

## Penmilne Contractors Ltd – Data Protection Policy

The General Data Protection Regulations (GDPR) come into force on 25<sup>th</sup> May 2018 superseding the UK's Data Protection Act 1998. The UK is currently passing its own Data Protection Bill through Parliament which will go over and above the GDPR requirements.

It is a legal requirement for the Company to comply with the GDPR. It is also the Company's policy to ensure any personal data held by us in whatever form be treated with sensitivity and privacy, as befits such information.

Penmilne Contractors Ltd are registered with the Information Commissioners Office (ICO) to process information, detailed below:

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### Information Commissioners Office

Nature of work - General business - Electrical Contractors

Reasons/purposes for processing information

We process personal information to enable us to provide our services, to maintain our accounts and records and to support and manage our staff.

Type/classes of information processed

We process information relevant to the above reasons/purposes. This may include:

- personal details
- family, lifestyle and social circumstances
- financial details
- employment and qualification details
- services provided

We process personal information about our:

- employees
- clients and their customers
- suppliers
- consultants and other professional experts
- complainants and enquirers

Who the information may be shared with:

We sometimes need to share the personal information we process with the individual themselves. Where this is necessary we are required to comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- family, associates and representatives of the person whose personal data we are processing
- prospective employers
- educators and examining bodies
- central government

The Company needs to keep certain information about its employees, customers, and suppliers for financial and commercial reasons and to enable us to monitor performance, to ensure legal compliance and for health and safety purposes.

This policy sets out how we seek to protect personal data and ensure that staff understand the rules governing their use of personal data to which they have access in the course of their work.

In particular, this policy requires staff to ensure that the Client Services Manager be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

To ensure the implementation of this policy the Company has designated Beverley Fletcher as Client Services Manager. All enquiries relating to the holding of personal data should be referred to her in the first instance.

### **Employee Responsibilities**

Key Information for you need to know:

- keep passwords secure, change them regularly and do not share your passwords with anyone in line with the Company's Password Policy;
- lock / log off computers when you away from your desk;
- position computer screens away from windows to prevent accidental disclosures of personal information;
- ensure that any personal information that is being taken out the office is secure;
- prevent virus attacks by taking care when you open emails and attachments or visit new websites;
- dispose of confidential paper waste securely by shredding or using the secure waste disposal bags available to be collected by the Company's approved waste disposal contractor;
- work on a "clear desk" basis by securely storing hard copy personal information when it is not being used;
- ensure visitors are signed in and out of the premises and accompanied where relevant in areas normally restricted to staff;

You also need to know:

- that our ICT systems are monitored including emails, website access and computer files on the server;
- to collect only the personal information you need for a particular business purpose;
- to update records promptly, for example changes of address, marketing preferences;
- to delete personal information the business no longer requires;
- that you can be prosecuted if you deliberately give out personal details without permission. Be wary of people who may try and trick you into giving out personal details. Identity checks should be carried out before disclosing personal information to either someone making an incoming call or when making outgoing calls. Also limited personal information must be given over the telephone and follow up with written confirmation if necessary.
- items which are marked "Personal" or "Private and Confidential", or which appear to be of a personal nature, are opened by the addressee only.

As an employee you are responsible for:

- checking that any information that you provide in connection with your employment is accurate and up-to-date;
- notifying the Company of any changes to information you have provided, for example changes of address;
- ensuring that you are familiar with and follow the Data Protection Policy.

If you use the Company's office address for matters that are not work-related, the Company cannot be responsible for the confidentiality of such items.

Any breach of the Data Protection Policy, either deliberate or through negligence, may lead to disciplinary action being taken and could in some cases result in a criminal prosecution.

### **Training**

Managers must ensure staff are trained to comply with Data Protection and relevant legislation surrounding it so they know what is expected of them. Training must be applicable to the roles and responsibilities the individual holds and training records must be kept.

### **Sensitive Personal Data**

In most cases where the Company processes sensitive personal data they will require the data subject's explicit consent to do this unless exceptional circumstances apply or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety at work).

Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

### **Accuracy and Relevance**

The Company will ensure that any personal data they process is done lawfully, fairly and transparently.

The data collected on a subject should be adequate, relevant and limited to what is necessary in relation to the purposes for which it is being collected.

Personal data shall be accurate, where necessary kept up to date, and kept only for the period of time required to complete the processing task for which it is obtained.

Individuals may ask that the Company correct inaccurate personal data relating to them. If you believe that information held is inaccurate you should record the fact that the accuracy of the information is disputed and inform the Client Services Manager in writing.

### **Access to Personal Data**

Access to all personal data is restricted to limited staff.

Employment checks are carried out on personnel as applicable to their role and / or the service they are delivering. Employees will obtain Disclosure Barring Service checks and complete relevant security clearances as required.

### **Right to be Forgotten**

A data subject may request that any information held on them is deleted or removed, and any third parties who process or use that data must also comply with the request. An erasure request can only be refused if an exemption applies.

### **Data Audit and Register**

Regular data audits to manage and mitigate risks will inform the Company's data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant.

## **IT Security**

Personal data stored electronically will be protected by the Company's security policies and processes. The Company operates an Acceptable Use Policy, a Password Policy and a Breach of Data Policy.

Access to all systems are restricted to limited employees as required for the application of their job role.

Only Company issued USB drives must be used by the Company's employees. All third-party USB drives must be checked by the IT department before they are used in our Company systems.

Our business continuity arrangements identify how we will protect and recover the personal information we hold.

## **Transferring Data Internationally**

There are restrictions on international transfers of personal data. You must not transfer personal data anywhere outside the EEA without first consulting the Client Services Manager.

## **Reporting Breaches**

All members of staff have an obligation to report actual or potential data protection compliance failures. This allows us to:

- Investigate the failure and take remedial steps if necessary
- Maintain a register of compliance failures
- Notify the ICO of any compliance failures that are material either in their own right or as part of a pattern of failures

Any breach of the Data Protection Policy, either deliberate or through negligence, may lead to disciplinary action being taken and could in some cases result in a criminal prosecution.

## **Third Party Access to Penmilne Contractors Ltd ICT Systems**

With the exception of our primary IT support partner access to the Company systems is restricted and can only be accessed as agreed with the System Administrator.

All third-party providers are bound by confidentiality and security clauses within the service level agreements agreed.

## **Subject Access Requests**

You are entitled to know what personal information the Company holds about you, why it is being held and who the Company discloses your information to.

All Subject Access Requests must be referred to the HR Manager in the first instance.

All Subject Access Requests will be dealt with in accordance with the current ICO Code of Practice on Subject Access.

### **Storage of Data**

Hard copy personal data, whether related to our employees; suppliers or customers is held in secure cabinets with access restricted to limited staff. This personal data is not routinely carried in transit however where it is required to be transported it will be held in secure containers.

Electronic personal information held locally will be held with restricted access to limited staff. This will be password controlled via the Network Login. This personal data is not routinely carried in transit however where it is required to be transported it will be held on encrypted USB drives.

Obsolete and unused IT equipment is stored in a secure cabinet with access restricted to limited personnel.

### **Retention of Records and Data**

For some records and data there are statutory retention periods with statutory authorities. For other records there are no statutory retention periods however there are either recommended retention periods or retention periods required by third party organisations.

The Company will retain records in accordance with the relevant authorities' recommendations and guidelines.

### **Disposal of Data**

All hard copy personal data and IT equipment including hard drives are disposed of in a secure manner by an approved waste disposal contractor.

All hard copy personal data is either securely shredded on-site or disposed of offsite via secured facilities. Hard drives are shredded at an off-site facility.

Electronic data is removed from our systems either through deletion or if required, archiving. All archived records are secured stored with limited access.

### **Marketing**

Clients may be contacted for marketing purposes. No marketing materials may be e-mailed to any other individuals or companies without prior permission of the recipient.

Managers should check our compliance with legal obligations such as copyright or licensing requirements when downloading or copying information, and when publishing documents.