# POLICY

**Data Protection Policy Statement**

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| REV | Date | Status / Description of Changes |
|---|---|---|
| 01 | 05/08/2019 | Updating all laws/regulations dates to the current standard.<br>Adjusting template, for a more clear layout. |
| 02 | 14/01/2020 | Updating template minor changes |
| 03 | 07/12/2020 | Minor adjustment to template |
| 04 | 07/06/2021 | Adding more specific information regarding Gradewell complying with Data protection |

GRADEWELL
CONSTRUCTION AND PLANT HIRE

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## Introduction

Gradewell Aims to follow compliance with the following legislations below, protecting all private information and stopping any miss use of this information.

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018) place specific responsibilities on organisations which process personal data and provide individuals to whom that data relates with certain rights.

"The Data Protection Act 2018 governs the use of personal information and will apply to the processing of personal information on Customer Relationship Management (CRM)."

In order for Gradewell to conduct its business operations, it is necessary that substantial amounts of personal data are stored/archived for the required amount of time by Law.

Gradewell must will therefore ensure that this processing is performed in accordance with the DPA 2018 and GDPR but in doing so, has to also ensure that its business processes remain workable.

Gradewell takes its duties with respect to personal data very seriously, and is committed to ensuring that it complies with the GDPR and DPA 2018.

Gradewell is committed to abide by the data protection principles to maintain the confidence and trust of the individuals and organisations that it collaborates with.

## Objective

The objectives of this policy are to establish the following:

Gradewell's commitment to data protection and to its compliance with the General Data Protection Regulation and Data Protection Act 2018;

• The role of Data Protection Officer; and general principles and responsibilities in relation to the processing of personal data.

## Scope

This policy applies to all Gradewell employees, associates, contractors and others who process personal information on Gradewell's behalf and in the course of their duties and responsibilities.

## Glossary

All specific terms in this Policy are as defined by Article 4 or elsewhere in the GDPR or DPA 2018. The following summarises those definitions:

• personal data: any information relating to an identified or identifiable person ('data subject'). 5 PLANNING, LEGAL & GOVERNANCE DATA PROTECTION

• data subject: an identifiable person.

• processing: any activity performed on personal data such as collecting, recording, organising, structuring , storing, adapting, retrieving, consulting, use, disclosure, combination, erasure and destruction

• controller: an organisation (or person) which determines the purposes and means of the processing of personal data.

• processor: an organisation (or person) which processes personal data on behalf of a controller;

• privacy notice: a document made available to data subjects which explains the purposes for which personal data is collected and used, how it is used and disclosed, how long it is kept, and the controller's legal basis for processing. Full details of what is required in a privacy notice is listed in Articles 13 and 14 of the GDPR;

• record of processing activity: a formal record of how personal data is processed covering areas such as processing purposes, data sharing and retention. Full details of what is required are listed in Article 30 of the GDPR. The term data protection legislation shall be used to refer to the General Data Protection Regulation and Data Protection Act 2018 and supporting instruments, regulations and codes of practice.

## Key Roles

Senior Manager - All Senior Managers (Directors) are accountable for ensuring that staff and students within their areas are aware of the Data Protection Policy; that adequate resources are made available to ensure that their staff are able to work in accordance with this policy; that all new staff , be they permanent, temporary, employed by the Gradewell or contractors or agency staff are all inducted appropriately in terms of data protection and undertake the specified levels of training; the business processes and practices in their area comply with this Policy.

Line Manager - Line managers are responsible for the day to day implementation and must make sure that members of staff are aware of this policy and Gradewell procedures relating to the correct handling of personal data.

Employee - All employees whether directly handling personal data or not must complete all mandatory training and comply with data protection legislation and Gradewell procedures. Employees must report any breaches or suspected breaches in accordance with Gradewell's data breach reporting procedures.

Data Protection Officer - The DPO shall be involved, properly and in a timely manner, in all issues which relate to the protection of personal data and shall report, on matters relating to compliance with data protection legislation, to the Director with regular reports and in the event of exceptional events. As required the office of DPO will as a minimum be responsible for the following tasks:

- to inform and advise Gradewell and its employees of their obligations in respect of compliance with data protection legislation;

- to monitor compliance with data protection legislation and with Gradewell's policies in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits;

- to provide advice relating to, and monitor performance of, data protection impact assessments;

- to cooperate with and act as the contact point for the Information Commissioner's Office.

- to maintain information asset registers and the record of processing activities; and

- to ensure privacy notices are in place for all processing of personal data. The DPO shall, in the performance of their tasks, have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing. The DPO will serve as the principal contact in the event of any suspected or actual breach of the data protection policy, will lead any investigation and report the finding to the Director and other parties.

## The data protection principles require that:

- Personal information data shall be processed fairly, lawfully and provided it is necessary for the purposes of legitimate interests of the business i.e. pursuing new business opportunities.
- Personal information shall be obtained only for the specified purpose of CRM and shall not be further processed in any manner incompatible with that purpose.
- Personal information shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal information shall be accurate and, where necessary, kept up to date.
- Personal information processed for any purpose or purposes shall not be kept for longer than is necessary for the purpose of CRM. We should review the necessity of keeping personal information every six/twelve months.
- Personal information shall be processed in accordance with the rights of data subjects. If an individual requests disclosure of the personal information we hold on CRM, we are obliged to provide that information.
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal information and against accidental loss or destruction of, or damage to, personal information. We must ensure that we have adequate security measures in place to protect the personal information we hold. Access to the personal information must be restricted to specified authorised persons.

## Sensitive personal data

The Act classifies some personal information as 'sensitive' and there are stricter rules about this.

- racial or ethnic origin
- political opinions
- religious or similar beliefs
- trade union membership
- physical or mental health condition
- sexual life
- offences or alleged offences committed
- proceedings relating to those offences or alleged offences
- Payroll (Bank information)

Implementation

The Policy will be uploaded onto the University website. The Policy will be communicated in the weekly University staff briefing and through other channels.

**Note: We should not process any of the above personal information without the express consent of the individual concerned**.

### *Monitoring And Review*

The impact of this Policy shall be reviewed by the Data Protection Officer. This Policy shall be reviewed every year from the date of approval.

### *Enforcement Of This Policy Sanctions*

Compliance with this policy is the responsibility of all members of staff, associates, students, contractors and other third parties who process personal information on Gradewell's behalf and in the course of their duties and responsibilities'.

Anyone found to be acting in breach of this policy or who is negligent in their responsibilities to enforce it may be subject to disciplinary.

In serious cases, breaches of Data Protection Policy may be grounds for invocation of the Staff Disciplinary policy.

Any questions about the interpretation or operation of this policy should be referred to the Data Protection Officer.

### Reference

- Related Policies and Standards •
- Information Security Policy •
- Information Classification and Handling Policy •
- Data Breach Procedure • Data Protection Impact Assessment Procedure
- Privacy Notice Procedure
- Regulation 21 – ICT Regulations
- Records Retention and Disposal Policy
- Privacy Policy
- Staff Capability Policy and Procedure
- Staff Disciplinary Policy
- Regulation 28 – Student Disciplinary Policy

**Note: We are not permitted to store disparaging or unprofessional remarks about individuals. The individual is entitled to see what data is held about them by us at any time.**

*Thomas Barrett – Director*