

*DIY Telesales Course*  
*In association with*  
*Newton Fox Ltd*



**Compliance – Example GDPR Policy**

# **Newton Fox Limited**



**General Data Protection  
Regulations**

# **(GDPR)**

## **Policy Statement – Vs II**

**February 2018**

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## **Introduction**

Having read through the rain forest of information, recommendation, scare-mongering, exaggeration and misinformation we at Newton Fox have decided to start with defining what the *essence* of GDPR is, why it has been brought about and what it means to our operation, clients, employees and suppliers specifically.

Through this process we have distilled the requirements of the GDPR for Newton Fox down into two main sections:

1. To ensure that any personal data we hold on or for anyone we deal with cannot be accessed by any unauthorised hands either physically or virtually.
2. To ensure that any personal data we hold on or for anyone is not abused by us, either directly or indirectly, nor used in any way that isn't with the full blessing and knowledge of that individual.

The rest of this document is dedicated to set out how we intend to ensure we adhere to the above standards in an open and transparent way. We have realised that, in addition to the two above standards, our responsibility within the GDPR framework divides again into two main areas:

1. The way in which we process the data for our own employees.
2. The way in which we process data on behalf of our clients.

This document is our entire GDPR policy but clearly we understand different parties will be interested in different sections and therefore we have addressed each separately for convenience.

Rather than look for loopholes we have chosen to embrace the spirit of the GDPR legislation and use it to help both ourselves and clients alike improve the quality of the marketing activity engaged in and build a strong, permission based following of high quality prospects.

## **Non Compliance to Compliance – The Journey**

We started our journey by shining a spot light on every area of our business that deals with data of any sort. We quickly realised that much of what we already do is in line with new guidelines and so decided to document all processes, step by step and then decide whether each step complied completely, partially or not at all.

We then set about addressing the shortfalls before documenting the new processes again, step by step.

The results are set out in this document under the appropriate headings.

## **Data Storage**

### **Soft Copy**

All soft copy data held by Newton Fox is held on a shared drive. Access to this drive can be made via any business machine within the business including remote workers as all sit on the same platform.

Access is password protected and all information is encrypted and backed up each day. Passwords are changed every month to further heighten security and upon the leave date of any employee.

Employees are restricted to the folders within the shared drive that pertain to them and so cannot access all areas.

In addition, there is yet another level of security protecting a drive within the main drive where only the directors of the company have access.

Amongst other things this is where all the personal data for employees is stored.

Therefore, no data is stored on portable hardware of any sort including tablets, laptops, USB sticks or mobile phones. We did have staff phone numbers stored on directors mobiles but have removed these now as an extra precaution.

