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Data Protection Policy

1. Introduction

KTM Care Ltd (“we” or “us”) is committed to data protection and data privacy.

We hold personal data on all our employees to meet legal obligations and to perform vital internal functions. This notice details the personal data we may retain, process and share with third parties relating to your employment and vital business operations. We are committed to ensuring that your information is secure, accurate and relevant. To prevent unauthorised access or disclosure, we have implemented suitable physical, electronic, and managerial procedures to safeguard and secure personal data we hold.

This policy is to explain how we handle personal information that we hold about our staff and job applicants (collectively referred to as "you"). For the purposes of this notice, the term "employee" includes those who work on a non-permanent basis, including temporary and trainers and work experience/placement students. We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law. This policy sets out the personal data that we collect and process about you, the purposes of the processing and the rights that you have in connection with it.

2. Types of Personal Data we Collect

During your employment with us, or when making an application for employment, we may process personal data about you and your dependents, beneficiaries, and other individuals whose personal data has been provided to us.

The types of personal information we may process include, but are not limited to:

- Identification data – such as your name, gender, photograph, date of birth, staff member IDs.
- Contact details – such as home and business address, telephone/email addresses, emergency contact details.
- Employment details – such as job title/position, office location, employment contract, performance and disciplinary records, grievance procedures, sickness/holiday records.
- Background information – such as academic/professional qualifications, education, CV, criminal records data (for vetting purposes, where permissible and in accordance with applicable law).
- Spouse & dependents information, marital status.
- Financial information – such as banking details, tax information, withholdings, salary, benefits, expenses, allowances, stock and equity grants.
- IT information – information required to provide access to our IT systems and networks such as IP addresses, log files and login information.
- If you are a ‘temporary’ worker, for example on work experience then information we process is limited to that needed to manage your specific work assignment.

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- References relating to previous roles and employment conduct may be undertaken prior to commencement of employment. We will only gather references from referees provided to us by the employee, or prospective employee.

Sensitive personal data ('special categories of personal data' under the General Data Protection Regulation) includes any information that reveals your racial or ethnic origin, religious, political or philosophical beliefs, genetic data, biometric data for the purposes of unique identification, trade union membership, or information about your health/sex life. Generally, we try not to collect or process any sensitive personal information about you, unless authorised by law or where necessary to comply with applicable laws. In some circumstances, we may need to collect some sensitive personal information for legitimate employment-related purposes:

For example:

- data relating to your racial/ethnic origin, gender and disabilities for the purposes of:
- equal opportunities monitoring;
- to comply with anti-discrimination laws; and
- for government reporting obligations;
- data relating to your physical or mental health to:
- provide work-related accommodations,
- health and insurance benefits to you and your dependents; or
- to manage absences from work.

3. Purposes for Processing Personal Data

Recruitment

If you are applying for a role with us then we collect and use this personal data for recruitment purposes – in particular, to determine your suitability for a specific role. This includes assessing your skills, qualifications and verifying your information, carrying out reference checks or background checks (where necessary) and to generally manage the hiring process and communicate with you about it. If you are accepted for a role with us, the data collected during the recruitment process will form part of your ongoing employee record. For more information, please see the Recruitment & Retention policy.

Employment

We collect and process personal data relating to our employees to meet our obligations under the employment contract and to comply with our legal obligations. We take the security of your data seriously and are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

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Once you become an employee, we collect and use this personal information for managing our employment or working relationship with you – for example, your employment records and contract information (so we can manage our employment relationship with you), your bank account and salary details (so we can pay you), your equity grants (for benefits plan administration) and details of your spouse and dependents (for emergency contact and benefits purposes).

Where we process special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that we use for these purposes is anonymised or is only collected with the express consent of employees, which can be withdrawn at any time.

We have policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed without authorisation and only accessed or used for specific legal purposes.

You have some obligations under your employment contract to provide the organisation with data. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide this data may mean that you are unable to exercise your statutory rights.

We process our employees' personal information through a global human resources system ("HR System") called Atlas, which is a tool that helps us to administer HR and employee compensation and benefits at an international level and which allows staff members to manage their own personal information in some cases. This is provided by Citatation who utilise third-party servers via Microsoft Azure to hold its HR System data and other business services; these are both based in the United Kingdom and have been assessed against stringent security requirements to ensure that all appropriate security controls are in place to protection personal information.

Legitimate business purposes

We may also collect and use personal information when it is necessary for other legitimate purposes, such as to help us conduct our business more effectively and efficiently – for example, for general IT security management, accounting purposes or financial planning. We may also process your personal information to investigate violations of law or breaches of our own internal policies.

Paul Austin, Finance Director will record and monitor usage of all our IT equipment, user activity, voice traffic, email and Internet usage as deemed necessary. The IT Department will observe the strictest confidentiality when undertaking these activities. They will make their report directly to Kerry Austin who will determine the actions that may need to be taken in any particular case.

