

The Performance Group

Maximising performance everywhere we can!



HumanPerformance....developing skills since 2002!

Please note: References to **The Performance Group Limited** - from now on referred to as **TPGL** - include all brands, trading styles and trading names of the company.

Personal information regarding all employees will be kept strictly confidential and any records held will be the responsibility of James Turner, TPGL's Data Protection Officer, and protected by the Data Protection Act 1998.

The Data Protection Act 1998 contains principles affecting employee and other personal records. Information protected by the Act includes not only personal data held on computer but also certain manual records containing personal data, for example employee personnel files that form part of a structured filing system.

Employees of TPGL could be criminally liable if they knowingly or recklessly disclose personal data in breach of the Act. A serious breach of data protection is also a disciplinary offence and will be dealt with under TPGL's disciplinary procedures.

The data protection principles: There are eight data protection principles that are central to the Act. TPGL and all its employees must comply with these principles at all times in its information-handling practices. In brief, the principles say that personal data must be:

1. Processed fairly and lawfully and must not be processed unless certain conditions are met in relation to personal data and additional conditions are met in relation to sensitive personal data

The conditions are either that the candidate has given consent to the processing, or the processing is necessary for the various purposes set out in the Act. Sensitive personal data may only be processed with the explicit consent of the candidate concerned and consists of information relating to:

- Race or ethnic origin
- Political opinions and trade union membership
- Religious or other beliefs
- Physical or mental health or condition
- Sexual life
- Criminal offences, both committed and alleged

2. Obtained only for one or more specified and lawful purposes, and not processed in a manner incompatible with those purposes

3. Adequate, relevant and not excessive

TPGL will review personal information held about candidates on an annual basis to ensure they do not contain a backlog of out-of-date information and to check there are sound business reasons requiring information to continue to be held.

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4. *Accurate and kept up-to-date*

If your personal information changes whilst in the process of studying for a qualification, for example you change address, you must inform the centre as soon as practicable so that your records can be updated. TPGL cannot be held responsible for any errors unless you have notified TPGL of the relevant change/s.

5. *Not kept for longer than is necessary*

TPGL will only keep candidates information for the minimum period required under the terms of its EDI License. Different categories of data will be retained for different time periods, depending on legal, operational and financial requirements. Any data, which TPGL decides it does not need to hold for a period of time, will be destroyed after one year.

6. *Processed in accordance with the rights of employees under the Act*

7. *Secure, technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, data*

Candidates' personal information is confidential and is stored in locked filing cabinets. Only authorised staff have access to these files. Files will not be removed from their normal place of storage without good reason. Data stored on CD-ROM or other removable media will be kept in locked filing cabinets. Data held on computer will be stored confidentially by means of password protection, encryption or coding and again only authorised employees have access to that data. TPGL has network backup procedures to ensure that data on computer cannot be accidentally lost or destroyed.

8. *Not transferred to a country or territory outside the European Economic Area unless that country ensures an adequate level of protection for the processing of personal data*

Your consent to personal information being held: TPGL is required to collect certain personal data under the terms of its EDI License and by completing any relevant documentation requesting this information you have consented to that data being processed by TPGL.

TPGL also holds limited sensitive personal data about its candidates and, by enrolling on an EDI Qualification or Human Performance Workshop, you give your explicit consent to TPGL holding and processing that data, for example special educational needs and equal opportunities monitoring data.

Your right to access personal information: You have the right, on request, to receive a copy of the personal information that TPGL holds about you, including your personnel file, and to demand that any inaccurate data be corrected or removed. You have the right on request:

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- To be told by TPGL whether and for what purpose personal data about you is being processed
- To be given a description of the data and the recipients to whom it may be disclosed
- To have communicated in an intelligible form the personal data concerned, and any information available as to the source of the data
- To be informed of the logic involved in computerised decision-making

Upon request, TPGL will provide you with a statement regarding the personal data held about you. This will state all the types of personal data TPGL holds and processes about you and the reasons for which they are processed.

If you wish to access a copy of any personal data being held about you, you must make a written request for this and TPGL reserves the right to charge you a fee of up to £10. To make a request, please complete a Personal Data Subject Access Request Form, which can be obtained from the Data Protection Officer.

If you wish to make a complaint that these rules are not being followed in respect of personal data TPGL holds about you, you should raise the matter with the Data Protection Officer.

TPGL's obligations in relation to personal information: All employees of TPGL will ensure that they comply with the following guidelines at all times:

- Do not give out confidential personal information except to the data subject. In particular, it should not be given to someone from the same family or to any other unauthorised third party unless the data subject has given their explicit consent to this
- Be aware that those seeking information sometimes use deception in order to gain access to it. Always verify the identity of the data subject and the legitimacy of the request, particularly before releasing personal information by telephone
- Only transmit personal information between locations by fax or e-mail if a secure network is in place, for example, a confidential fax machine or encryption is used for e-mail
- If you receive a request for personal information about a candidate, you should forward this to the Managing Director of TPGL who will be responsible for dealing with such requests
- Ensure any personal data you hold is kept securely, either in a locked filing cabinet or, if computerised, it is password protected
- Compliance with the Act is every employee's responsibility. If you have any questions or concerns about the interpretation of these rules, please discuss this with TPGL's Data Protection Officer.

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