



acolyte

ACOLYTE RESOURCE GROUP LIMITED

SPECIAL CATEGORIES OF PERSONAL  
DATA APPROPRIATE POLICY  
DOCUMENT

## **1. Policy overview**

- 1.1. Data Protection Act 2018 (DPA 2018) outlines the requirement for an Appropriate Policy Document (APD) to be in place when processing special categories of personal data under the substantial public interest conditions.
- 1.2. For the sake of transparency with our clients and users, we have decided to include in this policy all the relevant information concerning any special categories of personal data that we process, not only ethnicity data.
- 1.3. Acolyte relies on explicit consent when it comes to the processing of sexual orientation and disability data. Considering that this is gathered within the context of employment, candidates are given the opportunity to refuse disclosing said data without adverse consequences in compliance with “Article 29 WP Opinion 2/2017 on data processing at work”.
- 1.4. Acolyte relies on Paragraph 8 and Paragraph 9 in Schedule 1 Part 2 of the DPA 2018 for processing ethnicity data.
- 1.5. This APD sets out the procedures for securing compliance with the GDPR and the UK GDPR principles, together with the policies as regards the retention and erasure of special categories of personal data processed by Acolyte.

## **2. Description of processing**

### **2.1. Description of data processed**

- Sexual orientation data. Using the data from the Office of National Statistics and other publicly available sources, Acolyte applies the industry benchmark to the client campaign in order to offer information about the workforce in the client pool which is likely to identify as LGBTQ+. Acolyte only gathers and shares this type of information about the actual candidates when they have voluntarily disclosed that they identify as LGBTQ+ as they move through the recruitment process

- Disability data. Acolyte's performs an independent analysis using industry benchmark data from comparable companies and through organisations such as Business Disability Forum and creates a valuable initial benchmark for the client's campaign. Acolyte only gathers and shares this type of information about the actual candidates when they have voluntarily disclosed that they have a disability as they move through the recruitment process
- Ethnicity data. Acolyte gathers ethnicity data from candidates in the first stages of the recruitment process for the purpose of promoting equal opportunities within the client's personnel

## **2.2. Lawfulness of processing**

Acolyte relies on Article 6.1. (a) GDPR and Article 9.2.(a) GDPR and any equivalent provisions in the UK GDPR for processing sexual orientation and disability data.

Acolyte relies on Paragraph 8 in Schedule 1 Part 2 of the DPA 2018 ("Equality of opportunity or treatment") and Paragraph 9 in Schedule 1 Part 2 of the DPA 2018 ("Racial and ethnic diversity at senior levels) for processing ethnicity data. When it comes to senior positions, Acolyte relies on Paragraph 9 in Schedule 1 Part 2 of the DPA 2018 pursuant to which data revealing racial or ethnic origin can be used to make recruitment decisions about a particular individual for senior positions. For this purpose, 'senior position' is understood as: a director, secretary or other similar officer of a body corporate, a member of a limited liability partnership, a partner in a partnership within the Partnership Act 1890, a limited partnership registered under the Limited Partnerships Act 1907 or an entity of a similar character formed under the law of a country or territory outside the UK. Where the individual does not hold such a position but is a senior manager of the organisation, defined as a person who plays a significant role in the making of decisions about how the whole or a substantial part of the organisation's activities are to be managed or organised, this condition may also apply. In these cases Acolyte cannot reasonably be expected to obtain the consent of the data subject due to the large number of profiles analysed and the number and type of sources used.

No special categories of personal data are processed about a data subject who has given notice in writing to Acolyte requiring not to process it or when the processing is likely to cause substantial damage or substantial distress to an individual.

Acolyte opposes any client who wished to make judgements on the basis of special categories of personal data.