### **Hard Copy Data**

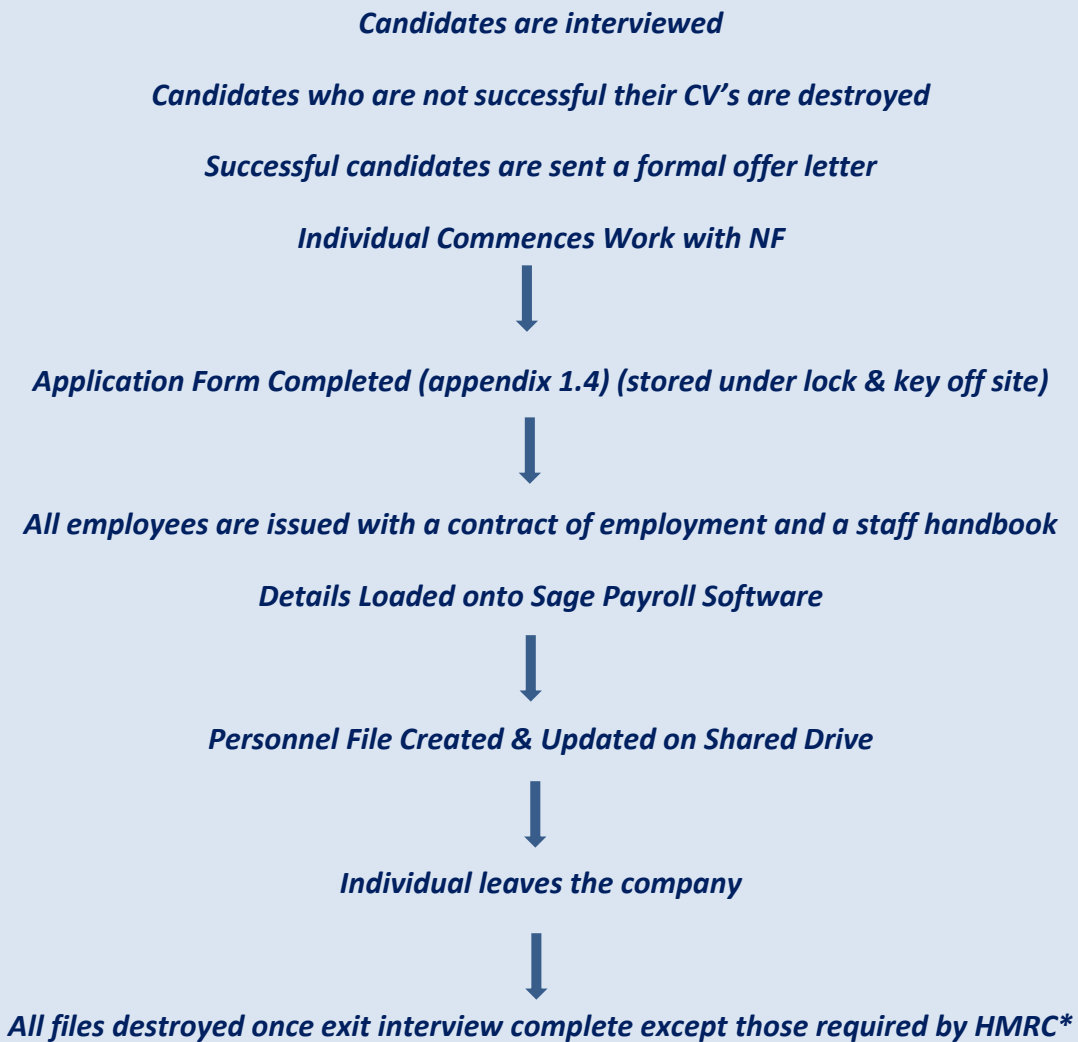
To comply we have reduced the amount of hard copy data saved and stored within the company to minimise the possibility of a breach. No personal details of any employee is stored in hard copy format anywhere within the business and the application forms we ask clients to complete upon registration are stored in a locked filing cabinet within the office.

During our working day it is sometimes required to take notes whilst calling prospects. Often we are expected to email on our clients' behalf and so will take down email addresses of prospects, direct telephone numbers and so on. We have now purchased a shredder and require all staff to shred, on a daily basis, any notes or documentation printed off or hand written revealing any personal data relating to clients, prospects or suppliers.

The sensitive information gathered is stored on each client's database which in turn is stored on the shared drive.

## **Internal Data Processing**

Newton Fox has a small number of staff for whom we hold personal information in order to administer payroll activity etc. Below is a flow chart of the way in which we process an individual's personal data from the very beginning of the relationship to the very end when HMRC say that we can destroy their details.



All information regards ex-employees must be stored for a minimum period of six years from expiry of contract in accordance with HMRC guidelines. This information is stored on 'Sage' software who in turn has assured us that are in the process of producing their own policy of compliance which they will provide us with upon completion. As is, the software is encrypted and password protected and sits on a machine based at our home office off site.

## **The Changes We've Made for Internal Data Processing**

The process we've gone through to comply with regulations have required the following changes:

1. Until now each individual has undergone a six monthly personal development review. This has resulted in a hard copy document being produced and stored in the office in a filing cabinet. We have now changed that so that only a soft copy exists stored on the shared drive.
2. Personnel files have been retained on the management shared drive. They are now stored in keeping with the 'right to be forgotten' principle.
3. Similarly, CV's of any employee are now destroyed on termination and no physical version is held on site at any time beyond the initial on-boarding process.
4. A shredder has been purchased and installed with appropriate instruction for all employees.

