



## Privacy Notice

IT, SYSTEMS AND DATA

**Truly Inc Group Enterprises Ltd**

[www.trulyinc.org.uk](http://www.trulyinc.org.uk)

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Truly Inc Group Enterprises Limited has a responsibility to document how we will protect your personal data. This is a legal requirement of the Data Protection Act (2018), Part 2, within the UK GDPR 'Right to be Informed'. This privacy notice will outline our responsibilities to you.

**This privacy notice was last updated in May 2024.**

## 1.0 KEY TERMS

1.1 Whilst every effort has been made to outline our responsibilities to you in as clear, concise, and easy to understand manner as possible, we do need to use certain terms throughout this privacy notice.

1.2 We will now provide an easy-to-understand definition of each term:

**Business Continuity Plan (BCP):** This is a prevention and recovery system for potential threats, such as natural disasters or cyber-attacks. BCP is designed to protect personnel and assets and make sure they can function quickly when a disaster strikes.

**Data Controller:** A data controller has the responsibility of deciding how personal data is processed, the purpose for the data processing, and how to securely protect the personal data.

**Data Processing Agreement (DPA):** Whenever a Data Controller uses a Data Processor to process personal data on their behalf, a written contract needs to be in place between the parties. Similarly, if a processor uses another organisation (i.e. a Sub-Processor) to help it process personal data for a Data Controller, it needs to have a written contract in place with that Sub-Processor. This is commonly referred to as a DPA.

**Data Processor:** In a similar way to data controllers, data processors must protect people's personal data. However, they only process it in the first place on behalf of the data controller. They would not have any reason to have the personal data if the data controller had not asked them to do something with it.

**Data Protection Act (DPA 2018):** The DPA 2018 sets out the legal data protection framework in the UK. It contains three separate data protection regimes:

- Part 2: sets out a general processing regime (the UK GDPR);
- Part 3: sets out a separate regime for law enforcement authorities; and
- Part 4: sets out a separate regime for the three intelligence services.

**Data Subject:** A data subject is a living person who can be identified from personal data.

**GDPR:** This stands for General Data Protection Regulation (GDPR), the UK's agreed standards for data protection that are also written into UK law through the Data Protection Act 2018 (DPA 2018).

**Incident Response Plan (IRP):** A document that outlines an organisations procedures, steps, and responsibilities of its incident response program, for example when responding to a personal data breach.

**Individual Rights:** In UK data protection law, individuals have rights over their personal data. These rights allow the individual to ask the data controller to do something, or stop doing something with their personal data. There are eight individual rights.

**Information Commissioner's Office (ICO):** The Information Commissioner's Office (ICO) is the UK's independent body set up to uphold information rights.

**Lawful Basis:** A lawful basis is the legal reason or legal grounds relied upon for the processing of an individual's personal data. There are six lawful bases to choose from: consent, contract, legal obligation, legitimate interest, public task, and vital interests.

**Personal Data:** Personal data is information about who you are, where you live, what you do, and more. It is all information that identifies you as a data subject.

**Privacy and Electronic Communications Regulations 2003 (PECR):** PECR sits alongside the DPA 2018 and the UK GDPR. This legislation gives people specific privacy rights in relation to electronic communications, and electronic processing of their personal data.

**Processing:** Processing means taking any action with someone's personal data, including processing the data for a specific purpose, storing the data, and archiving the personal data.

**Sub-Processor:** A sub-processor acts under the instructions of the Data Processor, meaning that they may process individuals Personal Data on behalf of the Data Processor. Truly Inc Group Enterprises Limited will always seek the permission of the Data Controller before appointing any Sub-Processors.

## 2 SCOPE

**2.1** The scope for Truly Inc Group Enterprises Limited is any data subject, whose personal data is processed upon instruction, in line with UK privacy legislation including the DPA 2018, PECR (2003), and UK GDPR.

**2.2** We also acknowledge any additional responsibilities requested by the industry regulator in the UK, the Information Commissioner's Office (ICO).

**2.3** The DPA 2018 and UK GDPR have a material scope covering personal data that is processed either electronically or is processed as part of a physical paper filing system.

**2.4** Truly Inc Group Enterprises Limited will adhere to the seven UK GDPR data processing principles when handling personal data:

- Lawfulness, Fairness, and Transparency;
- Purpose Limitation;
- Data Minimisation;

- Accuracy;
- Storage Limitation;
- Integrity and Confidentiality (Security); and
- Accountability.

