

Form Title: Data Protection Policy
Form Ref: POL 012
Author: Richardson Rail Services
Date: September 2019
Version: 2.0



DATA PROTECTION POLICY

ABOUT THIS POLICY

During our activities, we, Richardson Rail Services limited, will process personal data (which may be held on paper, electronically, or otherwise) about our staff and persons/companies who use our services, we recognise the need to treat it appropriately and lawfully, in accordance with the Data Protection Act 2018 (c 12) and as an extension European Union's General Data Protection Regulation (GDPR).

The purpose of this policy is to make individuals aware of how we will handle personal data.

This policy does not form part of any employee's contract of employment, and we may amend it at any time.

DATA PROTECTION PRINCIPLES

We will comply with the eight data protection principles in the GDPR, which say unless a data subject has provided informed consent to data processing for one or more purposes, personal data may not be processed unless there is at least one legal basis to do so.

- (a) If the data subject has given consent to the processing of his or her personal data;
- (b) To fulfil contractual obligations with a data subject, or for tasks at the request of a data subject who is in the process of entering into a contract;
- (c) To comply with a data controller's legal obligations;
- (d) To protect the vital interests of a data subject or another individual;
- (e) To perform a task in the public interest or official authority;
- (f) For the legitimate interests of a data controller or a third party, unless those interests are overridden by interests of the data subject or her or his rights according to the Charter of Fundamental Rights (especially in the case of children).

If informed consent is used as the lawful basis for processing, consent must have been explicit for data collected, and each purpose data is used for (Article 7; defined in Article 4). Consent must be a specific, freely-given, plainly-worded, and unambiguous affirmation given by the data subject; an online form which has consent options structured as an opt-out selected by default is a violation of the GDPR, as the user does not unambiguously affirm the consent. Also, multiple types of processing may not be "bundled" together into a single affirmation prompt, as this is not specific to each use of data, and the individual permissions are not freely-given.

Data subjects must be allowed to withdraw this consent at any time, and the process of doing so must not be harder than it was to opt-in.

A data controller may not refuse service to users who decline consent to processing that is not strictly necessary in order to use the service.

Form Title: Data Protection Policy
Form Ref: POL 012
Author: Richardson Rail Services
Date: September 2019
Version: 2.0

Richardson Rail Services Ltd.

Personal Development Specialist



"Personal data" means recorded information we hold about you from which you can be identified. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you. "Processing" means doing anything with the data, such as accessing, disclosing, destroying or using the data in any way.

FAIR AND LAWFUL PROCESSING

We will usually only process your personal data where you have given your consent or where the processing is necessary to comply with our legal obligations. In other cases, processing may be necessary for the protection of your vital interests, for our legitimate interests or the legitimate interests of others. The full list of conditions is set out in the GDPR.

We will only process "sensitive personal data" about ethnic origin, political opinions, religious or similar beliefs, trade union membership, health, sex life, criminal proceedings or convictions, where a further condition is met. Usually, this will mean that you have given your explicit consent, or that the processing is legally required for employment purposes. The full list of conditions is set out in the DPA.

HOW WE ARE LIKELY TO USE YOUR PERSONAL DATA

We will process data about staff for legal, personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer, for example, to pay you, monitor your performance and to confer benefits in connection with your employment.

We may process sensitive personal data relating to staff, including, as appropriate:

- (a) information about an employee's physical or mental health or condition in order to monitor sick leave and take decisions as to the employee's fitness for work;
- (b) the employee's racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- (c) in order to comply with legal requirements and obligations to third parties.

PROCESSING FOR LIMITED PURPOSES

We will only process your personal data for the specific purpose or purposes notified to you or for any other purposes expressly permitted by the GDPR.

ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

Your personal data will only be processed to the extent that it is necessary for the specific purposes notified to you.

ACCURATE DATA

We will keep the personal data we store about you accurate and up to date. Data that is inaccurate or out of date will be destroyed. Please notify us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you.

Form Title: Data Protection Policy
Form Ref: POL 012
Author: Richardson Rail Services
Date: September 2019
Version: 2.0



DATA RETENTION

We will not keep your personal data for longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required.

PROCESSING IN LINE WITH YOUR RIGHTS

You have the right to:

- (a) Transparency and modalities
- (b) Information and Access
- (c) Rectification and erasure
- (d) Right to object and automated decisions

DATA SECURITY

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and the accidental loss of, or damage to, personal data.

We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. We will only transfer personal data to a third party if they agree to comply with those procedures and policies, or if they put in place adequate measures themselves.

Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

PROVIDING INFORMATION TO THIRD PARTIES

We will not disclose your personal data to a third party without your consent unless we are satisfied that they are legally entitled to the data. Where we do disclose your personal data to a third party, we will have regard to the eight data protection principles.

DATA PROTECTION OFFICER

A designated data protection officer (DPO) will be a current member of staff. In any case, Richardson Rail Services will make sure that there is no conflict of interest in other roles or interests that a DPO may hold. The contact details for the DPO will be published and registered with the supervisory authority.

Current DPO - Rhys Richardson - rhys@richardsonrail.co.uk – 16 Lower Station road, RH14 9SX.

SUBJECT ACCESS REQUESTS

If you wish to know what personal data we hold about you, you must request in writing. All such written

Form Title: Data Protection Policy
Form Ref: POL 012
Author: Richardson Rail Services
Date: September 2019
Version: 2.0



requests should be forwarded to the data protection officer.

Written requests can be either letter or email, and we will adhere to respond within a month inline with GDPR requirements.

If more time is required, then we will inform you of this before the month of receiving the initial request.

BREACHES OF THIS POLICY

If you consider that this policy was not followed too in respect of personal data about yourself or others, you should raise the matter with the DPO.

Any breach of this policy will be taken seriously and may result in disciplinary action.

Signed

A handwritten signature in black ink, appearing to read 'R. Richardson', is written over a horizontal line.

Managing Director

September 2019