

Actus Software Privacy Policy 2017



Actus™ Software Privacy Policy

Introduction

Actus™ Software (*a trading name of Advance Change Ltd*), is a provider of organisational development solutions and consultancy to businesses (the Client Company). Therefore, protecting company, employee or user privacy is of the utmost important to Actus™ Software.

This privacy policy outlines Actus™ Software's general policy and practices for implementing privacy principles, including the types of information to be gathered, how that information will be used, and the notice and choice affected individuals have regarding that use of and their ability to correct that information. This privacy policy applies to all private Information received by Actus™ Software whether in electronic, paper, or verbal format.

Definitions

'Public Information' information that is already in the public domain and could be found on a company website or other documentation.

'Confidential Information' information that is not in the public domain, may be commercially sensitive or provide a competitive advantage to others

"Private Information" shall mean information that:

1. Can be used to uniquely identify a specific individual,
2. Can be used to uniquely describe a specific individual,
3. Is recorded in any form.

Principles

Actus™ Software collects personal data from company individuals for the sole purpose of providing a service to the Client Company. The data remains the property of the Client Company and Actus™ Software is providing a hosted service for the Client Company and as such is purely a Data Processor.

Actus™ Software will treat Sensitive Private Information received from an individual in the same way as an individual would treat and identify it as Sensitive Private Information.

Visibility of data and subject access requests

Actus™ Software is designed to be fully transparent, therefore, data entered within the system is fully visible to the individual in question and they will have contributed to that data. It is also visible to their manager and those whose reporting line they fall into. Each company will have a small number of HRAdmin user logins for authorised internal individuals. They are able to view all data within the system for their company through this login.

Therefore any subject access requests can and should be administered locally in the first case as the data is accessible by the individual and by the internal HRAdmin expert. If for some reason the subject access request requires a database extract, this should be requested in writing by the



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Company sponsor on behalf of the subject and may be subject to a minimum charge, however the extract can be provided within 21 days to accommodate the response times recommended by the ICO.

Access

Actus™ Software shall allow an individual to access their Private Information and permit the individual to correct, amend, or delete inaccurate information, unless the cost of providing access would be disproportionate to the risks to the privacy of the individual in the case in question, or where the rights of other persons would be violated by permitting access to such information.

Privacy within the Client Company

The Client Company is expected to enforce adequate privacy and data protection procedures to protect access and privacy of data within Actus™. This includes always accessing the system from a password protected device, keeping passwords confidential and using 8 characters with a combination of upper and lower case, special characters and numbers. Actus™ Software cannot be held responsible for breach of these privacy or data protection procedures.

Actus™ Software uses a feature of your Internet Web Browser called a 'Cookie'. A Cookie is a file that a Web Browser places on a computer's hard disk that allows Actus™ to maintain a link between the client browser and the system. Actus™ uses Cookies to maintain the client session on the website and store their preferences. The Cookie will remain on an individual's hard disk indefinitely. Most browsers accept cookies automatically. Cookies can be deleted from an individual's browser if required.

Please note that Actus™ Software do not use Cookies to retrieve personal information about you from your computer, unless the information has been knowingly and willingly provided.

Customer Data and Data protection

The Customer owns all rights, title and interest in and to all of the Customer Data and shall have sole responsibility for the legality, reliability, integrity, accuracy and quality of this data.

Actus™ shall follow stringent back up and archiving procedures for Customer Data as set out in its Back-Up Policy accessible at www.Actus™.co.uk. In the unlikely event of any loss or damage to Customer Data, the Customer's sole and exclusive remedy shall be for Actus™ to use its reasonable commercial endeavours to restore the lost or damaged Customer Data from the latest back-up of such Customer Data maintained by Actus™ in accordance with the Back-Up Policy. Actus™ shall not be responsible for any loss, destruction, alteration or disclosure of Customer Data caused by any third party.

If Actus™ processes any personal data on the Customer's behalf when performing its obligations under this agreement, the parties record their intention that the Customer shall be the data controller and Actus™ shall be a data processor and in any such case:

Personal data is stored in the UK and will **not** be transferred or stored outside the UK by Actus™ unless specifically requested by the Customer.



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It is incumbent on the Customer shall ensure that it is entitled to transfer the relevant personal data to Actus™ so that Actus™ may lawfully use, process and transfer the personal data in accordance with this agreement on the Customer's behalf and the Customer shall ensure that the relevant third parties have been informed of, and have given their consent to, such use, processing, and transfer as required by all applicable data protection legislation;

Actus™ shall process the personal data only in accordance with the terms of this agreement and any lawful instructions reasonably given by the Customer from time to time; and each party shall take appropriate technical and organisational measures to protect against unauthorised or unlawful processing of the personal data or its accidental loss, destruction or damage.

Without prejudice to the foregoing, both parties agree that in the performance of this agreement they shall, without limitation, each comply with the Data Protection Act 1998, the Data Protection Directive (95/46/EC) and all applicable laws and regulations relating to the processing of personal data and privacy.

Actus™ records its intention to meet the forthcoming GDPR 2018 requirements in line with the expectations defined and laid out by the ICO.

Employee Engagement Surveys & 360 feedback

When Actus™ Software manages an employee engagement or 360 survey on behalf of a Client Company data will be anonymised so that individual responses or comments cannot be identified (with the exception of manager comments in 360 feedback). This is considered to be in the interests of the individual and the Client Company and is an essential principle to uphold the integrity of objective surveys and feedback tools.

Data Security

Actus™ Software will take all reasonable steps to protect Private Information from loss, misuse, unauthorised access, disclosure, alteration, and destruction. Actus™ Software has implemented appropriate physical, electronic, and managerial processes to secure Private Information from loss, misuse, unauthorized access or disclosure, alteration, or destruction. Hosted client data is transferred securely as encrypted data or via SSL.

Actus™ Software cannot guarantee the security of Private Information on or transmitted via third-party electronic networks such as the Internet.

Data Integrity

Actus™ Software shall take reasonable steps to ensure that Private Information is accurate, complete, current, and reliable for its intended and declared use only.



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Data retention

Private Information will not be retained any longer than is required for the delivery of the service as contracted with the customer. Should a contract cease, data will be deleted according to the instructions of the customer's data controller and will have been removed from all back up logs within 6 weeks.

Actus™ is registered in the UK with the Information Commissioner.

Monitoring and Auditing of Access Controls

Actus™ Software with access to data have been subject to the following checks/training:

- Verification of identity checks
- Right to work checks
- Professional registration and qualification checks
- Employment history and reference checks
- Criminal record and barring checks
- Occupational health checks
- Data Protection procedures

It may be necessary from time to time for authorised third parties to access live data for the purpose of maintaining or backing up the software or data or during customer training. Such access is temporary and monitored. Actus™ Software shall ensure that any third party to which private information may be disclosed subscribes to the same Privacy Principles and has agreed in writing to provide an adequate level of privacy protection.

Actus™ Software verifies periodically that the policy is accurate and comprehensive for the information intended to be covered and is implemented effectively.

Actus™ Software encourages interested parties to contact us with any concerns using the contact information provided. Actus™ Software will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of Private Information in accordance with the Privacy Principles.

If a complaint or dispute cannot be resolved through internal process, Actus™ Software agrees to dispute resolution via a third party.

Amendments

This Privacy Policy may be amended from time to time. Actus™ Software will post any revised policy on the www.Actus™.co.uk/knowledge-bank part of the website.