## **Data Processing for Our Clients**

When it comes to our clients, compliance needs to be addressed in three main areas:

1. The personal data we hold on the individuals within the client company itself
2. The data we buy in or collect from the client
3. The way we represent the data we've processed back to the client in terms of level of compliance.

So, taking each in turn:

1. When a client engages with us we ask them to complete an application form. This form asks for email addresses, mobile telephone numbers and several other personal details. As already mentioned, this information is stored on our shared drive and so is not exposed to risk by anyone without access to this file.
2. We use a data broker who provides us with data as per our request on behalf of our clients. We have asked for his GDPR compliance statement and will append this to ours upon arrival. Currently all data is TPS checked and is 'opt-in' in terms of current legislation which obviously is not compliant with the new rules. It's important to note that the GDPR does *not* affect the rules for B2B calling provided existing protocol is followed. Therefore, the only real effect on our core activity of telemarketing is if the client requires us to email the prospect which is dealt with in the section with that heading. The data itself is again stored on our shared drive and as such is not accessible to anyone with the authorised permission.
3. Once bought (or received from the client) the data is worked on. Calls are made and notes taken on the responses given. All of this is then reported in a daily or weekly report, whatever the preference of the client. As already said, the core activity of calling prospects is not affected by the new guidelines but it's important that the status of each record is presented in a way that makes clear where we all stand for future contact. In the case of calls, verbal agreement for a future call to call back is permissible and straight forward. Less so is any written communication which again is covered in the email section of this document. Databases are stored on the shared

drive throughout the lifetime of the relationship. Upon termination of the relationship all intelligence held is forwarded onto the client and then removed (double deleted) from our system completely. All of this relates to B2B relationships and not business to private consumer, a market Newton Fox does not operate in.

## **Email Communication & Marketing**

Arguably one of the most ambiguous and difficult to understand elements of the new rules are those governing B2B email communication. It would seem that no-one is really clear whether sending an un-solicited marketing email to a business address is permissible or not.

There are those who would argue that if the email reveals the identity of the recipient e.g. [jane.smith@abc.com](mailto:jane.smith@abc.com) then this would contravene the rules, where [jane@abc.com](mailto:jane@abc.com) would not.

Others seem to argue that no one should be emailing anyone without double opted-in permission from the recipient.

### **Our Stance**

Common sense has to prevail here and our stance is based on just that. From May 25<sup>th</sup>, 2018 Newton Fox will not be sending out any solicited email on behalf of themselves or any client – period.

The spirit of GDPR is to help stop the mass bombardment of individuals by unscrupulous companies who use technology to circumnavigate current legislation and irritate the life out of everyone by sending them '000's of emails a week to sell them everything from diet pills to pensions.

Quite different, however, is the emailing of someone who has expressed a genuine interest (and need more importantly) for a product or service after having a sensible conversation about it. In this instance, we have given serious thought to how we're currently operating and what needs to change.

Currently, we would hold a conversation and then offer to email details over of 'our' goods and services. We'd then take the email address, append it to the record and send it with a follow up note for the week after.

