



R.C.JONES (LIFTING) LTD

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Data Protection Policy – GDPR

R.C.Jones (Lifting) Ltd is committed to a policy of protecting the rights and privacy of individuals, including members, staff and others, in accordance with the *General Data Protection Regulation (GDPR) May 2018*.

The regulation demands higher transparency and accountability in how organisations use personal data. It also accords new and stronger rights for individuals to understand and control that use. The GDPR contains provisions that R.C.Jones (Lifting) Ltd will need to be aware of as data controller and processor, including provisions intended to enhance the protection of members' personal data. For example, the GDPR requires that:

We must ensure that our privacy notices are written in a clear, plain way that staff and members will understand.

R.C.Jones (Lifting) Ltd needs to process certain information about its staff, customers, suppliers and others with whom it has a relationship for various purposes such as, but not limited to:

1. The recruitment and payment of staff.
2. The administration of services related to the business
3. Provide documentation specific to the administration of the business
4. Recording documentation for legal and contractual obligations.
5. Collecting fees for work completed by the business
6. Complying with legal obligations to funding bodies and government including local government.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR), R.C.Jones (Lifting) Ltd must ensure that all this information about individuals is collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

Compliance

This policy applies to all staff and members of R.C.Jones (Lifting) Ltd. Any breach of this policy or of the Regulation itself will be considered an offence and the disciplinary procedures will be invoked. As a matter of best practice, other agencies and individuals working with R.C.Jones (Lifting) Ltd, and who have access to personal information, will be expected to read and comply with this policy. This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

General Data Protection Regulation (GDPR)

This legislation came into force on 25th May 2018. The GDPR regulates the processing of personal data and protects the rights and privacy of all living individuals (including children), e.g. by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files, electronic records, photographs, CCTV images) and may include facts or opinions about a person.

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For more detailed information on these regulations see the *Data Protection Data Sharing Code of Practice* (DPCoP) from the Information Commissioner's Office (ICO). Please follow this link to the ICO's website (www.ico.gov.uk)

Data protection principles

The legislation places a responsibility on every data controller and data processor to process any personal data in accordance with the eight principles. More detailed guidance on how to comply with these principles can be found in the DPCoP. Please follow this link to the ICO's website (www.ico.gov.uk) In order to comply with its obligations, R.C.Jones (Lifting) Ltd undertakes to adhere to the seven key principles:

1. Lawfulness, fairness and transparency

Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

R.C.Jones (Lifting) Ltd will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller/data processor, the purposes of the processing, any disclosures to third parties that are envisaged, given an indication of the period for which the data will be kept and any other information which may be relevant.

2. Purpose Limitation

R.C.Jones (Lifting) Ltd will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

3. Data Minimisation

R.C.Jones (Lifting) Ltd will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

4. Keep personal data accurate and, where necessary, up to date.

R.C.Jones (Lifting) Ltd will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify R.C.Jones (Lifting) Ltd if, for example, a change in circumstances means that the data needs to be updated. It is the responsibility of R.C.Jones (Lifting) Ltd to ensure that any notification regarding the change is noted and acted on.

It is the responsibility of R.C.Jones (Lifting) Ltd to ensure the data held is accurate and up-to-date. Notification in writing will be required for change of details and will be taken as an indication that the data then contained is accurate.

5. Only keep accurate personal data for as long as is necessary.

R.C.Jones (Lifting) Ltd undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation and any other statutory requirements. This means R.C.Jones (Lifting) Ltd will undertake a regular review of the information held and implement a weeding process.

R.C.Jones (Lifting) Ltd will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste), which will include the minimum requirement of 6 years by law.

In some circumstances you can ask us to delete your data: see your legal rights below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Your Rights

Under the data protection legislation you have a number of rights with regard to your personal data. You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

You can read more about these rights here – <https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

6. Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data.

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

R.C.Jones (Lifting) Ltd will ensure that all personal data is accessible only to those who have a valid reason for using it.

R.C.Jones (Lifting) Ltd will have in place appropriate security measures examples which will include but are not limited to:

- Keeping all personal data in a lockable cabinet with key controlled access.
- Password protecting personal data held electronically.
- Holding all data on a secure password protected system.
- Archiving personal data which is then kept securely.
- Annually deleted aged/ irrelevant data/incorrect data.
- Placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are

not visible except to authorised staff.

In addition, R.C.Jones (Lifting) Ltd will put in place appropriate measures for the deletion of personal data. Manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. This policy also applies to staff and third parties who process personal data 'offsite', e.g. when working at home and in circumstances additional care must be taken regarding the security of the data.

7. Accountability

R.C.Jones (Lifting) Ltd shall be responsible for and will be able to demonstrate compliance with GDPR Regulations.

CCTV

R C Jones (Lifting) Ltd uses closed circuit television (CCTV) images to protect the Company's property and to provide a safe and secure environment for employees and visitors to the Company's business premises. R C Jones (lifting) Ltd's CCTV facility, unless there are exceptional circumstances (see covert recording below), will only record images. There is no audio recording i.e. conversations are not recorded on CCTV.

