

## INTRODUCTION

Data Protection Legislation is there to protect people (data subjects) against the misuse of personal data and covers both manual and electronic records.

All records held on an IT system including servers, computers and cloud-based applications fall within the Data Protection Legislation as well as certain manual files, depending on the ease of access to data within the file.

However, for consistency and good practice, the Company will adopt the same approach for all data held.

The Data Protection Legislation requires that any personal data held should be:

- adequate, relevant and not excessive.
- obtained and processed only for specified and lawful purposes.
- processed fairly and lawfully and in accordance with the rights of the data subjects.
- accurate and kept up to date.
- held securely and for no longer than is necessary.
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal information or destruction of, or damage to personal data.
- not transferred to a country outside the European Economic Area unless there is an adequate level of data protection in that country.

The Data Protection Legislation also gives affected people certain rights. One of the most important is the right to access the personal data held by the organisation relating to the person concerned.

Although primarily aimed at employees, it is recognised by Data Tech Holdings Ltd (DT) that those who may be affected by this policy include other interested parties i.e. customers, suppliers and sub-contractors. Unless otherwise stated this policy is applicable to all where Data Tech holds relevant data applicable to them.

This policy is also to be read in conjunction with the Information Technology and Security Policy BMP 06.

## PURPOSES FOR WHICH PERSONAL DATA MAY BE HELD

Personal data relating to employees may be collected primarily for the purposes of:

- recruitment, vetting, promotion, competency, training, redeployment and/or career development.
- administration, payment of wages & calculation of certain benefits including pensions.
- Health records including drugs and alcohol testing.
- disciplinary or performance management purposes.
- performance review, staffing levels and career planning.
- recording of communication with employees and their representatives.
- compliance with legislation.
- monitoring of company IT systems, mobile phones and vehicles.
- provision of references to financial or educational institutions or to assist future potential employers.
- project specific requirements.

Personal data relating to customers and suppliers may be collected primarily for the purposes of:

- set-up, approval process and contractual agreements.
- administration and payment or credit of monies owed.
- performance review, non-conformances and complaints.
- compliance with legislation.
- project specific requirements.

Personal data relating to individual sub-contractors may be collected primarily for the purposes of:

- recruitment, vetting, competency, training and redeployment.
- administration and payment or credit of monies owed.
- Health records including drugs and alcohol testing.
- performance review, non-conformances and complaints.
- recording of communication with sub-contractors.

- compliance with legislation.
- monitoring of company IT systems, mobile phones and vehicles
- project specific requirements.

The Company includes the following personal data within the categories set out above but is not exhaustive:

- personal details including name, address, age, status, national insurance number, date of birth, qualifications and documents for identification, proof of address or residency status purposes. Where specific monitoring systems are in place, ethnic origin and nationality will also be deemed as relevant.
- references and CVs.
- emergency contact and next of kin details.
- notes on discussions between management and the candidate, employee, customer, supplier or sub-contractor.
- appraisals, documents relating to grievance, discipline, promotion, demotion or employment termination.
- information provided for vetting purposes.
- training records.
- CCTV and photographic images.
- salary or any form of payment, benefits and bank/building society details; and
- health, injury, absence and sickness information.

Employees or potential employees and any other affected party as listed above will be advised by the Company of the personal data which has been obtained or retained, its source, and the purposes for which the personal data may be used or to whom it will be disclosed.

The Company will review the nature of the information being collected and held on an annual basis to ensure there is a sound business reason for requiring the information to be retained.

## SENSITIVE PERSONAL DATA

Sensitive personal data includes information relating to the following matters:

- the employee's racial or ethnic origin.
- his or her political opinions or religious or similar beliefs.
- his or her trade union membership.
- his or her physical or mental health or condition.
- his or her sex life or sexual orientation.
- genetic or biometric data; or
- the commission or alleged commission of any offence by the employee or sub-contractor.

To hold sensitive personal data, the Company must additionally satisfy a sensitive data condition. The most appropriate condition for employment purposes as applicable to employees and sub-contractors is that the processing is necessary to enable the Company to meet its legal obligations (for example, to ensure health and safety or to avoid unlawful discrimination).

## RESPONSIBILITY FOR THE PROCESSING OF PERSONAL DATA

The Company will appoint a person as the named individual responsible for ensuring all personal data is controlled in compliance with the Data Protection Legislation.

Employees who have access to personal data must comply with this Policy and adhere to the procedures laid down by the responsible person for data protection. Failure to comply with the Policy and procedures may result in disciplinary action up to and including summary dismissal.

## USE OF PERSONAL DATA

To ensure compliance with the Data Protection Legislation and in the interests of privacy, people's confidence and good relations with organisations and individuals, the disclosure and use of information held by the Company is governed by the following conditions:

- personal data must only be used for one or more of the purposes specified in this Policy.
- company documents may only be used in accordance with the statement within each document stating its intended use; and
- provided that the identification of individuals is not disclosed, aggregate or statistical information may be used to respond to any legitimate internal or external requests for data (e.g., surveys, staffing level figures, certification bodies); and
- personal data must not be disclosed, either within or outside the Company, to any unauthorised recipient.

## PERSONAL DATA HELD FOR EQUAL OPPORTUNITIES MONITORING PURPOSES

Where personal data obtained about employee candidates is held for the purpose of equal opportunities monitoring, all such data will be made anonymous.

## DISCLOSURE OF PERSONAL DATA

Personal data is only disclosed outside the Company, where a suitable legal basis applies. These include as applicable, meeting a contract, the business has a legitimate interest to do so, the individual provides written consent, disclosure is required by law or where there is immediate danger to the person's health.

Inappropriate disclosure or breaches of data protection and information security requirements may result in disciplinary action.

## ACCURACY OF PERSONAL DATA

The Company will review personal data regularly to ensure that it is accurate, relevant and up to date.

In order to ensure the Company's files are accurate and up to date, and so that the Company is able to contact the employee or sub-contractor or, in the case of an emergency, another designated person, employees or sub-contractors must notify the Company as soon as possible of any change in their personal details (e.g., change of name, address; telephone number, loss of driving licence where relevant; next of kin details, etc.).

## ACCESS TO PERSONAL DATA

Individuals have the right to access personal data held about them. The Company will arrange for the individual to see or hear all personal data held about them within 30 days of receipt of a request and proof of identification is confirmed. This will apply unless any of the following are actioned - an extension or delay to the 30 day period; a refusal to provide such information by the Company or until a charge made as permitted and in accordance with the Data Protection Legislation is received. The individual will be advised accordingly.



Bob Jacobs  
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