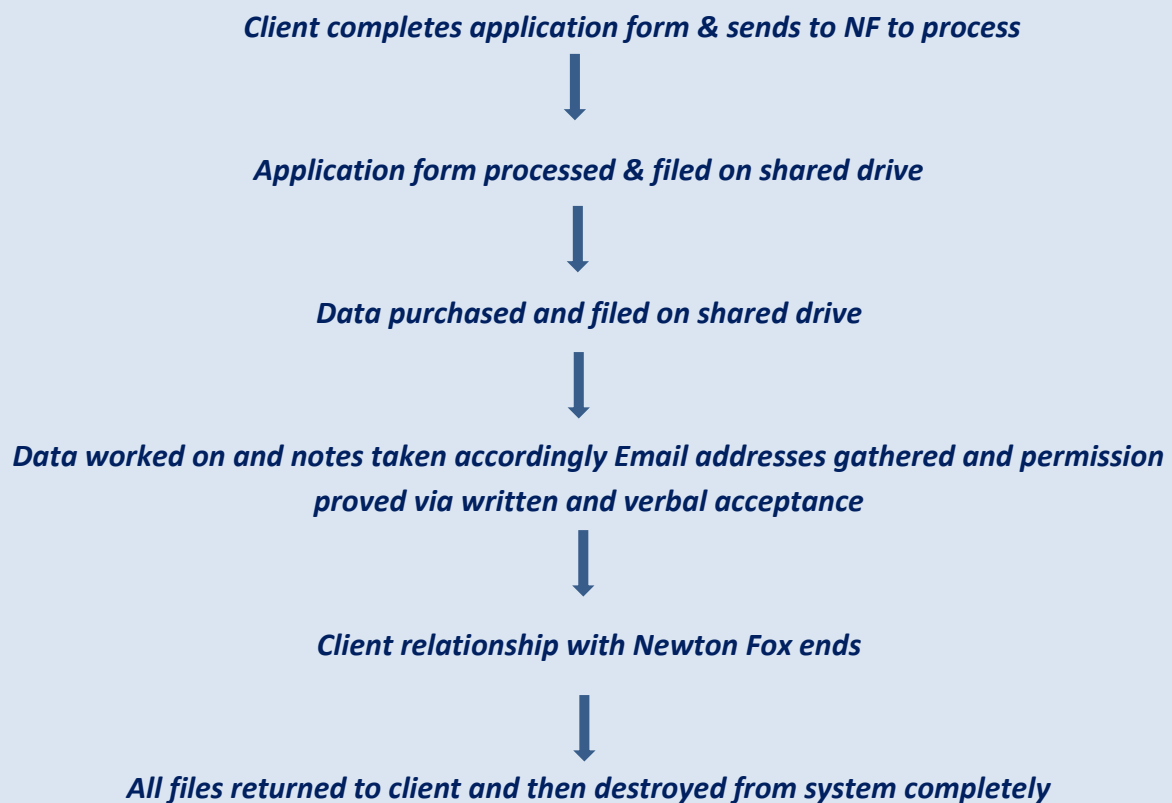
Where we will now differ is the inclusion of an opt-in form in the form of an email confirmation (appendix 1.1) that asks them to ping back (pre) written acceptance and agreement to receive email marketing material from us until further notice.

In addition, we will retrieve a recording of the call where they can be heard agreeing to an email which will be saved and amended to the file for future reference.

What this will do (admittedly over time) is build a strong database of prospects that are happy to engage with the brand and feel a sense of inclusion and exclusivity so courting loyalty.

By using the GDPR in this way it gives our clients a real advantage over those seeking to short circuit the system and find loopholes to continue blanket market to their prospects.

### **Client Data flow Chart**



### **Sharing of Information**

As a day to day part of our activity we have very little need to share any information gathered or held with anyone. In fact, we jointly sign a none disclosure clause with all our clients at the start of each relationship which states very clearly that none of the information gathered will be shared with a third party of any sort at any time.

As already mentioned, we share reports regards progress etc. to our clients via an emailed report which in turn is filed on our shard drive. No hard copy is kept



The only other sharing of information to take into consideration is when we're required to share information regards our employees to any government body, HMRC for example which in turn is stored on a drive accessible only by company directors.

## Training

We have now conducted group training with regard to GDPR with all staff which covered:

1. The processing of client data both in terms of client details and the data we've bought in/been given to work on for the client.
2. The taking down and emailing of prospects on behalf of the client and the importance of gaining written permission in order to be able to do so again.
3. The destruction of any notes made during call time.
4. The sharing of any information gathered during the course of their duties to anyone, be that friends, family or colleagues.
5. The restrictions around putting anything on line about any fellow employee, director or client of the company for any reason at any time. (an existing policy in fact)
6. The importance of storing any sensitive information on the shared (protected) drive and not locally on their own machine.

