

DATA PROTECTION POLICY

INTRODUCTION

With effect from 25 May 2018 the Data Protection Act 1998 is superseded by the General Data Protection Regulation and related privacy legislation which set out rules for the processing of personal Information held in paper form and/or in electronic form. The Regulation establishes a series of 7 principles that must be followed when processing personal information. Tayside Contracts undertakes to comply with these principles in all matters relating to the processing of personal information.

The 7 principles state that personal data must be:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date;
5. 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. 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 that
7. the controller (Tayside Contracts) shall be responsible for, and be able to demonstrate, compliance with the principles

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 held by Tayside Contracts within the definition of the General Data Protection Regulation.

RESPONSIBILITIES

The Corporate Management Team is responsible for all aspects of compliance, ensuring that they have adequate controls and procedures in place within their area of responsibility to protect the confidentiality and security of personal data, having regard to the nature and sensitivity of the data held, and for records management, back-up and storage management and destruction, when appropriate, of personal data.

Novella Traghman is the appointed responsible person for Tayside Contracts' Data Protection and is responsible for the notification to the Information Commissioner and for ensuring all employees of Tayside Contracts comply with the Regulation.

EMPLOYEE RESPONSIBILITIES

Employees with access to personal information must be familiar with and adhere to corporate policy, the requirements of the General Data Protection Regulation and the seven principles outlined above. Personal information to which employees may have access to 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.

DATA BREACH MANAGEMENT

Tayside Contracts has a robust data management procedure in place which will monitor, control and protect personal data. Tayside Contracts' employees must adhere to this procedure at all times.

COMPLIANCE

Tayside Contracts will comply with the General Data Protection Regulation 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 onto your personal data for as long as it is needed, after which time it 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 ensure 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
- ✓ 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 staff 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.

THE RIGHTS OF DATA SUBJECTS

The information provided by you, as an employee of Tayside Contracts, will be used by the Data Controller to maintain payroll records, undertake HR administration in connection with your employment, to comply with employment and social security law and HMRC and Pension requirements.

You are required to notify the Payroll Team of any changes to your personal information held to ensure that the data is up to date and that you remain contactable in the event of an emergency or other need to communicate.

Tayside Contracts will ensure that employees and other people about whom it holds information can exercise their rights fully under the Regulation.

All Tayside Contracts data subjects are entitled to know:

- what personal information we hold and process about them, and how/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
- what we are doing to comply with our obligations under the Regulation

All requests will be considered without undue delay and within one calendar month of receipt. Applications should be made to 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.

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:

- Grievance Policy
- Disciplinary Policy
- Retention of HR Records Policy
- Equality and Diversity Policy
- Employee Code of Conduct
- IT Security Policy

The above list is not exhaustive

POLICY REVIEW

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

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