

Data Protection Policy

POLICY STATEMENT

Groundsell Contracting Limited intends to fully comply with all requirements of the Data Protection Act 1998 („Act“) in so far as it affects the company's activities.

Scope

This policy covers the processing of all personal information whose use is controlled by Groundsell Contracting Limited and defined in the Company's Data Protection Notification (Registration No **ZA147697**)

Covers all personal information handled, stored, processed or shared by the company whether organised and stored in physical or IT based record systems.

This policy applies to all staff, contractors, partnership organisations and partner staff.

The company needs to collect and use data for a number of purposes about its staff and other individuals who come into contact with the company. In collecting and using this data, the company is committed to protecting an individual's right to privacy with regard to the processing of personal data and this policy has been implemented to support this commitment. Groundsell Contracting Ltd must comply with the Act.

This policy sets out the rules that all company staff, contractors, partnership organisations and partner staff who process or use any personal information on behalf of the company are subject to in order to ensure that the company is compliant with its obligations under the Act.

The Act governs the collection, holding, processing and retention of all personal data relating to living individuals. Its purpose being to ensure that those organisations and individuals, who collect, store and use that data do not abuse it, and process the data in accordance with the following eight Data Protection Principles that personal data shall:

- be processed fairly and lawfully and shall not be processed unless certain conditions are met;
- be obtained only for specified and lawful purposes and shall not be processed in any manner incompatible with those purposes;
- be adequate, relevant and not excessive for those purposes;
- be accurate and kept up to date;
- not be kept for longer than is necessary for those purposes;
- be processed in accordance with the data subjects' rights under the Act;
- be kept safe from unauthorised access, accidental loss or destruction;
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

The company management and staff, contractors, partnership organisations and partner staff that process or use personal data on behalf of Groundsell Contracting Limited must comply with these principles and ensure that they are followed at all times.

As stated, ***the Act covers all personal data that is held electronically, including databases, email and the Internet as well as some paper records.*** The paper records that are subject to the Act are those that are contained in a relevant filing system where the data is organised and structured.

Policy Status

This policy is not part of the formal contract of employment, but it is a condition of all employment contracts that employees will follow the rules and policies created by Groundsell Contracting Limited from time to time. Failure to follow the policy can result in disciplinary action being taken.

All partner agreements must include appropriate clauses relating to the company's Data Protection Policy and approved procedures for recording, using and/or processing personal data.

Responsibilities

The legal responsibility for compliance with the Act lies with the Managing Director who is the 'data controller' under the Act and is registered as such with the Information Commissioners Office. Responsibility for compliance is delegated to a senior management member who is responsible for encouraging data processing best practice within the company. However, compliance with this policy and the Act is the responsibility of everyone within the company who processes personal information.

Individual Consent

In most cases, the company can only process personal data with the consent of the individual whom the data concerns. If the information is sensitive personal data, explicit consent may be needed. However, it is a condition of staff employment that they agree to Groundsell Contracting Limited processing certain personal information as part of the company's statutory obligations.

The company may process some information that is categorised as 'sensitive personal data'; this includes information about an individual's racial or ethnic origin, gender, religion and beliefs, sexual orientation, physical or mental health, trade union membership and criminal convictions, charges or proceedings. This information may be required to comply with certain government regulations, to ensure safety or to meet the requirements of the company's policies and procedures.

Information Disclosure

The company requires all staff, contractors, partnership organisations and partner staff to be vigilant and exercise caution when asked to provide personal data held on another individual. In particular, they must ensure that personal information is not disclosed either orally or in writing to any unauthorised personnel, which includes family members, friends, government bodies and in certain circumstances the police, without the express prior consent of the relevant individual.

Data Processing

As and when staff, contractors, partnership organisations and partner staff are required to collect personal data they must adhere to the requirements of this policy and any applicable local guidelines.

