



## **DATA PROTECTION POLICY IN ACCORDANCE WITH THE EU & UK GENERAL DATA PROTECTION REGULATION (GDPR)**

### **GOAL OF THE DATA PROTECTION POLICY**

The goal of the data protection policy is to depict the legal data protection aspects in one summarising document. It can also be used as the basis for statutory data protection inspections, e.g. by the customer within the scope of commissioned processing. This is not only to ensure compliance with the European General Data Protection Regulation (GDPR) but also to provide proof of compliance.

### **INTRODUCTION**

Management Training & Development Limited provides Sales and Management training to businesses across the UK and Europe. We specialise in providing bespoke in-house training, Open Courses, Corporate and Executive Coaching, eLearning Solutions, DISC Profiling and 360/180 Degree Feedback. We also provide a wide variety of post-course support via our MTD Training Academies.

### **WHO ARE WE?**

For the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR) and GDPR UK/DPA UK Management Training & Development Ltd (MTD Training) is the 'controller' of client/learner personal data. MTD Training is a registered business, with registered business number 4345673. Our registered address is 5 Orchard Court, Binley Business Park, Coventry, CV3 2TQ.

MTD Training is providing qualifications, training, assessment and certification products and services in relation but not limited to, leadership, management and sales. If you have any queries about this Policy, the way in which we process personal data, or about exercising any of your rights, you may contact our Privacy Officer by sending an email to [info@mtdtraining.co.uk](mailto:info@mtdtraining.co.uk) or writing to Privacy Officer, Management Training & Development Ltd, 5 Orchard Court, Binley Business Park, Coventry, CV3 2TQ.

### **WHAT PERSONAL DATA DO WE COLLECT?**

We may collect and process the following personal data: Information you provide to us if you: complete a form on our Website;

- complete a survey;
- correspond with us by phone, e-mail, or in writing;
- report a problem;
- sign up to receive our communications;
- create an account with us;
- enter into a contract with us to receive products and/or services
- follow us on social media, i.e. LinkedIn or Facebook
- subscribe to a free trial for our benchmarking services

We may collect your name, company name, e-mail address, postal address, telephone number and job role.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- Identity Data includes first name and last name. Contact Data means the data we use to contact you including your billing address, delivery address, email address and telephone number.
- Financial Data means the data we use to process your payments for your orders including your payment card details. We do not store or process your card details ourselves, they are processed and stored via one of our contracted third-party service providers. We encrypt your payment card details in your browser and securely transfer this data to our relevant third-party payment provider to process a payment.
- Transaction Data means details about transactions you have made on our website including the payments to and from you along with other details of products and services you have purchased from us.
- Technical Data means details about the device(s) you use to access our website including your internet protocol (IP) address, browser type and version, location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- Profile Data includes your username (email address) and password, your login data, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our website, products and services. This includes your browsing patterns and information such as how long you might spend on one of our webpages and what you look at and for on our website, the clickstream to and from our website, page response times and page interaction information such as scrolling, clicks and mouseovers.
- Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.

## INFORMATION WE COLLECT ABOUT YOU

If you visit our Website, we may automatically collect the following information:

- technical information, including the internet protocol (IP) address used to connect your computer to the Internet, login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- information about your visit to our Website such as the products and/or services you searched for and view, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

## PERSONAL INFORMATION PROVIDED BY YOU

We collect personal information about you (such as but not limited to, your name, address, email address and telephone number) when you register with us or purchase products or services from us. We also collect personal information through any of the following forms:

- Contact Forms
- Feedback Forms
- Academy Subscriptions (Including Trial Subscription)
- Email Tips
- Blog Subscriptions
- Trial to the MTD 360 Degree Feedback Too
- Bespoke Systems Built To Support In-House Training, Commissioned By Your Company

## PERSONAL INFORMATION PROVIDED BY THIRD PARTIES

We also collect from and share data with the following providers:

