be deleted or disposed of in line with the Data Storage and Security policy. Manual records that have reached their retention date are to be shredded and disposed of as 'confidential waste'. Hard drives of redundant PCs are to be removed and immediately destroyed in line with InVentry's Data Storage and Security policy.
- 7.6 Processing of personal data 'off-site' presents a potentially greater risk of loss, theft or damage to personal data. Staff must be specifically authorised to process data off-site.

8. Disclosure of data

- 8.1 InVentry Ltd must ensure that personal data is not disclosed to unauthorised third parties which includes family members, friends, government bodies, and in certain circumstances, the Police. GDPR permits certain disclosures without consent so long as the information is requested for one or more of the following purposes:



- To safeguard national security;
 - prevention or detection of crime including the apprehension or prosecution of offenders;
 - assessment or collection of tax duty;
 - discharge of regulatory functions (includes health, safety and welfare of persons at work);
 - to prevent serious harm to a third party; and
 - to protect the vital interests of the individual, this refers to life and death situations.
- 8.2 All Employees/Staff should exercise caution when asked to disclose personal data held on another individual to a third party. It is important to bear in mind whether or not disclosure of the information is relevant to, and necessary for, the conduct of InVentry Ltd business.
- 8.3 All requests to provide data for one of these reasons must be supported by appropriate paperwork and all such disclosures must be specifically authorised by the Data Protection Officer.

9. Retention and disposal of data

- 9.1 InVentry Ltd shall not keep personal data in a form that permits identification of data subjects for longer a period than is necessary, in relation to the purpose(s) for which the data was originally collected.
- 9.2 InVentry Ltd may store data for longer periods if the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the implementation of appropriate technical and organisational measures to safeguard the rights and freedoms of the data subject.
- 9.3 The retention period for each category of personal data will be set out in the Data Storage and Security policy along with the criteria used to determine this period including any statutory obligations InVentry Ltd has to retain the data.
- 9.4 InVentry Ltd data retention and data disposal procedures will apply in all cases.
- 9.5 Personal data must be disposed of securely in accordance with the sixth principle of the GDPR – processed in an appropriate manner to maintain security, thereby protecting the “rights and freedoms” of data subjects. Any disposal of data will be done in accordance with the secure disposal procedure.

10. Data transfers

- 10.1 All exports of data from within the European Economic Area (EEA) to non-European Economic Area countries (referred to in the GDPR as ‘third countries’) are unlawful unless there is an appropriate “level of protection for the fundamental rights of the data subjects”. InVentry Ltd does not store data in any location not within the EEA and therefore subject to GDPR.

11. Information asset register/data inventory

- 11.1 InVentry Ltd has established a data inventory and data flow process as part of its approach to address risks and opportunities throughout its GDPR compliance project. InVentry Ltd data inventory and data flow determines the requirements for DPIA, this includes;
- business processes that use personal data;
 - source of personal data;
 - volume of data subjects;
 - description of each item of personal data;
 - processing activity;
 - maintains the inventory of data categories of personal data processed;
 - documents the purpose(s) for which each category of personal data is used;



- recipients, and potential recipients, of the personal data;
- the role of the InVentry Ltd throughout the data flow;
- key systems and repositories;
- any data transfers; and
- all retention and disposal requirements.

11.2 InVentry Ltd is aware of any risks associated with the processing of particular types of personal data.

- 11.2.1 InVentry Ltd assesses the level of risk to individuals associated with the processing of their personal data. Data protection impact assessments (DPIAs) are carried out in relation to the processing of personal data by InVentry Ltd, and in relation to processing undertaken by other organisations on behalf of InVentry Ltd.
- 11.2.2 InVentry Ltd shall manage any risks identified by the risk assessment in order to reduce the likelihood of a non-conformance with this policy.
- 11.2.3 Where a type of processing, in particular using new technologies and taking into account the nature, scope, context and purposes of the processing is likely to result in a high risk to the rights and freedoms of natural persons, InVentry Ltd shall, prior to the processing, carry out a DPIA of the impact of the envisaged processing operations on the protection of personal data. A single DPIA may address a set of similar processing operations that present similar high risks.
- 11.2.4 Where, as a result of a DPIA it is clear that InVentry Ltd is about to commence processing of personal data that could cause damage and/or distress to the data subjects, the decision as to whether or not InVentry Ltd may proceed must be escalated for review to the Data Protection Officer
- 11.2.5 The Data Protection Officer shall, if there are significant concerns, either as to the potential damage or distress, or the quantity of data concerned, escalate the matter to the supervisory authority.
- 11.2.6 Appropriate controls will be applied to reduce the level of risk associated with processing individual data to an acceptable level to ensure compliance with GDPR.

Document Owner and Approval

The Data Protection Officer is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the review requirements stated above.

A current version of this document is available to all members of staff within the InVentry Ltd company handbook.

This policy was approved by the Board of Directors on 15.12.2017 and is issued on a version-controlled basis under the signature of the Chief Executive Officer (CEO).

Signature: *Phil Brooke*

Date: 15.12.2017