SOUTH WEST
STEEL SUPPLIES LTD
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Data Protection Policy

1. INTRODUCTION

1.1 South West Steel Supplies Ltd is committed to being transparent about how it collects and uses the personal data of its workforce and job applicants, and to meeting its data protection obligations. This policy sets out our commitment to data protection and individual rights and obligations in relation to personal data.

1.2 This policy applies to the personal data of all job applicants, workers and former workers. For the sake of clarity workers include employees, contractors, volunteers, interns and apprentices. This personal data is referred to as HR related personal data. This policy does not apply to the personal data of customers or other personal data processed for business purposes.

1.3 The HR Assistant has responsibility for data protection compliance within the Company. Questions about this policy of request for further information should be directed to him/her.

2. DEFINITIONS

"Personal data" is any information that relates to an individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

3. DATA PROTECTION PRINCIPLES

3.1 The Company processes HR-related personal data in accordance with the following data protection principles:

a) The Company processes personal data lawfully, fairly and in a transparent manner.

b) The Company collects personal data only for specified, explicit and legitimate purposes.

c) The Company processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.

d) The Company keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.

e) The Company keeps personal data only for the period necessary for processing.

f) The Company adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

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3.2 The Company tells individuals the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of individuals for other reasons.

3.3 Where the Company processes special categories of personal data or criminal records data to perform obligations or to exercise rights in employment law, this is done in accordance with clause 9 of this policy.

3.4 The Company will update HR-related personal data promptly if an individual advises that his/her information has changed or is inaccurate.

3.5 Personal data gathered during the employment, worker, contractor or volunteer relationship, or apprenticeship or internship is held in the individual's personnel file (in both hard copy and electronic format in the secure HR folder). The periods for which the organisation holds HR-related personal data are contained in its privacy notices to individuals.

3.6 The Company keeps a record of its processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

4. INDIVIDUAL RIGHTS

As a data subject, you have a number of rights in relation to your personal data.

Subject Access Requests:

4.1 You have the right to make a subject access request. If you make a subject access request, the Company will tell you:

a) whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from you;

b) to whom your data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;

c) for how long your personal data is stored (or how that period is decided);

d) your rights to rectification or erasure of data, or to restrict or object to processing;

e) your right to complain to the Information Commissioner if you think the Company has failed to comply with your data protection rights; and

f) whether or not the Company carries out automated decision-making and the logic involved in any such decision-making.

4.2 The Company will also provide you with a copy of the personal data undergoing processing. This will normally be in electronic form if you have made a request electronically, unless you agree otherwise.

4.3 To make a subject access request, you should send the request to katy@mjpatch.co.uk. In some cases, the Company may need to ask for proof of identification before the request can be processed.

4.4 The Company will normally respond to a request within a period of one month from the date it is received. In some cases, such as where the Company processes large amounts of the individual's data, it may respond within three months of the date the request is received. The Company will write to you within one month of receiving the original request to tell you if this is the case.

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4.5 If a subject access request is manifestly unfounded or excessive, the Company is not obliged to comply with it. Alternatively, the Company can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request.

Other rights:

4.5 You have a number of other rights in relation to your personal data. You can require the Company to:

a) rectify inaccurate data;
b) stop processing or erase data that is no longer necessary for the purposes of processing;
c) stop processing or erase data if your interests override the Company's legitimate grounds for processing data (where the Company relies on its legitimate interests as a reason for processing data);
d) stop processing or erase data if processing is unlawful; and
e) stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the Company's legitimate grounds for processing data.

To ask the Company to take any of these steps, you should send the request to katy@mjpatch.co.uk.

5. DATA SECURITY

5.1 The Company takes the security of HR-related personal data seriously. The Company has internal controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

5.2 Electronic copies of HR-related personal data are held on the HR folder on the server. Employees may access their own personal data in their personnel file. Managers are permitted to access limited personal data of their direct reports (basic personal, job and contact information) via the employees personnel file. Only the Managing Director, Company Director, HR Assistant and Finance Manager have full access to all information held on the HR folder on the server and this access is password protected. Hard copies of any documents are stored in a secure filing cabinet for which only the HR Assistant and Finance Manager have keys.

5.3 Where the Company engages third parties to process personal data on its behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

6. IMPACT ASSESSMENTS

6.1 Some of the processing that the Company carries out may result in risks to privacy. Where processing would result in a high risk to your rights and freedoms, the Company will carry out a data protection impact assessment to determine the necessity and proportionality of

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processing. This will include considering the purposes for which the activity is carried out, the risks for individuals and the measures that can be put in place to mitigate those risks.

7. DATA BREACHES

7.1 If the Company discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery. The Company will record all data breaches regardless of their effect.

7.2 If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

8. INTERNATIONAL DATA TRANSFERS

8.1 HR-related personal data may be transferred to countries outside the EEA if an employee or contractor is based in a non-EEA country and is to be paid by a local payroll agency, or if legal advice about their engagement or employment is sought. Data is transferred outside the EEA on the basis of declaration of adequacy or other safeguards.

9. SPECIAL CATEGORIES OF PERSONAL DATA

9.1 The Company may collect and process data on your health if you are of poor health or absent from work. In this need arises it may be considered appropriate to either contact your GP or to refer you to an Occupational Health Specialist. In either instance your written consent will be sought, and you will be given access to the medical report or letter from your GP or OH Specialist.

9.2 If you are absent from work due to poor health, you will be asked to declare the reason for your absence and if you are absent for 7 days or more, you will need to provide the Company with a 'Fitness For Work Certificate'. The original Certificate will be stored in your personal file (with access only available to the Finance Manager and HR Assistant. This file is kept in a locked cabinet with keys kept by the HR Assistant and Finance Manager only.

9.3 If it is appropriate to share the content of the GP or OH report, or the Fitness For Work Certificate with your line manager or any other member of staff (and you have not already made them aware of the reason for your absence), your permission will be sought.

9.4 When you join the Company you will be asked to complete a personal details form in which you declare any medical conditions that the Company should be aware of, in order to make reasonable adjustments to enable you to work safely.

9.5 When you join the Company you will be asked to complete a personal details form in which you declare if you have any unspent criminal convictions or offences.

9.6 Any HR-related personal data which is considered to be special category will be stored, processed and deleted securely by the Finance Manager or HR Assistant only.

10. YOUR RESPONSIBILITIES

10.1 You are responsible for helping the Company keep your personal data up to date. You should let the Company know if data provided to the Company changes, for example if you move house or change your bank details.

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10.2 You may have access to the personal data of other individuals in the course of your employment. Where this is the case, the Company relies on you to help meet its data protection obligations to staff.

10.3 If you have access to personal data you are required:

a) to access only data that you have authority to access and only for authorised purposes;

b) not to disclose data except to individuals (whether inside or outside the Company) who have appropriate authorisation;

c) to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);

d) not to remove personal data, or devices containing or that can be used to access personal data, from the Company's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and

e) not to store personal data on local drives or on personal devices that are used for work purposes.

10.4 Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the Company's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing employee or customer data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

This policy is reviewed annually to ensure it remains effective.

Directors name: Ian Webb

Directors Signature: 

Date of review: 27/5/21