- **Essential Service Providers:** Sometimes, other businesses give us data about you which we may need for our legitimate interests of conducting business with you and on occasion they are necessary to perform our contract with you. It usually comprises Financial Data or Transaction Data. This happens when we link through to third party payment providers. They tell us that you have paid for your products and, where relevant and/or necessary they will provide us with your Contact Data and Transaction Data. We also might engage third party contractors to provide us with technical or delivery services that are related to your account with us.
- **Professional Advisers and Investors:** We may also share your data with professional advisers such as our lawyers, accountants and insurers to manage risks and legal claims, and/or as part of our relationship and obligations to our investor organisations. This is in our legitimate interests.
- **Law Enforcement/Legal Compliance:** We will cooperate with all third parties to enforce their intellectual property or other rights. We will also cooperate with law enforcement requests from within or outside your country of residence. This may include disclosing your personal information to government or law enforcement agencies, or private parties, when we have a good faith belief that disclosure is required by law or when we, in our discretion, believe that disclosure is necessary to protect our legal rights, or those of third parties and/or to comply with a judicial proceeding, court order, fraud reduction or legal process served on us. In such cases, we may raise or waive any legal objection or right available to us. These uses of your data are in our legitimate interests of protecting our business security. We may also use your data and share it with the recipients listed in this Privacy Policy for the purpose of complying with our legal obligations.

## PERSONAL INFORMATION ABOUT OTHER INDIVIDUALS

If you give us information on behalf of someone else, you confirm that the other person has appointed you to act on his/her behalf and has agreed that you can:

- a. give consent on his/her behalf to the processing of his/her personal data;
- b. receive on his/her behalf any data protection notices; and
- c. give consent to the transfer of his/her personal data abroad.

## INTERNATIONAL TRANSFERS

Some of our External Third Parties are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe

## MONITORING AND RECORDING COMMUNICATIONS

We may monitor and record communications with you (such as telephone conversations and emails) for the purpose of Quality Assurance, Training, Fraud Prevention and Compliance.

## USE OF COOKIES

A cookie is a small text file which is placed onto your computer (or other electronic device) when you use our website. We use cookies and other similar tracking technologies such as Google Analytics on our website.

For example, we may monitor how many times you visit the website, which pages you go to, traffic data, location data and the originating domain name of a user's internet service provider. This information helps us to build a profile of our users. Some of this data will be aggregated or statistical, which means that we will not be able to identify you individually.

You can set your browser not to accept cookies and the websites below tell you how to remove cookies from your browser. However, some of our website features may not function as a result.

For further information on our use of cookies, please see our [Website cookie policy](#).

For further information on cookies generally visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

## SENSITIVE PERSONAL DATA

In certain limited cases, we may collect certain sensitive personal data from you (that is, information about your dietary requirements or religious beliefs), if these need to be taken into consideration for the purposes of training. However, we will only do so on the basis of your explicit consent.

## HOW WILL WE USE THE INFORMATION ABOUT YOU?

We collect information about you so that we can:

- a. identify you and manage any accounts you hold with us;
- b. process your order;
- c. conduct research, statistical analysis and behavioural analysis;
- d. carry out customer profiling and analyse your purchasing preferences;
- e. if you agree, let you know about other products or services that may be of interest to you;
- f. detect and prevent fraud;
- g. customise our website and its content to your particular preferences;
- h. notify you of any changes to our website or to our services that may affect you;
- i. carry out security vetting; and
- j. improve our services.

## MARKETING

We would like to send you information by post, email, telephone, text message (SMS) or automated call about our services and other products, competitions and special offers which may be of interest to you.

We will only ask whether you would like us to send you marketing messages when you FIRST subscribe to certain marketing tools. Some examples are, but not limited to:

- On-line free training
- Sales/Management Blogs
- Professional reports
- After course support tips

Upon subscribing you are opting-in and give your permission to receive marketing from us. You should only opt in if you are happy to receive marketing messages. If you do not wish to receive marketing messages from us you should not click the link at all.

If you have consented to receive marketing from us and other businesses you can opt out at any time by clicking the 'unsubscribe' link at the bottom of all communications from us, or by contacting us on [info@mtdtraining.co.uk](mailto:info@mtdtraining.co.uk)

For any Open or In-House training, delegates are automatically signed up to the MTD Academy and Email Tips as part of the service we provide. You can opt out of these services at any time by clicking the 'unsubscribe' link at the bottom of all communications from us, or by contacting us on [info@mtdtraining.co.uk](mailto:info@mtdtraining.co.uk)

Any incidents/data breaches are to be reported by staff to a member of the SLT. An urgent meeting would be called to determine the nature of the incident and the number of clients/individuals that may have been affected. Roles would then be assigned to manage the investigation and the ICO would be informed within 72 hours of becoming aware of the

breach. A strategy would be then formed for informing any clients or individuals identified as being affected within the 72 hour period.

The disciplinary process would be to initiate a formal investigation where it is thought that a data breach has resulted from the action of an employee. SLT would consult with HR and the employee may be subject to suspension during the investigation and the employee would be invited to a meeting to discuss. The outcome of the meeting would be determined by several factors including, human error, fraud or intent to harm which the investigations objective would be to confirm this. The employee could be subject to dismissal and even legal damages to be sought.

