



Cognisco Ltd

Fair Processing Procedure

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Approved by:	A Ellis
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Amendment History

Date	Version	Author	Details of Amendment
(Date)	1	(Author)	Initial Release
21/01/2019	1	AE	Reviewed, no changes.
23/03/2020	1	AE	Reviewed, no changes.
02/11/2022	1	AE	Reviewed
21.12.2022	1	AE	Branding refresh

Scope

All processing of information about data subjects within or by Cognisco Ltd is within the scope of this procedure.

Responsibilities

The (Data Protection Officer / GDPR Owner) is responsible for ensuring that the Fair Processing Notice is correct and that mechanisms exist for making all data subjects aware of the contents of this notice prior Cognisco Ltd commencing collection of their data.

All staff that may need to collect personal data are required to follow this procedure.

Procedure Statement

- Those responsible for processing personal data may only do so where this activity has been authorised by the (Data Protection Officer / GDPR Owner).
- In particular, data subjects must be informed, prior to the collection of data, of the following information:
- the identity of Cognisco Ltd (name contact details);
 - the purposes for which personal information will be processed;
 - how long the personal data will be stored, or the criteria under which it is stored;
 - a description of how (if at all) this information will be disclosed to third parties;
 - information about the individual's rights relating to their personal data, including the right of access to personal information, right to withdraw consent, right to rectify personal data, right to have personal data erased, right to strict processing, the right to lodge a complaint with the ICO;
 - [whether personal information is transferred outside the European Union, and whether the destination has been the subject of an adequacy decision or a reference to the safeguards in place];
 - details of any automated processing, such as profiling, that will be performed on the personal data supplied;
 - whether the personal data must be supplied to fulfil or enter into a contract, as well as whether there are any possible consequences of failing to provide personal data;
 - any other information that would make the processing fair.

All such information provided to data subjects is in clear, plain language.

This information is contained in the Fair Processing Notice (PIMS12. Fair Processing Notice) issued to all data subjects before Cognisco Ltd processes their data.

Where personal information is collected for marketing purposes or might be used in the future for marketing purposes, the Fair Processing Notice (**PIMS12. Fair Processing Notice**) shall include the following statement:

- Where Cognisco Ltd is collecting personal data for marketing purposes specific consent must be sought from the data subject and the Fair Processing Notice must carry the following clause:

'Explicit consent to marketing use: you have given the Organisation explicit consent to use your personal information. You may withdraw this consent at any time, simply by emailing info@cognisco.com. We will immediately withdraw your name from our marketing lists.'

- The (Data Protection Officer / GDPR Owner) shall incorporate procedures that indicate, where processing has been based upon consent and the consent is withdrawn, that consent has been withdrawn and that processing based on that consent will cease.
- The (Data Protection Officer / GDPR Owner) is responsible for monitoring all requests for removal of withdrawals of consent and maintains a register of all such requests and ensures that all removals are completed within 24 hours. (**PIMS10. Withdrawal of Consent Form**)
- The (Data Protection Officer / GDPR Owner) is responsible for ensuring that, where other sectoral requirements or legislation require explicit consent for marketing, the Fair Processing Notice (PIMS12. Fair Processing Notice) shall contain procedures for collecting this consent.
- Where sensitive personal information is being collected for a purpose(s), the (Data Protection Officer / GDPR Owner) shall ensure that the Fair Processing Notice explicitly states the purpose(s) for which sensitive personal information is or might be used.
- Where data processing relates to a child (16 years or younger) the (Data Protection Officer / GDPR Owner) shall ensure Cognisco Ltd has obtained and recorded consent provided by the holder of parental responsibility over the child.
- The (Data Protection Officer / GDPR Owner) is responsible for ensuring that all new data collection methods are reviewed and signed off to ensure that such methods can be demonstrated as compliant with data protection legislation and good practice.
- Fair Processing Notices
 - The (Data Protection Officer / GDPR Owner) is responsible for maintaining a register of Fair Processing Notices (PIMS13. Fair Processing Notice Register) which identifies for each Fair Processing Notice (FPN) the version number,

the issue and withdrawal dates, the locations used and, by reference to the data collection purposes, the purposes for which personal data is collected. Any additional issues, such as simplified expressions, foreign language, other formats, designed to ensure that the target group can actually access and understand the FPN, are also described here.

- Specified Purposes
 - Personal data may only be processed for the purpose for which it was originally collected. All requests for changes to the use of personal data must be put in writing using plain language that is clear and concise [in electronic or paper based format] which sets out the original purpose, the proposed new or additional purpose and the reason for the change.
 - The request must be approved by the (Data Protection Officer / GDPR Owner), who is also responsible for determining if additional consent must be sought from the data subject. Where additional consent is required, the (Data Protection Officer / GDPR Owner) will determine the form that this consent must take and the process to be followed by Cognisco Ltd in informing the data subject about the new purpose and obtaining the data subject's consequent consent. Where a relevant exemption applies, the (Data Protection Officer / GDPR Owner) will identify this exemption in the authorisation to process.
 - In all cases, the (Data Protection Officer / GDPR Owner) is responsible for amending the Data Inventory Record (GDPR Data Inventory Record/ Register) with details of the new purpose, cross-referenced to the Authorisation to Process.

- Data Sharing
 - The (Data Protection Officer / GDPR Owner) is responsible for ensuring that, where personal data is to be shared with a third-party organisation, this sharing is compatible with the ICO and with the terms contained in its Fair Processing Notice.
 - The (Data Protection Officer / GDPR Owner) is responsible for ensuring, where information is to be shared with a third party, that this sharing is compatible with the Fair Processing Notice previously made available to the data subject and any consent given by the data subject, and that a written agreement is drafted by Cognisco Ltd's legal advisers and entered into by the third party, and that this agreement describes:
 - Both the purposes for which the information may be used and any limitations or restriction on the further use of the personal information for other purposes.

- Includes an undertaking from the third party or other evidence of its commitment to processing the information in a manner which will not contravene the GDPR.
- Where the law allows data to be shared without the data subject's consent, the agreement contains specific safeguards/controls to protect the personal information in the context of the GDPR.
- The (Data Protection Officer / GDPR Owner) is responsible for ensuring, where data collected by Cognisco Ltd is matched with other data to create data profiles that these profiles are only used within the context of its notification to the ICO and with what the data subject has consented to.

The (Data Protection Officer / GDPR Owner) is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

Document Management

This document is reviewed periodically and at least annually to ensure compliance with the following prescribed criteria.

- General Data Protection Regulation
- Legislative requirements defined by law, where appropriate

(Role)

(Author)

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(Signature)