## **2.3. Procedures for ensuring compliance with the principles**

### **2.3.1. Accountability principle**

- 2.3.1.1. Acolyte maintains a Record of Processing Activities which contains Acolyte's and Acolyte's DPO name and contact details, the purposes of the processing, a description of the categories of data subjects and of the categories of personal data, the categories of recipients to whom the personal data has been or will be disclosed including recipients in third countries or international organisations, information about transfers of personal data to third countries or international organisations, the envisaged time limits for the erasure of the different categories of data and a general description of the technical and organisational security measures.
- 2.3.1.2. Acolyte has in place a Privacy Policy and a Data retention and archiving Policy.
- 2.3.1.3. Acolyte has performed a Data Protection Impact Assessment in relation to the processing of personal data that is likely to result in high risk to individuals' interests.

### **2.3.2. Fairness and transparency**

- 2.3.2.1. We provide full information about how we process special categories of personal data on our Privacy Policy. Our Privacy Policy is publicly available on our website and we offer a contact email address where data subjects can contact us or our DPO to require further information about the processing.
- 2.3.2.2. We are open and honest when we collect special categories of personal data and we ensure we do not deceive or mislead people about its use by providing information about the processing in our Privacy Policy, which is publicly available on our website, and by recording all the processing details in our internal policies, whose content is accessible to the data subjects on request.

### **2.3.3. Purpose limitation**

- 2.3.3.1. We process special categories of personal data for the purposes of promoting equal opportunities within the client's organisation personnel, measuring campaign diversity success and helping our clients to check how effective their recruitment strategy is at attracting traditionally under-represented talent groups.
- 2.3.3.2. We provide the data subjects with the following information about the processing: categories of personal data involved, purposes of processing, recipients or category of recipients of personal data, information regarding international transfers, data retention periods and data subjects rights.
- 2.3.3.3. We do not process the data in a manner that is incompatible with the purposes for which it was initially gathered.

### **2.3.4. Data minimisation**

2.3.4.1. We only process special categories of personal data which are adequate, relevant and limited to what is necessary in relation to the purposes for which we process it.

2.3.4.2. We review and delete the data in accordance with our Data retention and archiving Policy.

#### **2.3.5. Accuracy**

2.3.5.1. Sexual orientation and disability data is provided by the candidates themselves. When it comes to ethnicity data, we normally collect it through sources where the candidates have submitted the data themselves, therefore we expect it to be accurate. During the recruitment process candidates are provided with the opportunity to update and rectify their data as relevant.

2.3.5.2. Sexual orientation, disability and ethnicity data do not generally change over time so we do not have a specific process in place to identify when we need to update it.

2.3.5.3. Our recruitment process involves continuous and direct interaction with the candidates, which allows us to keep records of mistakes and opinions and ensure compliance with the individual's right to rectification, about which we also provide the relevant information in our Privacy Policy.

#### **2.3.6. Storage limitation**

2.3.6.1. Our Data retention and archiving Policy sets out detailed retention periods for each personal data category.

2.3.6.2. We review the personal data we hold regularly in accordance with our Data retention and archiving Policy.

2.3.6.3. Acolyte does not keep data for public interest archiving, scientific or historical research or statistical purposes.

#### **2.3.7. Integrity and confidentiality**

2.3.7.1. We have performed a Data Protection Impact Assessment with the purpose of analysing the risks presented by our processing and identifying the mitigation measures we should apply in order to ensure that no high risks to the rights and freedoms of data subjects are derived from the processing.

2.3.7.2. We are currently drafting an Information security Policy to ensure Acolyte meets the relevant security protocols and procedures for protecting personal data within the organisation.

2.3.7.3. Acolyte has the following technical and organisational measures in place:

- Pseudonymisation and encryption of personal data
- Ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services
- Ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident
- A process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing

## **2.4.Retention and erasure policies**

See our Data retention and archiving Policy.

## **3. Internal Review and Policy Audits**

3.1. This policy will be reviewed on an annual basis.

- 3.2. Any questions about this policy should be referred to the Data Protection Officer Aphaia Ltd, whose main office is located at Eagle House 163 City Road, Shoreditch, London EC1V 1NR. The Data Protection Officer can be contacted at: [dpo@aphaia.co.uk](mailto:dpo@aphaia.co.uk).