



GrowFactor GDPR Policy

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GrowFactor GDPR Policy

Rationale

GrowFactor Limited (GrowFactor) is committed to a policy of protecting the rights and privacy of individuals, including our clientele, employees and others, in accordance with the General Data Protection Regulation (GDPR) of May 2018.

The new regulatory environment demands higher transparency and accountability in how accountancy firms manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use.

The GDPR contains provisions that GrowFactor will need to be aware of as data controllers, including provisions intended to enhance the protection of clients' personal data. For example, the GDPR requires that:

GrowFactor needs to process certain information about its employees, clients and other individuals with whom it has a relationship for various purposes such as, but not limited to:

1. The recruitment and payment of employee.
2. The implementation of client work which has been documented in a proposal beforehand.
3. Client onboarding.
4. Marketing and communication purposes.
5. Collecting payments.
6. Complying with legal, financial obligations to government bodies.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) GrowFactor must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Compliance

This policy applies to all employees and clients of GrowFactor. Any breach of this policy or of the Regulation itself will be considered an offence and GrowFactor's disciplinary procedures will be invoked.

As a matter of best practice, other agencies and individuals working with GrowFactor and who have access to personal information, will be expected to read and comply with this policy.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

General Data Protection Regulation (GDPR)

This piece of legislation comes in to force on the 25th May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals, for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), and may include facts or opinions about a person.

Responsibilities under the GDPR

As the controller for the personal data we process, we document all the applicable information under Article 30(1) of the GDPR.

As the processor for the personal data we process, we document all the applicable information under Article 30(2) of the GDPR:

- We document our processing activities in writing.
- We document our processing activities in a granular way with meaningful links between the different pieces of information.

- We conduct regular reviews of the personal data we process and update our documentation accordingly.

When preparing to document our processing activities, GrowFactor will ensure to:

- Do information audits to find out what personal data our organisation holds.
- Distribute questionnaires and talk to employees across the organisation to get a more complete picture of our processing activities.
- Review our policies, procedures, contracts and agreements to address areas such as retention, security and data sharing.

As part of our record of processing activities we document, or link to documentation, on:

- Information required for privacy notices.
- Records of consent.
- Controller-processor contracts.
- The location of personal data.
- Data Protection Impact Assessment reports.
- Records of personal data breaches.

We document our processing activities in electronic form so we can add, remove and amend information easily.

Data Protection Principles

The legislation places a responsibility on every data controller and processor to process any personal data in accordance with the eight principles. More detailed guidance on how to comply with these principles can be found in the DPCoP. Please follow this link to the ICO's website www.ico.gov.uk.

In order to comply with its obligations, GrowFactor will adhere to the eight principles:

1) Process personal data fairly and lawfully.

GrowFactor will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties

that are envisaged, given an indication of the period for which the data will be kept, and any other information which may be relevant.

2) Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.

GrowFactor will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

3) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.

GrowFactor will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this in mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

4) Keep personal data accurate and, where necessary, up to date.

GrowFactor will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify us if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of GrowFactor to ensure that any notification regarding the change is noted and acted on.

5) Only keep personal data for as long as is necessary.

GrowFactor undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means GrowFactor will undertake a regular review of the information held.

GrowFactor will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

6) Process personal data in accordance with the rights of the data subject under the legislation.

Individuals have various rights under the legislation including a right to:

- be told the nature of the information GrowFactor holds and any parties to whom this may be disclosed.
- prevent processing likely to cause damage or distress.
- prevent processing for purposes of direct marketing.
- be informed about the mechanics of any automated decision taking process that will significantly affect them.
- not have significant decisions that will affect them taken solely by automated process.
- sue for compensation if they suffer damage by any contravention of the legislation.
- take action to rectify, block, erase or destroy inaccurate data.
- request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened.

GrowFactor will only process personal data in accordance with individuals' rights.

7) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

All employees of GrowFactor are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

GrowFactor will ensure that all personal data is accessible only to those who have a valid reason for using it.

GrowFactor will have in place appropriate security measures:

- password protecting personal data held electronically.
- placing any PCs or terminals, etc. that show personal data so that they are not visible except to authorised employees.
- ensuring that PC screens are not left unattended without a password protected screen-saver being used.

In addition, GrowFactor will put in place appropriate measures for the deletion of personal data - manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before

disposal or if that is not possible, destroyed physically. A log will be kept of the records destroyed.

This policy also applies to employees who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

8) Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

GrowFactor will not transfer data to such territories without the explicit consent of the individual.

This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so GrowFactor will always seek the consent of individuals before placing any personal data (including photographs) on its website.

Consent as a basis for processing

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when GrowFactor is processing any sensitive data, as defined by the legislation.

GrowFactor understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement (e.g. via the wufoo form/ acceptance of proposal) whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

GrowFactor will ensure that any forms used to gather data on an individual will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosed and also indicate whether or not the individual needs to consent to the processing e.g.:

Personal Details

For the purposes of the General Data Protection Regulation (GDPR) Regulation (EU) 2016/679 you consent to GrowFactor holding and processing personal data including sensitive personal data of which you are the subject, details of which are specified in the GrowFactor's data protection policy.

GrowFactor will ensure that if the individual does not give his/her consent for the processing, and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

Breach Reporting

Any individual who suspects that a Personal Data Breach has occurred due to the theft or exposure of Personal Data must immediately notify the Office of Data Protection providing a description of what occurred.

The Office of Data Protection will investigate all reported incidents to confirm whether or not a Personal Data Breach has occurred. If a Personal Data Breach is confirmed, the Office of Data Protection will follow the relevant authorised procedure based on the criticality and quantity of the Personal Data involved. For severe Personal Data Breaches, the MetaPrivacy Group General Counsel will initiate and chair an emergency response team to coordinate and manage the Personal Data Breach response.

Subject Access Rights (SARs)

Individuals have a right to access any personal data relating to them which are held by GrowFactor. Any individual wishing to exercise this right should apply in writing to Simon Kallu. Any employee receiving a SAR via email should forward this to Simon Kallu. Under the terms of the legislation, any such requests must be complied with within 28 days.

Disclosure of Data

GrowFactor undertakes not to disclose personal data to unauthorised third parties.

Legitimate disclosures may occur in the following instances:

1. the individual has given their consent to the disclosure.
2. the disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual. In no circumstances will GrowFactor sell any of its databases to a third party.