## Privacy Impact Statement

We then turned our attention to the possibility of a breach of security. How would/could someone 'hack' into our system and what would happen if they did?

We asked our I.T. Support Services Provider Full Circle to set out the ways in which we (they!) have protected us against such a breach i.e. what someone would have to do to achieve such a breach and what could be done to mitigate any such breach. This is their response:

In addition, we looked at the ways in which we a breach could occur in the physical world and the table below sets out the potential breach and what we have done to minimise such a risk and what action we would take as follows:

Potential Breach	Impact	Preventative Action Taken
Physical theft of information	Damage to reputation/legal action	Physical information kept to minimum and or shredded. Office never left un-attended & locked when not in use.
Ex-employee sharing confidential information	Damage to reputation/legal action	Confidentiality clause in all contracts legally binding all employees to secrecy in all aspects
Non-compliant	Reputation	Training and quality control

emailing of prospects	damage/Investigation/fines	measures put in place to ensure full compliance
Information being accidentally made available	Reputation damage/Investigation/fines	No information leaves office. Noting stored on mobile device of any sort

### Data Protection Officer

Having read through the guidelines a company the size of Newton Fox doesn't really need a Data Protection Officer. However, in the interests of providing the best service possible to all our clients we have decided to appoint Julie Newton in this capacity.

Julie may not have all the answers immediately you ask, given the depth and scope of the guidelines but she will act as the main point of contact for any initial GDPR related enquiry you may have for your convenience.

Her contact details are as follows:

**Mobile Number** - **07817 336847**  
**Email** - **julie@newtonfoxbds.com**

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### Appendix 1.1 – Opt In Follow up Email

Dear

Thank you for your time today. I am about to send over the information promised when we spoke and so please respond to this email by putting 'Yes' in the subject line. In so doing you are freely agreeing to the following:

1. To accept emails from myself and my company for the purpose of communicating information regarding our services, products and special offers.
2. Your details will be held for this purpose only and will not be shared with any third party at any time for any reason.
3. You have the right to instruct us to change or delete your information at any time.
4. You have the right to know what information is held on you at any time.
5. Your information is stored on a secure, password protected server with limited access.

Thanks again [NAME]

Kind regards

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## **Appendix 1.2 Newton Fox Privacy Statement**

### **Newton Fox Privacy Policy**

Newton Fox Limited (herein referred to as "Newton Fox"), is committed to respecting your privacy and to complying with applicable data protection and privacy laws.

If you do submit personal information by ordering our services or completing a web form registration, for example, you can be assured that we will use your personal information only to support your continuing relationship with Newton Fox.

We have provided this Privacy Policy Statement to help you understand how we collect, use and protect your information when you visit our website and when you generally use our services.

We wish to help you make informed decisions, so please take a few moments to read the sections below and learn how we may use your personal information.

### **Personal Information Collection**

We endeavour to collect and use your personal information only with your knowledge and consent and typically when you order and subsequently use our services, make customer enquiries, register for information or other services, submit a job application or when you respond to communications from us (such as questionnaires, emails or surveys).

The type of personal information we may collect could include, for example, your name and postal address (business and/or personal), telephone number and email address. If you choose to provide us with personal information it will be used in support of the intended purposes stated at the time at which it was collected, and subject to any preferences indicated by you.

### **How will we use your information?**

We may use your information for a number of purposes which includes: processing your instruction and managing and administering your account; delivering any services or information requested by you; responding to complaints or account enquiries; administering debt recoveries; verifying your identity when required (you may lose your password or security information for example, and we may then need to ask you for other 'identifiable' information to protect your data from unauthorised access).

We may also undertake market and product analysis based on your use of our services and products and contact you with information about new developments, products, services and

special offers by post, telephone and automated means such as mobile text message (SMS), Email and the internet (subject to any preferences expressed by you).

If you have consented to receive details of products and services, events and training you can contact us at any time to have your details removed from lists used by us for any or all of those purposes or from lists maintained by our recruitment division, to update your information or to otherwise tell us how you would like to receive information about our and/or third party products and services - the choice is yours.

