

# Data Protection Policy

---

## Data Protection Policy

### Introduction

GradeMaker is committed to being transparent about how it collects and uses the personal data of individuals, and to meeting its data protection obligations. This policy sets out GradeMaker's commitment to data protection, and individual rights and obligations in relation to personal data. This policy applies to the personal data of clients or other personal data processed for business purposes.

The organisation has appointed a Data Protection Officer with responsibility for data protection compliance within the organisation. They can be contacted at [dpo@grademaker.com](mailto:dpo@grademaker.com).

Questions about this policy, or requests for further information, should be directed to them.

### *Definitions*

**"Personal data"** is any information that relates to an individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

**"Special categories of personal data"** means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.

**"Criminal records data"** means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

### **Data protection principles**

GradeMaker processes personal data in accordance with the following data protection principles:

- GradeMaker processes personal data lawfully, fairly and in a transparent manner.
- GradeMaker collects personal data only for specified, explicit and legitimate purposes.
- GradeMaker processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- GradeMaker keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.
- GradeMaker keeps personal data only for the period necessary for processing.
- GradeMaker adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.



GradeMaker tells individuals the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of individuals for other reasons.

---

GradeMaker does not process special categories of personal data or criminal records data to perform obligations or to exercise rights in regard to service provision and communication.

GradeMaker will update relevant personal data promptly if an individual advises that his/her information has changed or is inaccurate.

Personal data gathered for the purposes of service provision and communication (in hard copy or electronic format, or both), and on HR systems.

The periods for which GradeMaker holds personal data are contained in its privacy notices to individuals.

GradeMaker keeps a record of its processing activities in respect of personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

### Individual rights

As a data subject, individuals have a number of rights in relation to their personal data.

#### *Subject access requests*

Individuals have the right to make a subject access request. If an individual makes a subject access request, GradeMaker will tell him/her:

- whether or not his/her data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual;
- to whom his/her data is or may be disclosed, including to recipients located outside the European Economic Area (EEA), and not located in a country which has appropriate data protection safeguards (i.e. a 'Third country' and the safeguards that apply to such transfers;
- for how long his/her personal data is stored (or how that period is decided);
- his/her rights to rectification or erasure of data, or to restrict or object to processing;
- his/her right to complain to the Information Commissioner if he/she thinks GradeMaker has failed to comply with his/her data protection rights; and
- whether or not GradeMaker carries out automated decision-making and the logic involved in any such decision-making.

GradeMaker will also provide the individual with a copy of the personal data undergoing processing. This will normally be in electronic form unless agreed otherwise.

If the individual wants additional copies, GradeMaker may charge a fee, which will be based on the administrative cost to GradeMaker of providing the additional copies.

To make a subject access request, the most appropriate way is to make the request using the Data Subject Access Request Form, which is available on the GradeMaker websites (<https://pro.grademaker.com> or <https://www.grademaker.com>).

The data subject may also make the request via any member of GradeMaker staff, or via email to [dpo@grademaker.com](mailto:dpo@grademaker.com).

GradeMaker will require proof of identification before the request can be processed. GradeMaker will inform the individual of the documents it requires.

GradeMaker will respond to a request within a period of one calendar month from the later of:

- The date the request is received, or
- The date which documentation for the purposes of ID verification have been received,

If a subject access request is manifestly unfounded or excessive, GradeMaker is not obliged to comply with it. Alternatively, GradeMaker can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which GradeMaker has already responded. If an individual submits a request that is unfounded or excessive, GradeMaker will notify him/her that this is the case and whether or not it will respond to it.

### *Other rights*

Individuals have a number of other rights in relation to their personal data. They can require GradeMaker to:

- rectify inaccurate data;
- stop processing, erase or obfuscate data that is no longer necessary for the purposes of processing;
- stop processing, erase or obfuscate data if the individual's interests override GradeMaker's legitimate grounds for processing data (where GradeMaker relies on its legitimate interests as a reason for processing data);
- stop processing, erase or obfuscate data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the individual's interests override GradeMaker's legitimate grounds for processing data.

To ask GradeMaker to take any of these steps, the individual should send the request to the Data Protection Officer ([dpo@grademaker.com](mailto:dpo@grademaker.com)).

## Data security

GradeMaker takes the security of personal data seriously. GradeMaker has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by certain employees in the proper performance of their duties.

Where GradeMaker engages third parties to process personal data on its behalf, such parties do so on the basis of written agreements and instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## Data breaches

If GradeMaker discovers that there has been a breach of personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery. GradeMaker will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

## International data transfers

GradeMaker will not transfer personal data to any 'Third Country' (i.e. a country outside the EEA which does not enforce satisfactory and appropriate data protection safeguards).

## Individual responsibilities

Individual Data Subjects are responsible for helping GradeMaker keep their personal data up to date. Individual Data Subjects should let GradeMaker know if data provided to GradeMaker changes.

Individual employees may have access to the personal data of other individuals in the course of their employment. Where this is the case, these individuals help GradeMaker to meet its data protection obligations.

Individuals who have access to personal data are required:

- to access only data that they have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether inside or outside GradeMaker or Stephen Austin) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);
- not to remove personal data, or devices containing or that can be used to access personal data, from GradeMaker's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.

## Training

GradeMaker provides training to all individuals about their data protection responsibilities as part of the induction process.

Individuals whose roles require regular access to personal data, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.