

## **DATA PROTECTION POLICY**

### **INTRODUCTION**

Tayside Contracts is committed to ensuring that all personal data processed, including that of employees, clients, partners and contractors, is managed appropriately and in compliance with the General Data Protection Regulation and the Data Protection Act 2018, collectively referred to as “Data Protection legislation”.

This Policy is a core part of our Information Governance Framework and sets out our obligations under Data Protection legislation for fair, transparent and lawful processing of personal data created and received in the course of business and how we will meet these obligations in practice.

### **SCOPE OF POLICY**

This policy applies to all employees of Tayside Contracts, to third party organisations or contractors and to anyone else who is authorised to access and use Tayside Contracts physical and IT facilities, systems or services. It is applicable to all personal data collected and held by Tayside Contracts within the definition of Data Protection legislation.

### **EMPLOYEE RESPONSIBILITIES**

Employees with access to personal information must be familiar with and adhere to this policy and the requirements of Data Protection legislation as outlined below. Personal information to which employees may have access in the course of their duties is confidential and must not be disclosed except as required by law or as authorised by Tayside Contracts. Employees must report any data breach to their line manager immediately.

Employees are required to notify the Payroll Team of any changes to their personal information held to ensure that their personal data is up to date and accurate.

### **POLICY COMMITMENT**

#### **Data Protection Principles**

Data Protection legislation establishes a series of 7 principles that must be followed when processing personal information. The 7 principles are as follows:

1. personal data will be processed lawfully, fairly and in a transparent manner in relation to individuals;
2. personal data will be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. personal data collected will be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. personal data will be kept accurate and, where necessary, up to date;
5. personal data will be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are

- processed;
6. personal data will be processed in a manner 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; and
  7. the controller (Tayside Contracts) shall be responsible for, and be able to demonstrate, compliance with the principles.

Tayside Contracts undertakes to comply with these principles in all matters relating to the processing of personal information.

### **The Rights of Data Subjects**

Tayside Contracts will ensure that employees and other people about whom it holds information can exercise their rights fully under Data Protection legislation. All Tayside Contracts data subjects are entitled to know:

- what personal information we hold and process about them, and how and why we do so;
- how they can gain access to it;
- how they can ensure it is kept up to date or get inaccuracies corrected;
- how and in what circumstances they can object to the processing of their personal information or request that processing is restricted;
- how and in what circumstances they can have their personal information deleted or transferred to another data controller; and
- what we are doing to comply with our obligations under the Regulation.

Tayside Contracts has a Subject Access Request Guidance Document available to assist data subjects if they wish to exercise their rights. All requests will be considered without undue delay and within one calendar month of receipt.

### **COMPLIANCE**

Tayside Contracts will comply with Data Protection legislation by:

- ensuring that the legal basis for processing personal data is identified in advance and that all processing complies with the law;
- not doing anything with your data that you would not expect given the content of this policy and privacy notices;
- ensuring that appropriate privacy notices are in place advising staff and others how and why their data is being processed and, in particular, advising data subjects of their rights;
- only collecting and processing the personal data that it needs for purposes it has identified in advance;
- carrying out data protection impact assessments for change projects which could represent a serious risk to the privacy of individuals;
- ensuring that, as far as possible, the personal data it holds is accurate, or a system is in place for ensuring that it is kept up to date;
- only holding your personal data for as long as it is needed, after which time we will

securely erase or delete the personal data. Tayside Contracts' information retention schedule sets out the appropriate period of time that different types of information must be kept for;

- ensuring that appropriate security measures are in place to guarantee that personal data can only be accessed by those who need to access it and that it is held and transferred securely;
- maintaining controls for identifying, investigating, addressing and reporting any personal data breaches;
- maintaining records of processing activities and other evidence of compliance; and
- ensuring that proper contractual arrangements and data sharing agreements are in place with third party partners and suppliers with whom we share personal information.

Tayside Contracts will ensure that all employees who handle personal data on its behalf are aware of their responsibilities under this policy and other relevant data protection and information security policies and procedures, and that they are adequately trained and supervised.

## **DATA BREACH MANAGEMENT**

Tayside Contracts has security monitoring and data breach management procedures in place to detect and resolve any personal data breaches as quickly as possible, assess if the UK Information Commission and affected individuals need to be notified and improve our controls by addressing the underlying causes of such breaches.

All security incidents involving personal data must be reported immediately to Novella Tringham on (01382) 834114 or [GDPR@tayside-contracts.co.uk](mailto:GDPR@tayside-contracts.co.uk).

## **POLICY VIOLATIONS**

Failure to comply with this policy may result in individuals being investigated and disciplinary action taken against them in accordance with Tayside Contracts' Disciplinary Policy.

## **EXTERNAL OPERATING ENVIRONMENT**

Compliance with this policy will help us meet privacy related requirements and obligations of our external operating environment including:

- Contractual requirements with our public and private customers.
- Safe, secure and compliant information sharing with our partners and data processors.

This policy will enable us to comply directly with our privacy related statutory obligations including:

- General Data Protection Regulation
- UK Data Protection Act 2018
- Human Rights Act 1998
- Privacy and Electronic Communications Regulations 2003
- Surveillance Camera Code of Practice

- Payment Card Industry (PCI) Data Security Standard 3.1.

## **RELATED POLICIES**

The Data Protection Policy links to the following policies which can be accessed on the Intranet, or requested from your line manager or from the HR Admin Team:

- Information Governance Strategy
- Data Quality Policy
- Information Security Policy
- Records Management Policy
- Business Continuity Policy
- Retention of HR Records Policy
- Employee Code of Conduct
- IT Security Policy
- Acceptable Use of IT Policy
- Risk Management Policy.

The above list is not exhaustive.

## **MONITORING AND COMPLIANCE**

Policy compliance and performance improvement will be monitored by the Information Governance Lead, based on an agreed set of key performance indicators, and reported to the Executive Officers Team on an annual basis.

## **POLICY REVIEW**

The Data Protection Policy will be reviewed at three yearly intervals, or as required by legislative or operational changes.

Should you have any queries or require further clarification regarding any aspects of this policy please contact Novella Tringham on (01382) 834114 or [GDPR@tayside-contracts.co.uk](mailto:GDPR@tayside-contracts.co.uk).

**If you would like this document translated into another language or in another format such as audio or large print then please contact Angie Thompson, Equalities and Communications Manager on 01382 834165 or [angie.thompson@tayside-contracts.co.uk](mailto:angie.thompson@tayside-contracts.co.uk)**