**2.5** All associates and employees of Truly Inc Group Enterprises Limited who interact with data subjects are responsible for ensuring that this privacy notice is drawn to their attention, at the earliest available opportunity.

### 3 LAWFULNESS

**3.1** Truly Inc Group Enterprises Limited is a private limited company, based in England, under company registration number 13690954, complying with the laws of the United Kingdom, paying further reference to the Companies Act (2006).

**3.2** Truly Inc Group Enterprises Limited is registered with the ICO under registration number ZB158442.

**3.3** Truly Inc Group Enterprises Limited acts as a data processor and data controller. We are responsible for the personal data that we process (on behalf of the data subject), and have our own measures for ensuring compliance with the UK data controller regulations (personal data we are responsible for).

**3.4** Truly Inc Group Enterprises Limited also determines the scope of the personal data processing, what personal data we process, and for what purpose.

**3.5** From time to time we may appoint data processors on behalf of Truly Inc Group Enterprises Limited. We will always ensure that a written agreement is in place with each of our data processors documenting how personal data will be processed, safeguarded, and stored. Truly Inc Group Enterprises Limited has the overall responsibility for all data processors.

**3.6** Truly Inc Group Enterprises Limited has a duty of care acting as a data controller to appoint a Data Protection Officer (DPO). We have a legal obligation to notify the ICO of their name and contact details. Our appointed Data Protection Officer (DPO) is CSRB Limited. They can be contacted via email at [dpo@csrb.co.uk](mailto:dpo@csrb.co.uk).

**3.7** Truly Inc Group Enterprises Limited uses lawful bases, as set out in UK GDPR Article 6, when we process your personal data:

- a. **Contract** - personal data is processed by us for the purposes of supplying our training and development, events management, and business support services to you;
- b. **Legal Obligation** – personal data is processed by us to meet a requirement set out in UK law or statute. For example HMRC require us to process certain personal data to meet our legal financial reporting requirements;
- c. **Legitimate Interests** – personal data is processed by us to communicate with you regarding important business or commercial information, and to inform you of complimentary services provided by us, in addition to solicited direct marketing to existing clients under the PECR ‘soft opt-in’ exemption.

**3.8** Truly Inc Group Enterprises Limited may process certain special category data on behalf of our clients. This may include the following categories of personal data:

- a. personal data revealing racial or ethnic origin;
- b. personal data revealing political opinions;
- c. personal data revealing religious or philosophical beliefs;
- d. personal data revealing trade union membership;
- e. genetic data;
- f. biometric data (where used for identification purposes);
- g. data concerning health;
- h. data concerning a person's sex life; and
- i. data concerning a person's sexual orientation.

**3.9** Truly Inc Group Enterprises Limited ensures that all processing of the above special category data is lawful, fair, transparent, and complies with all the data processing principles of the UK GDPR.

**3.10** Truly Inc Group Enterprises Limited can only process special category data if we can meet one of the specific conditions in Article 9 of the UK GDPR. We may also have to meet additional conditions set out in the DPA (2018). The Article 9 condition we use is 'Explicit consent'.

**3.11** Truly Inc Group Enterprises Limited may transfer personal data we collect about you to countries outside the UK, including the EEA/EU and the USA. We treat each international data transfer individually and assess the risk associated with the transfer and whether a suitable level of adequacy with UK data privacy legislation is available, within the country to where the personal data is being transferred.

**3.12** Data transfers between the UK the EU/EEA can flow freely under the 'Adequacy Decision' agreed between the UK and European Parliament on 27 June 2021. This adequacy agreement is expected to last until 27<sup>th</sup> June 2025, after which this will be reviewed and our privacy notice amended accordingly. If the international data transfer is outside the EU/EEA/UK then risk assessment criteria and appropriate safeguards would be put in place, such as Data Protection Impact Assessments (DPIAs). We would then seek the explicit consent of the data subject.

## 4 FAIRNESS

**4.1** Truly Inc Group Enterprises Limited processes personal data in a fair way. We do this by putting the individual's rights at the heart of all processing with regards to personal data.

