

## **Data Protection Policy**

### **About the Company**

Angus Decorating Company Limited (company number SC056282), is a 'data controller' and gathers and uses certain information about individuals (employees, clients, suppliers as well as prospective employees and clients). The Company takes data protection and confidentiality seriously and it is an essential part of its business. This data protection policy, along with the privacy notices for employees, recruitment, clients and website use, gives individuals information on how the Company gathers, uses and shares personal information as well as important information on individual privacy rights. When this policy refers to personal information, it covers personal information the Company already holds about an individual (if any) and personal information that may be collected about an individual (directly or from a third party).

### **Introduction**

It is recommended that individuals read this policy because it gives important information about:

- the data protection principles with which the Company must comply;
- what is meant by personal information (or data) and sensitive personal information (or data);
- how the Company gathers, uses and (ultimately) deletes/destroys personal information and sensitive personal information in accordance with the data protection principles;
- where more detailed privacy information can be found, eg about the personal information the Company gathers and uses, how it is used, stored and transferred, for what purposes, the steps taken to keep that information secure and for how long it is kept;
- individual rights and obligations in relation to data protection; and
- the consequences of failure to comply with this policy.

The Company obtains, keeps and uses personal information (also referred to as data) about job applicants and about current and former employees, temporary and agency workers, apprentices as well as clients, prospective clients and suppliers for a number specific lawful purposes, as set out in the relevant privacy notices.

This policy sets out the Company's commitment to ensuring that any personal data is processed in compliance with data protection law. This policy applies to all personal data processed by the Company and is designed to show it takes data protection seriously and is complying with relevant data protection law.

This policy sits along side other policies and procedures, including:

- record of processing activities
- privacy notices (employees, clients, recruitment and website)
- personal data breach reporting process and a breach register
- data retention schedule
- data subject rights procedure

### **Data protection principles**

The Company complies with the six data protection principles set out below:

- data is processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency'),
- data is collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation'),
- data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation')
- data is accurate and kept up to date and, where data is inaccurate, erased or rectified without delay ('accuracy')
- data is kept for no longer than is necessary for the purposes for which the personal data are processed ('storage limitation')
- data is processed in a way 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 ('integrity and confidentiality')

Where the Company processes personal data, it will communicate with any individual in a clear, transparent, intelligible and easily accessible way, including where any request is received regarding individual rights.

### **Process/procedures/guidance**

The Company will provide individuals with a privacy notice in advance of processing which will identify:

- who the data controller is and any relevant data processors;
- the legal basis for processing personal data;
- how and why data is being processed;
- relevant data subjects rights; and
- how long data will be retained for.

The Company will only collect and process the personal data that it needs for purposes it has identified in advance and shall take all reasonable steps to ensure that personal data is accurate and kept up to date as far as possible. Personal data will only be retained for as long as it is needed, after which time it will be securely erase or delete. The Company will

also ensure that appropriate security measures are in place to prevent any unauthorised access to or deletion of personal data.

### **Data Subject Rights**

Under data protection laws, individuals have certain rights which are set out below. The Company will work with individuals to deal with any request received in respect of individual rights. It may be necessary to ask further questions or request additional information to adequately 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 certain information (like on what data is processed, who it is shared with and how long it is retained for).

**Rectification:** the right to have inaccurate personal data concerning an individual rectified.

**Erasure:** the right to have data erased and to have confirmation of erasure, in certain circumstances, including where:

- the data is no longer necessary in relation to the purpose for which it was originally collected, or
- consent is withdrawn, or
- an individual objects to processing and there is no overriding legitimate interest in continuing processing,
- there is no legal basis for the processing, or
- an individual objects to direct marketing.

**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 the data is no longer needed for the purpose of the processing but it is required by the individual for the establishment, exercise or defence of legal claims, or
- if the individual 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.

**Object to processing:** the right to object to the processing of personal data relying on the legitimate interests processing condition unless we 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.

