

Last Updated: 01 July 2023

## Data Protection Policy

### 1. Introduction

Twitch Guru needs to collect and gather certain information about you (the User or Data Subject). This policy describes how this personal data must be collected, handled, and stored to meet the organisation's data protection standards — and to comply with the law.

### 2. Purpose

The purpose of this policy is for the following principles:

- a. Complies with Data Protection Law.
- b. Protects our staff, customers, and affiliates.
- c. Processes of individuals data and storage
- d. Protection of cyberattack and data breach.

### 3. Reach

1. This policy applies to all personal data as defined under the General Data Protection Regulation (GDPR), including structured sets of personal data held in electronic or other filing systems that are accessible according to specified criteria.
2. 'Personal Data' means any information relating to an identified or identifiable living individual.
3. This may include:
  - a. Twitch Username.
  - b. Actual Name.
  - c. Email Address.
  - d. IP Address.
  - e. Geographic Location.
  - f. Telephone Number.
  - g. Any other information relating to the individual.
1. For personal data to be processed lawfully, one or more of the following legal grounds must apply:
  - a. the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
  - b. processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract.
  - c. processing is necessary for compliance with a legal/statutory obligation to which the controller is subject to.
  - d. processing is necessary in order to protect the vital interests of the data subject or of another natural person.
  - e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

- f. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.
2. Twitch Guru does not request or store any personal data which relates to:
- a. the racial or ethnic origin of the data subject.
  - b. their political opinions.
  - c. their religious beliefs or other beliefs of a similar or philosophical nature.
  - d. whether they are a member of a trade union.
  - e. their physical or mental health.
  - f. their sexual life or orientation.
  - g. genetic/biometric data (where processed to uniquely identify an individual).

#### **4. Data Protection principles:**

##### **1. Data Protection Principles:**

- a. personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals.
- b. personal data shall be obtained for one or more specified, explicit and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- c. personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- d. personal data shall be accurate and, where necessary, kept up to date.
- e. personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- f. personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

##### **2. These principles will be adhered to with the following ambitions:**

- a. meeting our legal obligations as laid down by the GDPR.
- b. ensuring that data is collected and used fairly, lawfully and transparently.
- c. processing personal data where an appropriate legal basis to do so exists and only in order to meet our operational needs or fulfil legal requirements.
- d. taking steps to ensure that personal data is up to date and accurate.
- e. establishing appropriate retention periods for personal data.
- f. ensuring that data subjects' rights can be appropriately exercised.
- g. ensuring that all staff are made aware of good practice in data protection.
- h. providing adequate training for all staff responsible for personal data.
- i. ensuring that everyone handling personal data knows where to find further guidance.
- j. ensuring that queries about data protection, internal and external to the organisation, are dealt with effectively and promptly.
- k. sharing information where required by law and where approved information sharing agreements are in place and when agreed processes have been followed.
- l. regularly reviewing data protection procedures and guidelines within the organisation.

- m. publishing and promoting this policy and the rights of data subjects including how to make a right of access request.
- n. establishing procedures for reporting data protection breaches to relevant authorities for investigation, including self-referral mechanisms.
- o. being clear with individuals whose data we process as to how we store it, what we do with it and why.
- p. responding to any valid subject access requests promptly and in any event within one month of receiving them (unless limited exceptions apply).

## **5. Employee responsibilities**

1. All employees have individual responsibility for complying with this policy and following accompanying guidance.
2. All employees will undertake relevant data protection training.
3. Employees will:
  - a. observe all forms of guidance, codes of practice and procedures about the collection, sharing, handling and use of personal information.
  - b. develop a comprehensive understanding of the purpose for which Twitch Guru uses personal information;
  - c. collect and process information in accordance with the purpose for which it is required to be used by Twitch Guru to meet its statutory requirements and business needs.
  - d. ensure the information is destroyed when no longer required in line with our information management guidance.
  - e. upon receipt of a request by or on behalf of an individual for information held about them (Subject Access Request), staff will deal with request as quickly as possible so that the request can be acted on quickly and legal advice sought if required.
  - f. understand that breaches of this policy may result in scrutiny by the Information Commissioner's Office (ICO) with the potential for fines to be levied and accompanying reputational damage. There is also the potential for misconduct action.

## **6. Data Protection by Design and Default**

1. In compliance with data protection by design principle, we will ensure data protection risks are taken into account throughout the process of designing a new process, product, policy or services, rather than treating it as an afterthought. This means assessing carefully and implementing appropriate technical and organisational measures and procedures from the outset to ensure the processing complies with the law and protects the rights of the data subjects.
2. To comply with data protection by design and by default principles, we will ensure mechanisms are in place within the organisation to ensure that, by default, only personal data which are necessary for each specific purpose are processed. This obligation includes ensuring that only the minimum amount of personal data is collected and processed for a specific purpose; the extent of processing is limited to that necessary for each purpose; the data is stored no longer than necessary, and access is restricted to that necessary for each purpose.