There are eight individual rights:

- a. *Right to be informed* – data subjects have the right to know why we are collecting and processing personal data, this right is met by the provision of this privacy notice and any subsequent privacy documentation;
- b. *Right of access* – you have the right to know what personal data we have on record and request a copy;
- c. *Right of rectification* – you have the right to correct personal data that we hold about you that is inaccurate or incomplete;
- d. *Right to be forgotten* – in certain circumstances you can ask for the personal data we hold about you to be erased from our records;
- e. *Right to restriction of processing* – where certain conditions apply you have a right to ask us to only process your personal data for certain processing activities;
- f. *Right of portability* – you have the right to have the personal data we hold about you transferred to another data controller;
- g. *Right to object* – you have the right to object to certain types of data processing such as marketing; and
- h. *Right to object to automated processing, including profiling* – you also have the right to object to the legal effects of automated processing or profiling.

**4.2** Truly Inc Group Enterprises Limited will only handle personal data in ways that individuals would reasonably expect and not use it in ways that have unjustified adverse effects on them.

**4.3** Truly Inc Group Enterprises Limited will obtain personal data in a fair way. We will seek explicit consent from the data subject or securely transfer personal data into the business where a lawful base for processing can be identified from Article 6 of the UK GDPR, as identified in clause 3.7 above.

**4.4** Truly Inc Group Enterprises Limited always considers the rights and freedoms of data subjects when processing personal data. This could be for individuals or those part of a wider group.

**4.5** Truly Inc Group Enterprises Limited will have a written agreement with each client setting out the contract terms. In addition a Data Processing Agreement (DPA) will be issued by Truly Inc Group Enterprises Limited and/or the other party and signed by both parties.

## 5 TRANSPARENCY

**5.1** Transparency is fundamentally linked to fairness. Truly Inc Group Enterprises Limited will always be clear, open, and honest with people from the start, about who we are, and how, and why we need to use your personal data.

**5.2** Truly Inc Group Enterprises Limited will inform clients and data subjects from the outset regarding the types of personal data we need to process, usually within our business terms, contract documentation, this privacy notice, and other privacy documentation.

**5.3** Truly Inc Group Enterprises Limited processes the following personal data types as a minimum:

- a. **Contact Data** (e.g., name, email address, telephone number, addresses, emergency contacts);
- b. **Identity Data** (e.g., date of birth, age, gender assigned at birth, ethnicity, sexual orientation);
- c. **Special Category Data** (e.g. health data, mental health data, sensitive data).

**5.4** Truly Inc Group Enterprises Limited informs individuals about all personal data processing in a way that is easily accessible and easy to understand, using clear and plain language. We do this ensuring all Truly Inc Group Enterprises Limited’s employees receive annual data protection and UK GDPR training, whilst having a company information governance framework with up-to-date policies, procedures, and processes.

**5.5** Truly Inc Group Enterprises Limited hope we can resolve any query or concern you raise about our use of your personal data. You can contact Truly Inc Group Enterprises Limited in the first instance at any time by emailing [info@trulyinc.org.uk](mailto:info@trulyinc.org.uk) or you can write to us at Truly Inc Group Enterprises Limited, Aizlewood's Mill, Nursery Street, Sheffield, England, S3 8GG.

**5.6** Truly Inc Group Enterprises Limited has appointed a certified Data Protection Officer (DPO) to act in the interests of all parties. Should you require further information with regards to personal data processing and the protection of your personal data, please contact our nominated DPO at CSRB Limited. They can be contacted via email at [dpo@csrb.co.uk](mailto:dpo@csrb.co.uk).

**5.7** Should we not be able to resolve the complaint, you have the right to lodge a complaint with the lead authority. The lead authority in the UK is the Information Commissioner’s Office (ICO), who may be contacted by telephone on 0303 123 1113 or by visiting [www.ico.org.uk](http://www.ico.org.uk).

## 6 PURPOSE LIMITATION

**6.1** Truly Inc Group Enterprises Limited will always be clear about what the purpose is for any personal data processing from the very start. We process your personal data for the following purposes:

- a. carry out our obligations arising from any contracts entered into between you and us;
- b. providing and managing your client account and your access to it via [bookwhen](#);
- c. provide you with information, products, or services that you request from us or which we feel may be of interest to you, where you have consented to be contacted for such purposes or by legitimate interest;
- d. notify you about important legal changes to our company and the services we provide; and
- e. if you are an existing contact or customer we will contact you by electronic means (email) with information about services or goods which you have previously purchased from us or enquired about. If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have consented to this. You can choose to not receive these types of communication by contacting us (right to object – paragraph 4.1).
- f. in response to you with regards to any suspected data breaches, security incidents, and responses to any received Subject Access Requests (SARs).