### **When will we disclose your information to others?**

Please note that Newton Fox does not sell or pass your personal information to third parties unless it is strictly necessary to deliver the services ordered or used by you and you are notified beforehand.

Newton Fox may also be obliged to disclose your personal information to meet any legal or regulatory requirements (for example to comply with a court order) or obligations in accordance with applicable law.

### **Social media, blogs, reviews**

Any social media posts or comments you send to us (on the Newton Fox Facebook page, for instance) will be shared under the terms of the relevant social media platform (e.g. Facebook / Twitter) on which they are written and could be made public.

Other people, not us, control these platforms. We are not responsible for this kind of sharing. We recommend you should review the terms and conditions and privacy policies of the social media platforms you use. That way, you will understand how they will use your information, what information relating to you they will place in the public domain, and how you can stop them from doing so if you are unhappy about it.

Any blog, review or other posts or comments you make about us, our services on any of our blogs, reviews or user community services will be shared with all other members of that service and the public at large. Any comments you make on these services and on social media in general must be not offensive, insulting or defamatory. You are responsible for ensuring that any comments you make comply with any relevant policy on acceptable use of those services.

### **Careers information**

In submitting a job application you should be aware we have a recruitment division under common control with Newton Fox and if you have provided your consent, we may contact you to discuss if there are other opportunities or provide you with recommended jobs or contact you for other jobs you may be interested in. You can change your mind and withdraw such consent at any time.

### **How long do we keep your information for?**

To make sure we meet our legal data protection and privacy obligations, we only hold on to your information for as long as we actually need it for the purposes we acquired it for in the first place.

In most cases, this means we will keep your information for as long as you continue to use our services, and for a reasonable period of time afterwards if you stop doing so, to see if we can persuade you to come back to us. After that we will delete it other than where we lawfully can keep any data for audit or legal reasons.

We shall keep data on our prospect database for not longer than 3 years from receipt subject to an individual's right to unsubscribe or be forgotten at any time.

## **Access to your Information**

You can write to us at any time to obtain details of the personal information we may hold about you. Please write to: [julie@Newtonfoxbds.com](mailto:julie@Newtonfoxbds.com) or Data Protection Officer, Newton Fox Ltd, 112-116 Hamill House, Bolton BL1 4DP

We will take all reasonable steps to confirm your identity before providing you with details of any personal information we may hold about you.

## **Information Security**

Newton Fox recognises that its customers are increasingly concerned about how companies protect personal information from misuse and abuse and about privacy in general. Newton Fox is constantly reviewing and enhancing its technical, physical and managerial procedures and rules to protect your personal data from unauthorised access, accidental loss and/or destruction.

Please be aware that communications over the Internet, such as emails/webmail's, are not secure unless they have been encrypted. Your communications may route through a number of countries before being delivered - this is the nature of the World Wide Web/Internet. Newton Fox cannot accept responsibility for any unauthorised access or loss of personal information that is beyond our control.

## **Privacy Support**

Newton Fox reserves the right to amend or modify this Privacy Policy Statement at any time and in response to changes in applicable data protection and privacy legislation.

If we decide to change our Privacy Policy, we will post the changes on our website so you know what information we collect and how we use it. If at any point we decide to use personally identifiable information in a manner different from that stated at the time it was collected, we will tell you. You will have a choice as to whether or not we are able to use

your information in this different manner.

If you have any enquiry about Newton Fox's privacy policy or practices, please write to: Julie Newton, Data Protection Officer, 112 -116 Hamill House Chorley New Road Bolton BL1 1DP

### **Monitoring and or recording of all your Communications**

Monitoring or recording of your calls, emails, text messages and other communications may take place in accordance with UK law, and in particular for business purposes, such as for quality control and training, to prevent unauthorised use of NEWTON FOX's website, to ensure effective systems operation and in order to prevent **or detect crime**.

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### **Appendix 1.3 Data Providers Compliance Statement (Awaiting Finalisation)**

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