Data Security

- documents kept in a lockable cabinet or drawer or room;
- Computerised data is password protected;
- Data kept on discs or data storage devices are stored securely and encrypted;
- Ensure individual passwords are kept confidential and are not disclosed to other personnel enabling log-in under another individuals personal username and password;
- Logged on PCs are not left unattended where data is visible on screen to unauthorised personnel;
- Screensavers are used at all times;
- Paper-based records must never be left where unauthorised personnel can read or gain access to them.

When manual records are no longer required, they should be shredded or bagged and disposed of securely, and the hard drives of redundant PCs should be wiped clean.

Off-site use of personal data presents a greater risk of loss, theft or damage and the company and personal liability that may accrue from the off-site use of personal data is similarly increased.

For these reasons staff and others should:

- only take personal data off-site when absolutely necessary and for the shortest possible time;
- take particular care when laptops or other electronic devices are used to process personal data at home or in locations outside of the company office, that they are kept secure at all times.

Rights of Individuals

Under the Act, an individual has the following rights:

- To request access to information held about them, the purpose for which the information is being used and those to whom it is, has or can be disclosed to;
- To prevent data processing that is likely to cause distress or damage;
- To prevent data processing for direct marketing reasons;
- To be informed about the reasons behind any automatic decision made;
- To seek compensation if they suffer damage as a result of any breach of the Act by the Data Controller;
- To take action to stop the use of, rectify, erase, or dispose of inaccurate information;
- To ask the Information Commissioner to assess if any Personal Data processing has not been followed in accordance with the Act.

Access to Personal Data

Subject to exemptions, the Act gives any individual who has personal data kept about them by the company the right to request in writing a copy of the information held relating to the individual in electronic format and also in some manual filing systems. Any person who wants to exercise this right should in the first instance make a written request to the company.

After receipt of a written request, any information needed as proof of identity of the person making the request, the company will ensure that the individual receives access within 30 calendar days, unless there is a valid reason for delay or an exemption is applicable.

The Act does not prevent an individual making a subject access request via a third party, including by a solicitor acting on behalf of a client. In these cases, and prior to the disclosure of any personal information, Groundsell Contracting Limited would need to be satisfied that the third party making the request is entitled to act on behalf of the individual and would require evidence of this entitlement.

Whilst the Act does not limit the number of subject access requests an individual can make to any organization, the company is not obliged to comply with an identical or similar request to one already dealt with, unless a reasonable interval has elapsed between the first request and any subsequent ones.

Direct Marketing (the communication by whatever means of any advertising or marketing material which is directed to individuals)

Under the Act an individual has the right to prevent his/her personal data being processed for direct marketing. An individual can, at any time, give written notice to stop (or not begin) using their personal data for direct marketing. Any individual can exercise this right, and if the company receives a notice then it must comply within a reasonable period.

Any marketing campaign should be permission-based with a clear explanation of what an individual's details will be used for and a simple way should be included for an individual to opt out of marketing messages.

Accuracy of Data

Staff are responsible for:

- ensuring that any information they provide to the company relating to their employment is accurate and up to date;
- informing the company of any information changes, e.g. change of address; and
- checking the information that the company may send out from time to time giving details of information kept and processed about staff.

Staff must also ensure that all data provided to the company is accurate and up-to-date by notifying their company administration office with any changes to their address or personal details.

Groundsell Contracting Limited cannot be held responsible for any errors unless the member of staff has informed the company about them.

Retention and Disposal of Data

The Company is not permitted to keep personal information of staff for longer than is required for its purpose. However, some data will be kept longer or in perpetuity to comply with statutory requirements.

Personal and confidential information will be disposed of by means that protect the rights of those individuals i.e. shredding, disposal of confidential waste, secure electronic deletion.

Complaints

The Company is dedicated to being compliant with the Act. Individuals, any member of staff wishing to report concerns relating to the Act should, in the first instance, contact the following member of staff who as the Company Data Protection Officer will aim to resolve any issue: