

Hub Engineering Ltd

(HUB)

General Data Protection Policy

(GDPR)

Approved by: John Ravens

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Contents

1. Aims.....	
2. Legislation and guidance	
3. Definitions.....	
4. The data controller	
5. Roles and responsibilities	
6. Data protection principles.....	
7. Collecting personal data.....	
8. Sharing personal data	
9. Subject access requests and other rights of individuals	
10. Data protection by design and default	
11. Data security and storage of records.....	
12. Disposal of records	
13. Personal data breaches	
14. Training.....	
15. Monitoring arrangements	
Appendix 1: Personal data breach procedure	
.....	

1. Aims

HUB aims to ensure that all personal data collected about staff, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

2. Legislation and guidance

This policy meets the requirements of the GDPR and the expected provisions of the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the [GDPR](#) and the ICO's [code of practice for subject access requests](#).

It meets the requirements of the [Protection of Freedoms Act 2012](#) when referring to our use of biometric data.

It also reflects the ICO's [code of practice](#) for the use of surveillance cameras and personal information.

3. Definitions

Term	Definition
<p>Personal data</p>	<p>Any information relating to an identified, or identifiable, individual.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"> • Name (including initials) • Identification number • Location data • Online identifier, such as a username <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
<p>Special categories of personal data</p>	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none"> • Racial or ethnic origin • Political opinions • Religious or philosophical beliefs • Trade union membership • Genetics • Health – physical or mental • Sex life or sexual orientation
<p>Processing</p>	<p>Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p>
<p>Data subject</p>	<p>The identified or identifiable individual whose personal data is held or processed.</p>
<p>Data controller</p>	<p>A person or organisation that determines the purposes and the means of processing of personal data.</p>
<p>Data processor</p>	<p>A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.</p>

Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.
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4. The data controller

HUB processes personal data to employees and others, and therefore is a data controller.

HUB is registered as a data controller with the ICO and will renew this registration annually or as otherwise legally required.

5. Roles and responsibilities

This policy applies to **all staff** employed by HUB, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

5.1 Data protection officer

The data protection officer (DPO) Mr John Ravens is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

The DPO is also the first point of contact for individuals whose data HUB processes, and for the ICO.

5.2 Employees

Office staff are responsible for collecting, storing and processing any personal data in accordance with this policy

Employees are responsible for

: Informing HUB of any changes to their personal data, such as a change of address.

: Contacting the DPO in the following circumstances:

- With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
- If they have any concerns that this policy is not being followed
- If they are unsure whether or not they have a lawful basis to use personal data in a particular way
- If there has been a data breach
- Whenever they are engaging in a new activity that may affect the privacy rights of individuals
- If they need help with any contracts or sharing personal data with third parties

6. Data protection principles

The GDPR is based on data protection principles that HUB must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed

- Processed in a way that ensures it is appropriately secure

This policy sets out how HUB aims to comply with these principles.

7. Collecting personal data

7.1 Lawfulness, fairness and transparency

We will only process personal data where we have one of 5 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that HUB can **fulfil a contract** with the individual, or the individual has asked HUB to take specific steps before entering into a contract
- The data needs to be processed so that HUB can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed for the **legitimate interests** of HUB or a third party (provided the individual's rights and freedoms are not overridden)
- The individual has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

7.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary..

When HUB no longer need the personal data they hold, they must ensure it is deleted or anonymized.

8. Sharing personal data

We will not normally share personal data with anyone else, but may do so where:

- We need to liaise with other agencies eg Banks, & Pension providers – we will seek consent as necessary before doing this
- When doing this, we will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our staff.

9. Subject access requests and other rights of individuals

9.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that HUB holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing, either by letter, email or fax to the DPO. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested.

9.2 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO.

10. Data protection by design and default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 6)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters.
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Maintaining records of our processing activities, including:
 - For the benefit of data subjects, making available the name and contact details at HUB and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices)
 - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods and how we are keeping the data secure

11. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Whenever practical, store personal data somewhere secure where it can be accessed remotely, so you have more control over who accesses it and how. This is safer and will mean you can avoid sending data within emails or as attachments to emails, and simply direct people to the data in your central, secure hub
- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office desks or left anywhere else where there is general access
- Passwords that are at least 8 characters long containing letters and numbers are used to access HUB computers, laptops and other electronic devices.
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff who store personal information on their personal devices are expected to follow the same security procedure.
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

12. Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the HUB's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

13. Personal data breaches

HUB will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

When appropriate, we will report the data breach to the ICO within 72 hours.

14. Training

All staff are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or HUB's processes make it necessary.

15. Monitoring arrangements

The DPO is responsible for monitoring and reviewing this policy.

This policy will be reviewed and updated if necessary when the Data Protection Bill receives royal assent and becomes law (as the Data Protection Act 2018) – if any changes are made to the bill that affect HUB practice. Otherwise, or from then on, this policy will be reviewed **every 2 years**

Appendix 1: Personal data breach procedure

This procedure is based on [guidance on personal data breaches](#) produced by the ICO.

- On finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the DPO
- The DPO will investigate the report, and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:
 - Lost
 - Stolen
 - Destroyed
 - Altered
 - Disclosed or made available where it should not have been
 - Made available to unauthorised people
- The DPO will make all reasonable efforts to contain and minimise the impact of the breach, assisted by relevant staff members or data processors where necessary. (Actions relevant to specific data types are set out at the end of this procedure)
- The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen
- The DPO will work out whether the breach must be reported to the ICO. This must be judged on a case-by-case basis. To decide, the DPO will consider whether the breach is likely to negatively affect people's rights and freedoms, and cause them any physical, material or non-material damage (e.g. emotional distress), including through:
 - Loss of control over their data
 - Discrimination
 - Identify theft or fraud
 - Financial loss
 - Damage to reputation
 - Loss of confidentiality
 - Any other significant economic or social disadvantage to the individual(s) concerned

If it's likely that there will be a risk to people's rights and freedoms, the DPO must notify the ICO.

- The DPO will document the decision (either way), in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored on the school's computer system.
- Where the ICO must be notified, the DPO will do this via the ['report a breach' page of the ICO website](#) within 72 hours. As required, the DPO will set out:
 - A description of the nature of the personal data breach including, where possible:
 - The categories and approximate number of individuals concerned
 - The categories and approximate number of personal data records concerned
 - The name and contact details of the DPO
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned
- If all the above details are not yet known, the DPO will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible

- The DPO will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the DPO will promptly inform, in writing, all individuals whose personal data has been breached. This notification will set out:
 - The name and contact details of the DPO
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned
- The DPO will notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
 - Facts and cause
 - Effects
 - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored on HUB's Accounts PC.