



PRIVACY POLICY

We are committed to protecting the privacy and security of personal data and complying with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This policy tells you how we will collect and use your personal data, and what you should expect in respect of the personal information about you that we have collected.

We are **Recognising Excellence Limited** (Registered Company No: 06506091), assessment body for the Advice Quality Standard (AQS), Lexcel, Money and Pensions Service (MaPS) Independent Quality Assurance programme and the Specialist Quality Mark (SQM). Our Registered Office is at Leigh Court Business Centre, Abbots Leigh., Bristol, BS8 3RA.

The person with responsibility for our data protection compliance is the Managing Director ("the Data Protection Manager"), and he can be contacted via email at nick.weaver@recognisingexcellence.co.uk or by telephone on 01452 688357.

We are the 'data processor' for the following data controllers;

- AQS – the Advice Services Alliance
- Lexcel – the Law Society
- MaPS – the Money Advice and Pensions Service
- SQM – the Legal Aid Agency

As data processors we are also responsible to the data controllers and will mirror their Privacy Policies as appropriate.

We are the data controller for all other personal data that we keep and use. We are responsible for making sure our systems, processes and people comply with the relevant data protection laws in respect of that personal data.

We will act in respect of personal data to comply with the six principles of the GDPR, which are:

- Lawfulness, fairness and transparency;
- Purpose limitation;
- Data minimisation;
- Accuracy;
- Storage limitation;
- Integrity and confidentiality.



COLLECTION, USE AND DISCLOSURE OF PERSONAL DATA

We collect and process data for the following reasons:

1. personal data collected and created in relation to our providing assessment services on behalf of accreditation bodies; and
2. personal data relating to people who receive our Lexcel marketing materials; and
3. personal data relating to our people (which means those people working for our firm, or providing services to us, or potentially working or providing services to us, including employees, consultants, temporary or casual workers and contractors).

All of our people are required to abide by both our Privacy Policy and the Privacy Policies of the data controllers when handling personal data and will be provided with appropriate data protection training. Any breach of data protection will be taken seriously and may result in disciplinary action. Our Data Protection Manager will provide the advice and guidance to our people on data protection issues, as is required.

1. Providing assessment services

COLLECTION:

We will collect contact and employee names, business information including case file documentation from our clients, on behalf of the data controller. This will be done for the management of the commercial relationship with our clients.

We may collect this personal data from you directly, and also from client's case files. Additional personal data will be collected as it is created by or supplied to us in the conduct of any assessment activity.

USE:

We will use the personal data for the necessary conduct of any assessment activity, and to comply with requirements of the accreditation bodies which we are required to undertake, such as selecting interviewees and random file selection.

We will only use your personal data when our contract with the accreditation body allows us to. Most commonly, we will use your personal data in the following circumstances:

- To prepare quotes or client agreements; and/or
- To select client's employees to interview or assess their work; and/or
- To randomly select case files to assess; and/or
- To identify any corrective actions; and/or
- To prepare a report for the accreditation body.



DISCLOSURE:

Personal data may be transferred to service providers who support the operation of our business (such as contractors who undertake assessments and IT service providers), to other third parties reasonably necessary in the conduct of our business (including accreditation bodies). These third parties may be acting as processor, or controller of personal data in their own right.

In respect of all disclosures of personal data, we will only share the personal information which is necessary for the particular purpose for which it is provided, or where we have a contractual requirement, and we will ensure that the personal data is appropriately protected.

RETENTION PERIOD:

We will keep personal data only for as long as is necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any contractual requirements from accreditation bodies. Normally, our retention period for personal data collected for this purpose is a maximum of 6 years after the end of the contract period.

Most commonly we retain personal data as follows:

- On site assessments – details of employees and case files are never removed from client's premises;
- Remote assessments – details of employees and case files are transferred by secure courier, or password protected emails, and all records are securely destroyed or returned to the client at the end of the assessment process;
- Assessor's notes – are destroyed at the end of the assessment process, which is a maximum period of 12 months.

2. Our Lexcel information service & marketing materials

COLLECTION:

We will collect information such as name, email address, IP address (or similar unique identifiers) job title and the legal firm or department who you work for together with the additional information, for example the number of partners or fee earners in the firm. In respect of any events that we offer, this information may include details of any access or dietary requirements that you have, which may reveal information about the health or religious beliefs of a data subject.

We will collect personal data in our client relationship management system.

USE:



Personal data will be used to provide you with information in relation to achieving Lexcel accreditation, as part of our fulfilment of our contract with the Law Society.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- With your consent; and/or
- In performance of our Lexcel contract (the agreement to provide assessment services); and/or
- Where it is necessary for our legitimate interests.

DISCLOSURE:

Personal data may be transferred to service providers who support the operation of our business (such as IT service providers), to other third parties reasonably necessary in the conduct of our business (including accreditation bodies). These third parties may be acting as processor, or controller of personal data in their own right. We will only use the personal information for the purpose of promoting Lexcel where we have a legitimate interest in doing so, and we will ensure that the personal data is appropriately protected.

RETENTION PERIOD:

We will keep personal data only for as long as is necessary to fulfil the purposes for which we collected it. Any personal data that we have from you solely for the purposes of your receiving our information will not be used once you have asked us to stop providing these to you (except to the extent that it is necessary to stop you receiving the Information).