### **Special category personal data**

Special category personal data includes data revealing (i) racial or ethnic origin, (ii) political opinions, (iii) religious or philosophical beliefs (iv) trade union membership, (v) certain genetic data or biometric data, (vi) health information, (vii) details of sex life or sexual orientation or (viii) criminal convictions or offences. The Company may from time to time need to process sensitive personal information, in particular when processing employee data. Sensitive personal information will only be processed if:

- there is a lawful basis for doing, eg it is necessary for the performance of a contract, to comply with legal obligations or for legitimate interests (which are not overridden by individual rights); and
- one of the special conditions for processing sensitive personal information applies, eg:
  - (a) the individual has given explicit consent;
  - (b) the processing is necessary for the purposes of exercising employment law rights or obligations;
  - (c) the processing is necessary to protect the individual's vital interests, and the individual is physically incapable of giving consent;
  - (d) processing relates to personal data which are manifestly made public by the individual;
  - (e) the processing is necessary for the establishment, exercise or defence of legal claims; or

the processing is necessary for reasons of substantial public interest.

Before processing any sensitive personal information, an assessment will be carried out by the Company to ensure that the criteria noted above are being complied with. Sensitive personal information will not be processed until this assessment has taken place and the individual has been properly informed (by way of a privacy notice or otherwise) of the nature of the processing, the purposes for which it is being carried out and the legal basis for it.

### **Data Breaches**

A data breach may take many different forms, for example:

- loss or theft of data or equipment on which personal information is stored;
- unauthorised access to or use of personal information either by a member of staff or third party;
- loss of data resulting from an equipment or systems (including hardware and software) failure;
- human error, such as accidental deletion or alteration of data;
- unforeseen circumstances, such as a fire or flood;
- deliberate attacks on IT systems, such as hacking, viruses or phishing scams; and
- 'blagging' offences, where information is obtained by deceiving the organisation which holds it.

The Company will make the required report of a data breach to the Information Commissioner's Office without undue delay and, where possible within 72 hours of

becoming aware of it, if it is likely to result in a risk to the rights and freedoms of individuals; and notify individuals if a data breach is likely to result in a high risk to their rights and freedoms and notification is required by law.

### **Storage and retention of personal information**

The Company will keep personal information (and sensitive personal information) secure and confidential and have appropriate technical and operational measures in place.

Personal information (and sensitive personal information) will not be retained for any longer than necessary. The length of time over which data should be retained will depend upon the circumstances, including the reasons why the personal information was obtained. Personal information (and sensitive personal information) that is no longer required will be deleted permanently from our information systems and any hard copies will be destroyed securely.

### **How to complain**

It is hoped that the Company can resolve any query or concern raised by an individual about the Company's use of personal information. If not, individuals are able to contact the Information Commissioner at [ico.org.uk/concerns/](http://ico.org.uk/concerns/) or telephone: 0303 123 1113 for further information about their rights and how to make a formal complaint.

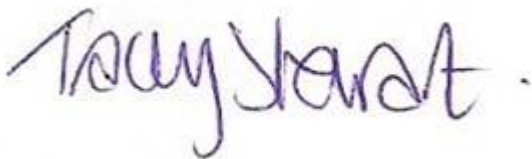
### **Contact Information**

Please contact the Company using the details below if you have any questions about this privacy policy, any of the privacy notices or the personal information held by the Company:

- by post, to Angus Decorating, Kirkton Enterprise Centre, Sir William Smith Road, Arbroath, Angus, DD11 3RD (marked for the attention of Tracey Stewart)
- by telephone, on 01241 435238;
- by email, to [traceystewart@angusdec.com](mailto:traceystewart@angusdec.com); or
- using the Company's website contact form.

### **Changes to this policy**

This policy was last updated on 30 June 2018 and reviewed 19 August 2020. The Company may change this policy from time to time, and will update individuals via their preferred method of correspondence (email or letter) to notify the updated policy and highlight and key changes.



**Joint Managing Director**  
**Angus Decorating Co Ltd**

**Date: 12 January 2022**