

# DATA PROTECTION POLICY

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## **A) INTRODUCTION**

This Policy sets out the obligations of our Company regarding data protection and the rights of its employees in respect of their personal data under the Data Protection Legislation

This Policy sets out the Company's obligations regarding the collection, processing, transfer, storage, and disposal of personal data relating to employee data subjects. The procedures and principles set out herein must be followed at all times by the Company, its employees, agents, contractors, and other parties working on behalf of the Company.

## **B) DATA PROTECTION OFFICER AND SCOPE OF POLICY**

The Company's Data Protection Officer is Peter Dickinson. The Data Protection Officer is responsible for administering this Policy and for developing and implementing any applicable related policies, procedures, and/or guidelines.

All Directors are responsible for ensuring that all employees, agents, contractors, or other parties working on behalf of the Company comply with this Policy and, where applicable, must implement such practices, processes, controls, and training as are reasonably necessary to ensure such compliance.

Any questions relating to this Policy, the Company's collection, processing, or holding of personal data, or to the Data Protection Legislation should be referred to the Data Protection Officer.

## **C) DATA PROTECTION PRINCIPLES**

The Data Protection Legislation sets out the following principles with which anyone handling personal data must comply. Data controllers are responsible for, and must be able to demonstrate, such compliance. All personal data must be:

- processed lawfully, fairly, and in a transparent manner in relation to the data subject;
- collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed;
- accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased, or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by the Data Protection Legislation in order to safeguard the rights and freedoms of the data subject;
- 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.

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## ***D) PROCESS/PROCEDURES/GUIDANCE***

The Company will:

- ensure that the legal basis for processing personal data is identified in advance and that all processing complies with the law;
- not do anything with your data that you would not expect given the content of this policy and the fair processing or privacy notice ;
- ensure that appropriate privacy notices are in place advising staff and others how and why their data is being processed, and, in particular, advising data subjects of their rights;
- only collect and process the personal data that it needs for purposes it has identified in advance
- ensure that, as far as possible, the personal data it holds is accurate, or a system is in place for ensuring that it is kept up to date as far as possible ;
- only hold onto your personal data for as long as it is needed, after which time the Data Protection Officer will securely erase or delete the personal data. The Company's data retention policy sets out the appropriate period of time;
- ensure that appropriate security measures are in place to ensure that personal data can only be accessed by those who need to access it and that it is held and transferred securely;
- ensure that all staff who handle personal data on its behalf are aware of their responsibilities under this policy and other relevant data protection and information security policies, and that they are adequately trained and supervised.

Breaching this policy may result in disciplinary action for misconduct, including dismissal. Obtaining (including accessing) or disclosing personal data in breach of the Company's data protection policies may also be a criminal offence.

## ***E) DATA SUBJECT RIGHTS***

The Company has processes in place to ensure that it can facilitate any request made by an individual to exercise their rights under data protection law. All staff have received training and are aware of the rights of data subjects. Staff can identify such a request and know who to send it to.

All requests will be considered without undue delay and within one month of receipt as far as possible.

**Subject access:** the right to request information about how personal data is being processed, including whether personal data is being processed and the right to be allowed access to that data and to be provided with a copy of that data along with the right to obtain the following information:

- the purpose of the processing
- the categories of personal data
- the recipients to whom data has been disclosed or which will be disclosed
- the retention period
- the right to lodge a complaint with the Information Commissioner's Office

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- the source of the information if not collected direct from the subject, and
  - the existence of any automated decision making

**Rectification:** the right to allow a data subject to rectify inaccurate personal data concerning them.

**Erasure:** the right to have data erased and to have confirmation of erasure, but only where:

- the data is no longer necessary in relation to the purpose for which it was collected, or
- where consent is withdrawn, or
- where there is no legal basis for the processing, or
- there is a legal obligation to delete data

**Restriction of processing:** the right to ask for certain processing to be restricted in the following circumstances:

- if the accuracy of the personal data is being contested, or
- if our processing is unlawful but the data subject does not want it erased, or
- if the data is no longer needed for the purpose of the processing but it is required by the data subject for the establishment, exercise or defence of legal claims, or
- if the data subject has objected to the processing, pending verification of that objection.

**Data portability:** the right to receive a copy of personal data which has been provided by the data subject and which is processed by automated means in a format which will allow the individual to transfer the data to another data controller. This would only apply if the Company was processing the data using consent or on the basis of a contract.

**Object to processing:** the right to object to the processing of personal data relying on the legitimate interests processing condition unless the Company can demonstrate compelling legitimate grounds for the processing which override the interests of the data subject or for the establishment, exercise or defence of legal claims.

#### ***F) SPECIAL CATEGORY PERSONAL DATA***

This includes the following personal data revealing:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person
- an individual's health
- a natural person's sex life or sexual orientation
- criminal convictions or offences

The Company processes special category data of clients and third parties as is necessary to provide legal services for the establishment, exercise or defence of legal claims.

The Company processes special category data of employees as is necessary to comply with employment and social security law. This policy sets out the safeguards we believe are appropriate to ensure that we comply with the data protection principles set out above. The Company also has a data retention policy which sets out how long special category data will be held onto.

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**G) MONITORING AND REVIEW**

This policy was last updated on July 2022 and shall be regularly monitored and reviewed, at least every two years.