3. Our people

COLLECTION:

We will collect names, addresses, contact details, education and employment history, identity and other background checks (which may include appropriate criminal and confirmation of the right to work in the UK), marital status and information on next of kin and dependents, financial information (such as bank details and NI numbers), date of birth, gender, a copy of your passport and driving licence, performance information and compensation history, recruitment information (including references), salary, benefits, pension and annual leave information, disciplinary and grievance information, photographs, information about your use of our information and communications systems or other information obtained through electronic means. For contractors will also collect information regarding professional qualifications/training, professional indemnity insurance and relevant CPD activity.

We may collect and use special categories of personal data as required in the carrying out of obligations and exercising specific rights of us or the data subject in the field of



employment. This may include information relating such as health, racial origin, religious belief and offences or alleged offences.

Personal data may be collected from you during the selection process (for example via your application form and CV) and during your employment (including holiday forms, expense claims, performance reviews, any disciplinary or grievance processes), or from third parties', including referees, health service providers, background check providers.

USE:

Personal data of our people will be used for HR administration and management, both in respect of the selection of people to work for us (including suitability, eligibility and/or fitness to work), and those who do work for us, to include learning and development, disciplinary and security (of people, offices and data) requirements, providing and liaising with benefits providers, business management and planning (including accounting and auditing), paying you and dealing with tax and NI deductions, assessing and deciding on salary reviews and compensation, conducting performance reviews and managing performance, dealing with legal disputes involving you or others, preventing fraud, monitoring your use of our information and communications systems, ensuring compliance with our policies, and equal opportunities monitoring.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- In performance of a contract with you; and/or
- Compliance with a legal obligation; and/or
- Vital interests of the data subject; and/or
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal data in the following situations, which are likely to be less common:

- Where we need to protect your interests (or someone else's interests);
- Where it is needed in the public interest or for official purposes.

In respect of all disclosures of personal data, we will only share the personal information which is necessary for the particular purpose for which it is provided, or where we have another legitimate interest in doing so, and we will ensure that the personal data is appropriately protected.

In respect of special categories of personal data, we may process this in the following circumstances:

- In limited circumstances with your explicit written consent; and/or



- Where we need to carry out our legal obligations and in line with our policies; and/or
- Where it is needed in the public interest (such as for equal opportunities monitoring or in relation to our occupational pension scheme), and in line with our policies; and/or
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your (or someone else's) interests and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about our people (or former people) in the course of our legitimate business activities with the appropriate safeguards.

The special categories of personal data may be used in the following ways:

- In relation to leaves of absence, to comply with employment and other laws;
- In relation to your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to monitor, manage and administer benefits and absences;
- in relation to your race, national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

DISCLOSURE:

Personal data may be transferred to service providers who support the operation of our business (such as accounting or payroll service providers), to other third parties reasonably necessary in the conduct of our business (including insurers, professional advisors, regulators). These third parties may be acting as processor, or controller of personal data in their own right. Personal data may also be shared with our clients in offering or in the provision of assessment services.

In respect of all disclosures of personal data, we will only share the personal information which is necessary for the particular purpose for which it is provided, or where we have another legitimate interest in doing so, and we will ensure that the personal data is appropriately protected.

RETENTION PERIOD:

We will keep personal data only for as long as is necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements. We will normally keep personal data of applicants who we do not employ for six months after we receive it.



We will keep personal data of employees throughout your employment and normally for a maximum of six years after your employment ends.

4. **Changes to your personal data**

It is very important that the personal information that we hold about you is accurate and current. Please tell us if your personal information changes during your relationship with us.

5. **Data Security**

We have put in place measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those of our people and other third parties who have a business need to know. They will only process your personal data on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place procedures to deal with any suspected data security breach and will notify you and the ICO of a suspected breach where we are legally required to do so.

6. **Where we store your personal data**

We will not transfer personal data outside the UK unless personal data is adequately protected, as required by the UK GDPR. Data will only be transferred outside of the UK if covered by UK adequacy regulations, appropriate safeguards, or certain exceptions e.g. explicit consent, or necessity of contract.

7. **Your rights**

Under certain circumstances, you have the right by law to:

- **Be informed**. We will provide clear information on how and why we use your data
- Request **access** to your personal data. This enables you to ask to receive a copy of the personal data that we hold about you and to check that we are lawfully processing it.
- Request **correction** of the personal data that we hold about you.
- Request **erasure** of your personal data.
- **Object to processing** of your personal data where we are relying on our legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the **restriction** of processing of your personal data.
- Request the **transfer** of your personal data to another party.

8. **Links from our website**



Our website may, from time to time, contain links to and from the websites of third parties that we permit to make such links. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. We recommend that you check these policies before you submit any personal data to these websites.

CHANGES TO THIS PRIVACY POLICY

Any changes we may make to our privacy policy in the future will be posted on our website, so please ensure that you are viewing the correct version.

Please contact us if you have any questions, comments or requests regarding this Privacy Policy.

If you wish to complain about how we handle your personal information then please provide details to our Data Protection Manager, nick.weaver@recognisingexcellence.co.uk, who will acknowledge your concern, investigate the issue and feedback to you within 30 days. Should you not be satisfied with the resolution, then you have the right raise issues with the Information Commissioner's Office.