

# DATA PROTECTION POLICY

## General Statement of the Duties and Scope which pertain to Entergel

Entergel processes the data held in emails and documents passed between Entergel and its clients regarding their mutual business interests Entergel shall take all reasonable steps to process such data in accordance with this Policy.

## Data Protection Controller

Entergel is a sole trader and the Data Controller is Tom Price, the owner and operator of the business.

Entergel, being a sole trader organisation does not have an appointed Data protection Officer as none is mandated for such an enterprise.

Entergel recognises The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) adopted 27 April 2016, the two-year transition period and the application date of 25 May 2018 and is actively working towards compliance with that directive.

## Definitions

- Entergel is the trading name of Thomas Price a sole trader in the business of computer consultancy in respect of Document Management Software (Worldox) and Ancillary software produced by Entergel.
- Data Subject, an individual who is the subject of the personal data.
- Client, a firm, organisation or individual with a business relationship with Entergel who is the source provider of data containing Data Subjects.
- Entergel deems that all individuals who communicate on behalf of their employers or on their own account are, for the purpose of this document both Clients and data subjects.

## The Principles

Entergel shall so far as is reasonably practicable comply with the Data Protection Principles (the Principles) contained in the Data Protection Act to ensure all data is:-

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

## Personal Data

Personal data covers both facts and opinions about an individual where that data identifies an individual. For example, it includes information necessary for the exchange of instructions between Entergel and its clients and will contain information such as the senders or recipients name, Job Title and employer. This data may be construed as sensitive personal data as defined in the Act.

## **Processing of Personal Data**

Explicit consent for the processing of personal information should not be required as the processing is necessary for the performance and execution of the works implied or agreed between Entergel and its clients. Any information which falls under the definition of personal data and is not otherwise exempt will remain confidential and will only be disclosed to third parties with appropriate consent.

If a client wishes to remove consent for Entergel to process this data then Entergel will honour that request and destroy any data held which pertains to that data subject other than that which is mandated by law, and exempted from the GDPR, such as financial records.

Entergel only processes the personal data provided to it by its clients in direct pursuance of the business between the client and Entergel so as to make such business more efficient.

No data is, or will be, processed for direct marketing or indirect marketing or provided to other parties without the expressed consent of the Client.

Clients and data subjects have the right to request an opt-out to these activities, which will be respected.

## **Sensitive Personal Data**

Entergel will take steps to, as far as possible, avoid the retention or processing of sensitive personal data. Sensitive personal data includes data relating to medical information, gender, religion, race, sexual orientation, trade union membership and criminal records and proceedings.

## **Rights of Access to Information**

Data subjects have the right of access to information held by Entergel, subject to the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000. Any data subject wishing to access their personal data should put their request in writing to Entergel.

Entergel will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request. The information will be imparted to the data subject as soon as is reasonably possible after it has come to the attention of Entergel compliance with the relevant Acts.

## **Exemptions**

Certain data is exempted from the provisions of the Data Protection Act which includes the following:-

- National security and the prevention or detection of crime
- The assessment of any tax or duty
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon Entergel, including Safeguarding and prevention of terrorism and radicalisation
- Data which has knowingly already been put into the Public Domain by the data subject.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPC.

## **Accuracy**

Entergel will endeavour to ensure that all personal data held in relation to all data subjects is accurate. Data subjects must notify the data processor of any changes to information held about them. Data subjects have the right in some circumstances to request that inaccurate information about them is erased. This does not apply in all cases, for example, where records of mistakes or corrections are kept, or records which must be kept in the interests of all parties to which they apply.

## **Enforcement**

If an individual believes that Entergel has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, the individual should advise Entergel as soon as is practical.

## **Data Security**

Entergel will take appropriate technical and organisational steps to ensure the security of personal data.

Entergel is required to respect the personal data and privacy of others and must ensure that appropriate protection and security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to all personal data.

An appropriate level of data security will be deployed for the type of data and the data processing being performed. In most cases, personal data will be stored in appropriate systems and be encrypted when transported offsite. Other personal data may be for temporary use within Entergel in pursuing its obligations to its clients, and will therefore have a lower requirement for data security.

## **External Processors**

Entergel data processed by external processors, for example, service providers, web sites etc. will be compliant with this policy and the relevant legislation.

## **Secure Destruction**

When data held in accordance with this policy is destroyed, it will be destroyed securely in accordance with best practice at the time of destruction.

## **Retention of Data**

Entergel may retain data for differing periods of time for different purposes as required by statute or best practices. Other statutory obligations, legal processes and enquiries may also necessitate the retention of certain data.

## **Revisions**

From time to time this policy may be refined and updated. The latest version of this policy will be made available on request.

Policy last Updated: 04.05.2018