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Legal purposes

We may also use your personal data where we consider it necessary for complying with laws and regulations, including collecting and disclosing employee personal information as required by law (e.g. for tax, health and safety, anti-discrimination laws), under judicial authorisation, or to exercise or defend our legal rights.

Legal basis for processing personal data

Our legal basis for collecting and using the personal data described above will depend on the personal data concerned and the way we collect it. We will normally collect personal data from you only where we need it to perform a contract with you (i.e. to manage the employer/employee relationship), where we have your freely given consent to do so, or where the processing is in our legitimate interests and only where this interest is not overridden by your own interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

Any processing based on consent will be made clear to you at the time of collection or use – consent can be withdrawn at any time by contacting Kerry Austin, Registered Manager / Director.

4. Who we Share your Personal Data with

We take care to allow access to personal data only to those who require such access to perform their tasks and duties, and to third parties who have a legitimate purpose for accessing it.

Whenever we permit a third party to access personal information, we will implement appropriate measures to ensure the data is used in a manner consistent with this notice and that the security and confidentiality of the data is maintained.

5. Transfers to Third Parties

Transfers to third-party service providers

In addition, we make certain personal data available to third parties who provide services to us. We do so on a "need to know basis" and in accordance with applicable data protection and data privacy laws.

For example, some personal data will be available to our employee benefit plans service

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providers and third-party companies who provide us with employment law advice, health and safety support, payroll support services, expenses, tax and travel management services. Training providers to support your learning and education needs, such as ACL, Essex County Council Quality Assurance Team and Lightbulb.

Transfers to other third parties

We may also disclose personal data to third parties on other lawful grounds, including:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process (providing your DBS to a school to enable you to work with their pupil, for example).
- In response to lawful requests by public authorities (including for national security or law enforcement purposes)
- As necessary to establish, exercise or defend against potential, threatened or actual litigation
- Where necessary to protect the vital interests of our employees or another person
- In connection with the sale, assignment or other transfer of all or part of our business; or
- With your freely given and explicit consent

6. Data Retention

Personal data will be stored in accordance with applicable laws and kept for as long as needed, to carry out the purposes described in this notice or as otherwise required by law.

Generally, this means your personal information will be retained until the end of your employment, employment application, or work relationship with us. Plus a reasonable period of time thereafter to respond to employment or work-related inquiries or to deal with any legal matters (e.g. judicial or disciplinary actions), document the proper termination of your employment or work relationship (e.g. to tax authorities), or to provide you with ongoing pensions or other benefits.

For more information, please see our Data Retention Policy, which outlines our current document retention schedule.

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7. Your Rights

You may exercise the rights available to you under data protection law as follows:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision making and profiling.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. You can read more about these rights at: <https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

To exercise any of these rights, please contact Kerry Austin, Registered Manager & Director.

8. Personal Data Breaches

KTM Care Ltd is committed to protecting personal information and responding appropriately to any actual, suspected, or potential personal data breach. A personal data breach may include the accidental or unlawful loss, destruction, alteration, unauthorised disclosure of, or access to personal information.

All employees, contractors, consultants and representatives of KTM Care Ltd must report any actual, suspected or potential data breach to the Registered Manager or Director immediately upon becoming aware of it.

Upon notification, KTM Care Ltd will assess the nature and scope of the breach, identify any risks to individuals, take appropriate action to contain and mitigate the breach, investigate the circumstances and determine whether notification to the Information Commissioner's Office (ICO) or affected individuals is required.

All actual and suspected data breaches will be recorded. Records will include the nature of the breach, actions taken to investigate and manage the incident, any notifications made, outcomes of the investigation and any measures implemented to reduce the risk of recurrence.

Where learning is identified, KTM Care Ltd will take appropriate corrective action, which may include reviewing procedures, implementing additional safeguards and providing further guidance or training to staff where required.

9. Issues and Complaints

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to

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bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures. This policy was drafted with clarity in mind. It does not provide exhaustive detail of all aspects of our collection and use of personal information. However, we are happy to provide any additional information or explanation needed.

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office in their capacity as the statutory body which oversees data protection law – www.ico.org.uk/concerns.

10. Contact Information & Details

Head Office – Opening Hours: 9am – 4pm, Monday – Friday **Telephone:** 01376 571152

Out-of-Hours: 4.00pm - 9.00am Monday – Friday, all Weekend **Telephone:** 07928 860086
and Bank Holidays

Email: info@ktmcare.co.uk

Please address any questions or requests relating to this notice including more information on Third Party Processors to Kerry Austin, Registered Manager & Director.

Email – kerryaustin@ktmcare.co.uk **Telephone –** 01376 571152

Appendix:

Evidence of Data Protection measures taken

ICO Certificate – please click the file:



Data Protection
Registration Certificat

DPST Certificate – Please click the file:



2024-25 (version 7)
VN51M DSPT standar

Policy Review Log:

Date review carried out	Changes made	Manager's name
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24/08/2026	SECTION - 8 Personal Data Breaches	R Thompson