## WHO YOUR INFORMATION MIGHT BE SHARED WITH

### We May Disclose Your Personal Data To:

- a. other companies within our group;
- b. Required suppliers, including but not limited to booking agents, venues, associate trainers and writers. Please note only limited data is provided to any MTD suppliers all of whom must adhere to GDPR
- c. law enforcement agencies in connection with any investigation to help prevent unlawful activity; and
- d. our business partners in accordance with the 'Marketing and opting out' section above.
- e. Awarding bodies such as CPD, ILM, ISM & CMI

### Where GDPR Applies to ILM Centres/Providers:

- ILM Centres/Providers must comply with the GDPR, including when they transfer learner personal data to ILM.
- ILM must also comply with the GDPR, including when it processes learner personal data received from ILM Centres/Providers.
- ILM and each ILM Centre and ILM Provider are independent data controllers.
- ILM Centres/Providers must notify their learners that their personal data will be shared with ILM for the purposes of learning, assessment, and certification. This may be done in the ILM Centre's or Provider's privacy policy or notice.
- ILM Centres/Providers must direct ILM learners to the ILM learner privacy notice, which sets out how ILM will process learner personal data, and is located at <https://www.i-l-m.com/privacy/learnerpersonaldata>
- ILM Centres/Providers may be required to share sensitive personal data with ILM where a reasonable adjustment is requested, or in the course of an investigation, complaint, or appeal. The ILM Centre/Provider is responsible for obtaining the explicit consent of the learner to share sensitive personal data with ILM.

## KEEPING YOUR DATA SECURE

We will use technical and organisational measures to safeguard your personal data, for example:

- a. access to your account is controlled by a password and user name that are unique to you;
- b. we store your personal data on secure servers; and
- c. payment details are encrypted using SSL technology (typically you will see a lock icon or green address bar (or both) in your browser when we use this technology).

While we will use all reasonable efforts to safeguard your personal data, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data that are transferred from you or to you via the internet. If you have any particular concerns about your information, please contact us (see 'How can you contact us?' below).

## HOW LONG WILL WE KEEP YOUR PERSONAL DATA?

Where there is a contract between us, we will retain your personal data for the duration of the contract, and for a period of two years following its termination, inactivity or expiry, however, to ensure we are able to comply with any contractual, financial, legal, audit and other regulatory requirements, or any orders from competent courts or authorities, some personal data will be held for a longer duration.

## WHAT CAN I DO TO KEEP MY INFORMATION SAFE?

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit <http://www.getsafeonline.org>. Get Safe Online is supported by HM Government and leading businesses.

## WHAT RIGHTS DO YOU HAVE?

### Your Rights

Under the GDPR, you have various rights with respect to our use of your personal data:

#### Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond with 30 days of request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information. Or if your request is manifestly unfounded or excessive.

#### Right to Rectification

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

#### Right to Erasure

You have the right to request the deletion of your personal data where, for example, the personal data are no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

#### Right to Data Portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to request that your personal data is ported to you, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

## Right to Object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

## Right to Restrict Processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have contested the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. Please contact us using the contact details provided below.

## COMPLAINTS

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you may lodge a complaint the applicable supervisory authority or to seek a remedy through the courts. Please visit <https://ico.org.uk/concerns/> for more information on how to report a concern to the UK Information Commissioner's Office.

## HOW TO CONTACT US

Please contact us if you have any questions about this privacy policy or the information we hold about you.

If you wish to contact us, please send an email to [info@mtdtraining.co.uk](mailto:info@mtdtraining.co.uk) or write to us at *Management Training & Development Limited, 5 Orchard Court, Coventry, CV3 2TQ* or call us on **0333 320 2883**.

## CHANGES TO THE GDPR POLICY

We may change this privacy policy from time to time. You should check this policy occasionally to ensure you are aware of the most recent version that will apply each time you access this website.

NOTE: you have the right to object to the processing of your personal data on the basis of legitimate interests as set out below, under the heading Your rights.

## WHERE DO WE STORE YOUR PERSONAL DATA & HOW IS IT PROTECTED?

We take reasonable steps to protect your personal data from loss or destruction. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. Where you have a username or password (or other identification information) which enables you to access certain services or parts of our Website, you are responsible for keeping this password confidential. We ask you not to share a password with anyone. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our Website; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.