- 6.2** Truly Inc Group Enterprises Limited will record our purposes for personal data processing as part of our contract obligations. We will also specify them in any additional privacy documentation provided.
- 6.3** Truly Inc Group Enterprises Limited will only use your personal data for a new purpose if this is either compatible with the original purpose, or we obtain consent, or we have a clear lawful obligation, or function set out in UK law.
- 6.4** Where relevant, Truly Inc Group Enterprises Limited, may also share personal data with third parties, such as:
- a. Trusted third party partners who we work alongside and who process personal data on our behalf, with regards to agreements and contracts, or for the provision of supplementary support services. Disclosure of the nominated trusted third-party partner would be provided at the agreement/contract stage and a relevant Data Processing Agreement (DPA) would be put in place to protect all personal data, from a data controller, data processor, and data subject perspective;
  - b. Fraud prevention agencies, money laundering agencies, and other professional associations; and
  - c. Regulators and law enforcement agencies, including the Police, HM Revenue and Customs, or any other relevant authority who may have jurisdiction. We would always inform you ahead of acting on any instructions to proceed.
- 6.5** Truly Inc Group Enterprises Limited will share personal data with law enforcement or other authorities, if required by law.

## 7 DATA MINIMISATION

- 7.1** Truly Inc Group Enterprises Limited always ensures the personal data we are processing is:
- a. Adequate – sufficient to properly fulfil our stated purpose;
  - b. Relevant – has a rational link to that purpose; and is;
  - c. Limited to what is necessary – we do not hold more than we need for that purpose.

The UK GDPR does not define these terms. As this is the case, Truly Inc Group Enterprises Limited accepts these terms may have a differing definition from one individual to the other, as the processing will depend on the specified purpose for collecting and using the personal data.

- 7.2** In order to assess whether we are holding the right amount of personal data, we demonstrate clearly why we need it, before any data processing activities take place.
- 7.3** For special category data or criminal offence data, we understand the importance of collecting and retaining only the minimum amount of information.
- 7.4** Truly Inc Group Enterprises Limited undertakes an annual data protection audit with an external certified data protection service provider, to review our personal data processing, and to check that the personal data we hold is still relevant and adequate for the stated purposes.



## 8 ACCURACY

- 8.1** Truly Inc Group Enterprises Limited will take all reasonable steps to ensure the personal data we hold is accurate and up to date.
- 8.2** Truly Inc Group Enterprises Limited will take reasonable steps to ensure that personal data we hold is not incorrect. This may involve contacting you via our official communication channels, to ensure all personal data held is accurate.
- 8.3** Truly Inc Group Enterprises Limited will always record the source of where personal data came from and ensure the source is compliant with UK privacy laws, including the UK GDPR.
- 8.4** If we need to keep a record of a mistake, where we have clearly identified it as a mistake, we add this to our records of processing for audit purposes, and continuous improvement.
- 8.5** Truly Inc Group Enterprises Limited's records of processing clearly identify any matters of opinion, and where appropriate whose opinion it is, and any relevant changes to the underlying facts.
- 8.6** Truly Inc Group Enterprises Limited will comply with the individual's right to rectification, and carefully consider any challenges to the accuracy of the personal data.
- 8.7** As a matter of good practice, we keep records of processing of any challenges to the accuracy of the personal data.

## 9 STORAGE LIMITATION AND DELETION

- 9.1** Truly Inc Group Enterprises Limited will not keep personal data for any longer than is necessary to fulfil the original stated purpose for the processing of such personal data.
- 9.2** Truly Inc Group Enterprises Limited will only keep personal data for the period outlined to meet the requirements of the contract, legal obligation, or legitimate interest identified.
- 9.3** Any retention of personal data will be carried out in compliance with legal, professional body, and regulatory obligations. These data retention periods are subject to change, due to any revisions of associated legislation, regulations, or requirements.
- 9.4** Truly Inc Group Enterprises Limited acknowledges that UK privacy legislation does not determine how long personal data needs to be kept. This is up to the data controller to determine and document accordingly at the earliest possible opportunity.
- 9.5** Truly Inc Group Enterprises Limited has a personal data retention policy in place, which documents the categories of personal data we hold, what we use it for, and how long we intend to keep it.
- 9.6** Truly Inc Group Enterprises Limited periodically reviews the personal data we hold, and erases or anonymises it, when we no longer need to process it for the original purpose.
- 9.7** Truly Inc Group Enterprises Limited also considers any challenges to the retention of personal data. We understand that individuals have a right to erasure if we no longer need their personal data.

