Phoenix Brickwork (UK) Ltd

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DATA PROTECTION POLICY

Introduction

This document sets out the obligations of the company with regard to data protection and the rights of people with whom it works in respect of their personal data under the EU General Data Protection Regulation (GDPR) which supersedes the Data Protection Act (DPA) 1998 (the Act).

In the course of your work, you may come into contact with and use confidential personal information about people, such as names and addresses or even information about customers' circumstances, families, health and other private matters. The Company views the correct and lawful handling of personal data as key to its success and dealings with third parties and its employees and it will ensure that it handles all personal data correctly and lawfully.

Data Protection Principles

The General Data Protection Regulation (GDPR) controls how such personal information is used by the company. Everybody who has access to this data must adhere to the eight 'data protection principles' meaning that they must ensure that information is:

- processed lawfully, fairly and transparently
- collected and used only specific, legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and up to date
- stored for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure, ensuring appropriate security integrity and confidentiality
- not transferred outside the EU without compliance with GDPR

What is personal data?

Personal data is any information which relates to a living individual who can be identified:

- from the data or
- from the data and other information which is in the possession of, or is likely to come into the possession of, the data controller or the data processor.

The information may be in either electronic or manual (i.e. paper) form.

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Examples of personal data include:

- personnel records, whether stored under name or personnel number
- CCTV which records the image of a person's face
- a complaint where the person complained about is not specifically identified, but because of the circumstances described it can only relate to one employee.

GDPR also defines 'sensitive personal data' as personal data relating to the racial or ethnic origin of the data subject; their political opinions; their religious (or similar) beliefs; trade union membership; their physical or mental health condition; their sexual life; biometric data; genetic data; the commission or alleged commission by them of any offence; or any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

Use of personal data

The Company only holds personal data which is directly relevant to its workers and employees. That data will be held and processed in accordance with the data protection principles and with this Policy. The following data may be collected, held and processed by the Company:

- Identification information relating to workers and employees including, but not limited to, proof of identification, names and contact details and those of next of kin;
- Equal opportunities monitoring information including age, gender, race, nationality and religion;
- Health records including details of sick leave, medical conditions, disabilities and prescribed medication;
- Employment records including, but not limited to, interview notes, curricula vitae, application forms, assessments, performance reviews and similar documents;
- Details of salaries including increases, bonuses, commission, overtime, benefits and expenses;
- Records of disciplinary matters including reports and warnings, both formal and informal;
- Details of grievances including documentary evidence, notes from interviews, procedures followed and outcomes;

Rights of Data Subjects

Under GDPR, data subjects have:

- the right to be informed;
- the right to access any of their personal data held by the Company through making a subject access request (SAR);
- the right in certain cases to have personal data erased;
- the right to object;
- the right to restrict processing;
- the right to move personal data from one service provider to another (data portability);
- the right to correct, block, remove or destroy incorrect personal data; and
- the right not to be subject to automated decision making, including profiling

Monitoring

The Company may from time to time monitor the activities of employees. Such monitoring may include, but will not necessarily be limited to, internet and email monitoring. Any employee that is to be monitored shall be informed in advance of such monitoring.

Under no circumstances will monitoring interfere with an employee's normal duties.

The Company shall use its best and reasonable endeavours to ensure that there is no intrusion upon employees' personal communications or activities and under no circumstances will monitoring take place outside of the employee's normal place of work or work hours.

Processing Personal Data

Employee personal data collected by the Company is collected in order to ensure that the Company can efficiently manage its employees and conform with its equal opportunities obligations. Personal data shall also be used by the Company in meeting any and all relevant obligations imposed by law.

Personal data may be disclosed within the Company. Personal data may be passed from one department to another in accordance with the data protection principles and this Policy. Under no circumstances will personal data be passed to any department or any individual within the Company that does not reasonably require access to that personal data in view of the purpose(s) for which it was collected and is being processed.

Data Protection Procedures

The Company will ensure that all of its employees, contractors, agents, consultants, partners or other parties working on behalf of the Company comply with the following when processing and / or transmitting personal data:

- all emails containing personal data must be encrypted;
- personal data may be transmitted over secure networks only – transmission over unsecure networks is not permitted in any circumstances;
- personal data may not be transmitted over a wireless network if there is a wired alternative that is reasonably practicable;
- personal data contained in the body of an email, whether sent or received, should be copied from the body of that email and stored securely. The email itself should be deleted. All temporary files associated therewith should also be deleted;
- where personal data is to be sent by facsimile transmission the recipient should be informed in advance of the transmission and should be waiting by the fax machine to receive the data;
- where personal data is to be transferred in hardcopy form it should be passed directly to the recipient. Using an intermediary is not permitted;
- all hardcopies of personal data should be stored securely in a locked box, drawer, cabinet or similar;
- all electronic copies of personal data should be stored securely using passwords and suitable data encryption, where possible on a drive or server which cannot be accessed via the internet; and
- all passwords used to protect personal data should be changed regularly and should not use words or phrases which can be easily guessed or otherwise compromised.

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Access by Data Subjects

A data subject may make a subject access request ("SAR") at any time to see the information which the Company holds about them.

- SARs must be made in writing, accompanied by the correct fee.
- The Company currently requires a fee of £10 (the statutory maximum) with all SARs.

Upon receipt of a SAR the Company shall have a maximum period of 40 days within which to respond. The following information will be provided to the data subject:

- Whether or not the Company holds any personal data on the data subject;
- A description of any personal data held on the data subject;
- Details of what that personal data is used for;
- Details of any third-party organisations that personal data is passed to; and
- Details of any technical terminology or codes.

This policy will be reviewed annually or when there are changes to legislation or there is a significant change to the business activities. The Data Protection Policy will be re-issued after the review, having been amended accordingly.

Signed:

Mr Christian Watson
Managing Director

22 May 2019

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