1. Purposes of CCTV

The data collected from the system will assist in:

- Prevention or detection of crime or equivalent malpractice.
- Identification and prosecution of offenders.
- Monitoring of the security of the Company's business premises.
- Ensuring that health and safety rules and Company procedures are being complied with.
- Identification of unauthorised actions or unsafe working practices that might result in disciplinary proceedings being instituted against employees and to assist in providing relevant evidence.
- Promoting productivity and efficiency.

2. Location of cameras

Cameras are located at strategic points throughout the business premises, principally at the entrance and exit points. R C Jones (Lifting) Ltd has positioned the cameras so that they only cover communal or public areas of the business premises and they have been sited so that they provide clear images. No camera focuses, or will focus, on toilets, changing rooms, staff kitchen areas, or private offices.

All cameras (with the exception of any that may be temporarily set up for covert recording) are also clearly visible.

Appropriate signs are prominently displayed so that employees, clients, customers and other visitors are aware they are entering an area covered by CCTV.

3. Recording and retention of images

Images produced by the CCTV equipment are intended to be as clear as possible so that they are effective for the purposes set out above. Maintenance checks of the equipment are undertaken on a regular basis to ensure it is working properly and that the media is producing high quality images. Images may be recorded either in constant real-time (24 hours a day throughout the year), or only at certain times, as the needs of the business dictate. As the recording system records digital images, any CCTV images that are held on the hard drive of a PC or server are deleted and overwritten on a recycling basis and, in any event, once the hard drive has reached the end of its use, it will be erased prior to disposal. Images that are stored on, or transferred on to, removable media such as CDs or which are stored digitally are erased or destroyed once the purpose of the recording is no longer relevant. In normal circumstances, this will be a period of 12 months. However, where a

law enforcement agency is investigating a crime, images may need to be retained for a longer period.

4. **Access to and disclosure of images**

Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images can only be disclosed in accordance with the purposes for which they were originally collected. The images that are filmed are recorded centrally and held in a secure location. Access to recorded images is restricted to the operators of the CCTV system and to those who are authorised to view them in accordance with the purposes of the system. Viewing of recorded images will take place in a restricted area to which other employees will not have access when viewing is occurring. If media on which images are recorded are removed for viewing purposes, this will be documented. Disclosure of images to other third parties will only be made in accordance with the purposes for which the system is used and will be limited to:

- The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness.
- Prosecution agencies, such as the Crown Prosecution Service.
- Relevant legal representatives.
- Managers involved with Company disciplinary and performance management processes.
- Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).

A Director of the Company is the only person who is permitted to authorise disclosure of images to external third parties such as law enforcement agencies.

All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.

Consent as a basis for processing

Although it is not always necessary to gain consent from an individual before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when R.C.Jones (Lifting) Ltd is processing any sensitive data, as defined by the legislation.

R.C.Jones (Lifting) Ltd understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement e.g. placing of an order for products supplied by the business whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

Personal Details

- *For the purposes of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679 you consent to the R.C.Jones (Lifting) Ltd holding and processing personal data including sensitive personal data of which you are the subject, details of which are specified in the data R.C.Jones (Lifting) Ltd protection policy.*
- *This will include marketing images and the R.C.Jones (Lifting) Ltd CCTV.*

R.C.Jones (Lifting) Ltd will ensure that any forms used to gather data on an individual will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosed and also indicate whether or not the individual needs to consent to the processing.

R.C.Jones (Lifting) Ltd will ensure that if the individual does not give his/her consent for the processing and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

Subject access requests

Individuals have a right to access any personal data relating to them which are held by R.C.Jones (Lifting) Ltd. Any individual wishing to exercise this right should apply in writing to the DPO. Any member of staff receiving a SAR should forward this to the DPO.

Under the terms of the legislation, any such requests must be complied with within 30 days.

Disclosure of Data

Only disclosures which have been notified and agreed with the approved and authorised third parties must be made and therefore staff should exercise caution when asked to disclose personal data held on another individual or third party.

R.C.Jones (Lifting) Ltd undertakes not to disclose personal data to unauthorised third parties, including unnamed employees of members.

Legitimate disclosures may occur in the following instances:

- The individual has given their consent to the disclosure.
- The disclosure is in the legitimate interests of the employee/customer/supplier.
- The disclosure is required for the performance of a contract.
- The disclosure is a legal obligation.
- The disclosure is the public interest.

In no circumstances will R.C.Jones (Lifting) Ltd sell any of its databases to a third party.

Complaints

If you have any concerns about R C Jones (Lifting) Ltd's use of your personal data, you can make a complaint to us at enquiries@rcj-lifting.co.uk addressed to the data protection officer. You can also complain to the ICO if you are unhappy with how we have used your data.

ICO's address:

Information Commissioner's Office.

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire.

SK9 5AF

Helpline: 0303 123 1113

ICO Website: <https://www.ico.org.uk>

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