- 9.8** Truly Inc Group Enterprises Limited acknowledges there are exceptions to retention periods. Here we can keep personal data for longer if we are only keeping it for public interest archiving, scientific or historical research, or statistical purposes. We would always inform you if this was the case, along with our lawful basis for retention.
- 9.9** When Truly Inc Group Enterprises Limited is provided with an instruction to destroy data it must be destroyed irretrievably either in paper or electronic formats. Paper records will be destroyed by an approved contractor who can provide evidence of destruction and a certificate of destruction. Truly Inc Group Enterprises Limited will retain this certificate.
- 9.10** Truly Inc Group Enterprises Limited also has secure destruction procedures and processes for any of the devices it has used for the storage of personal data. Truly Inc Group Enterprises Limited will retain evidence of any equipment destruction and confirms that the destruction is beyond any prospect of retrieving data stored within the device.

## 10 DATA TRANSFER AND CONFIDENTIALITY (SECURITY)

- 10.1** Truly Inc Group Enterprises Limited will undertake an analysis of the risks presented by our personal data processing and use this to assess the appropriate level of security we need to put in place. We review our Business Continuity Plan (BCP) and Incident Response Plan (IRP) annually.
- 10.2** We have an information security policy and take steps to make sure the policy is implemented. We also undertake annual information security reviews. We make sure that we regularly review our information security policies and measures and, where necessary, improve them.
- 10.3** Truly Inc Group Enterprises Limited make sure that we can restore access to personal data in the event of any data incidents or personal data breaches, by the implementation of an appropriate data backup procedure.
- 10.4** Truly Inc Group Enterprises Limited conducts regular penetration testing and reviews of our measures to ensure they remain effective, and act upon the results of those tests where they highlight areas for improvement or heightened risk.
- 10.5** Where appropriate, we implement measures that adhere to an approved code of conduct or certification mechanism, such as Cyber Essentials certification, and additional quality standards.
- 10.6** We ensure that any data processor we engage implements appropriate technical safeguards for all data.
- 10.7** Truly Inc Group Enterprises Limited does track website behaviour in order to offer data subjects an enhanced client experience and for organisational analytics. The UK GDPR and PECR interprets data collected by cookies as personal. It prohibits the collection of personal data without consent, which means a website is only allowed to collect information that the user voluntarily inputs. This includes name, email address, phone number, or any other information that the user shares with the website. The cookie consent must be freely given, specific, informed, and unambiguous. Further information about the use of cookies can be found in the Truly Inc Group Enterprises Limited Cookie Policy.

## 11 ACCOUNTABILITY

- 11.1** Accountability is one of the UK GDPR data processing principles. Truly Inc Group Enterprises Limited takes our accountability commitments with the UK GDPR very seriously, as documented by this privacy notice.
- 11.2** Truly Inc Group Enterprises Limited has put in place several measures that we must take, including:
- a. adopting and implementing data protection policies and procedures;
  - b. putting written contracts in place with those whose personal data we control and process;
  - c. maintaining documentation of our processing activities;
  - d. implementing appropriate security measures;
  - e. recording and, where necessary, reporting personal data breaches;
  - f. carrying out data protection impact assessments for uses of personal data that are likely to result in high risk to individual's interests;
  - g. ensuring all Truly Inc Group Enterprises Limited employees receive annual UK GDPR training;
  - h. appointing a data protection officer; and
  - i. adhering to relevant codes of conduct and signing up to certification schemes (where applicable).
- 11.3** Truly Inc Group Enterprises Limited understand that accountability obligations are ongoing. We review and, where necessary, update the measures we have put in place. For example, we continually enhance our privacy management framework, as this can help embed our accountability measures and create a culture of privacy across our organisation.
- 11.4** Truly Inc Group Enterprises Limited understand that being accountable can help build trust with individuals and may help mitigate any gaps in compliance, and thus any potential regulatory enforcement action.
- 11.5** If you have any questions or concerns about how we process and protect your personal data not covered in this privacy notice please contact Truly Inc Group Enterprises Limited by email at [info@trulyinc.org.uk](mailto:info@trulyinc.org.uk).