

# Data Protection Policy



**hart&Co**

The Timber Smart Centre, 2 Greetby Place, Skelmersdale, WN8 9UL

Tel: 0151 305 2290

**Reviewed by the Managing Director**

**DATA PROTECTION POLICY  
IN RELATION TO DATA PROTECTION ACT 1998  
FOR STAFF RECORDS**

**1.0 Introduction**

Hart & Co Windows and Doors Ltd recognises the principles specified in the Data Protection Act 1998. The information obtained and retained by the company will be processed fairly and lawfully.

**2.0 Scope**

This policy applies to data held both on computer and manual records. An employee has the right to inspect his/her personal file whether held on computer or on manual record in accordance with the procedure detailed below.

**3.0 Principles of Retention of Data**

**3.1** Personal data means data which relates to a living individual who can be identified from those data, and other information which is in the possession of, or is likely to come into the possession of, the data controller (See paragraph 3.3 below), and includes an expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

**3.2** Personal data will be held for one or more specified and lawful purpose. Personal data will be used for the specific purpose only and will not be disclosed for any reason incompatible with that purpose(s). Personal data will be accurate and kept up to date. Personal data will not be kept longer than is necessary for that purpose and complying with any archive policy agreed by the company. A member of staff will be entitled to access personal data without due delay or expense. Members of staff will be advised where access to data is required by any other data user. Hart & Co Windows and Doors Ltd will apply appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, personal data.

**3.3** Sensitive personal data, for example, race/ethnic origin, religious or political beliefs, sexual life, trade union information, medical conditions, criminal convictions or allegations of criminal offences, carry other conditions. Sensitive personal data may only be processed where the individual has given explicit consent; for purposes of performing any right or obligation; and to protect the vital interests of the individual.

**3.4** Unlawful procurement, unfair processing, inaccurate information, unlawful disclosure, inadequate/irrelevant/excessive information are all breaches of this policy. Any abuses of this policy by an employee may result in action taken in accordance with the Hart & Co Windows and Doors Ltd Disciplinary Policy and Procedure. The Managing Director, as Data Controller, will be responsible on behalf of the company for ensuring that its employment practices comply with the Data Protection Act.

**4. Access by Member of Staff to Personal Data**

An employee who wishes to request information or access to personal data held on computer or on file should write to the Managing Director. Reasonable notice should be given when requesting access to personal data. Hart & Co Windows and Doors Ltd will not charge a fee for access to data covered by the Data Protection Act if the request is no more than twice per year. If an employee wishes to access personal data on more than two occasions in any year, a fee of £10.00 per occurrence will be charged to the individual. Hart & Co Windows and Doors Ltd is responsible for the secure access of personal data.

The company will ensure that staff who have access to personal data are aware of regulations and procedures regarding disclosure. Where subject access is granted the enquiring employee must view the file(s) in the presence of a member of management, subject to any third-party confidentiality specified. The individual member may request a hard copy of any information held in relation to him/her, in response to his/her subject request. The company will respond to requests promptly and within a period of 40 days.

Hart & Co Windows and Doors Ltd endeavours to keep personal data up-to-date and accurate, however, individual staff have an obligation to notify the office manager of any changes to personal details.

Access to sensitive personal data and personal data of Hart & Co Windows and Doors Ltd is strictly controlled and centralised in a secure area.

## **5. Information requests from Third Parties**

Requests for information concerning an individual should only be dealt with, if in writing, on company-headed paper. If you receive an information request that is relating to someone else within the company, or a client or customer, the member of staff should check with the individual prior to disclosing the information.

In exceptional circumstances and in an emergency situation an individual may respond to a telephone request by passing the information and contact details to the individual for which the personal data is requested.

If information requested relates to another department or function, then the employee should contact the relevant manager and seek clarification. If there is any doubt that personal information can be disclosed in response to an information request, the request should be referred to a senior manager and where necessary the Managing Director should be consulted.

Unauthorised disclosure of an individuals' personal data, in breach of this policy, may result in action taken in accordance with the Hart & Co Windows and Doors Ltd Disciplinary Policy and Procedure.

## **6. Training and Data Security**

Hart & Co Windows and Doors Ltd will provide information and training to employees on their rights and responsibilities with regard to data protection requirements.

Individual members of staff required to handle sensitive data in the course of his/her employment at the company will have a confidentiality clause contained within his/her Written Terms and Particulars of Employment.

## **7. Retention of Records**

Hart & Co Windows and Doors Ltd will process sensitive data on an individual such as racial or ethnic origin, for the purpose only of providing statistical analysis of a group of applicants/staff as part of the monitoring we carry out to establish the effectiveness of our Equal Opportunities Policy.

Hart & Co Windows and Doors Ltd will retain records in accordance with the archive arrangements below:

Post file Recruitment including unsuccessful application forms	1 year
Personal Employee Records following termination	5 years
Tax and National Insurance personal records	6 years
Payroll Processing data	7 years

## **8. Monitoring and Review**

Hart & Co Windows and Doors Ltd will review this policy statement in line with company requirements in response to its statutory obligations and with reference to the Hart & Co Windows and Doors Ltd Equal Opportunities Policy Statement.

This policy has been updated in accordance with the Employment Practices Data Protection Code on Monitoring at Work in relation to Employment Records (Part 2), Monitoring at Work, (Part 3) and Information about Workers Health Code (Part 4).

**Signed:**



**Chris Hart (Managing Director)**

**Date:**

**19<sup>th</sup> September 2018**

**Review Date:**

**1<sup>st</sup> June 2019**