



Data Protection Policy - GDPR

Date of Publication	1st May 2018
Date of Review	1st May 2020
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Approved by	Managing Director

Rationale

Abraxas Catering Equipment Ltd is committed to a policy of protecting the rights and privacy of individuals, staff, clients and others, in accordance with the General Data Protection Regulation (GDPR) May 2018.

The new regulatory environment demands higher transparency and accountability in how businesses manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use.

Abraxas Catering Equipment Ltd needs to process certain information about its staff, clients and other individuals with whom it has a relationship for various purposes.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) Abraxas Catering Equipment Ltd must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Compliance

This policy applies to all staff. Any breach of this policy or of the Regulation itself will be considered an offence and the company's disciplinary procedures will be invoked.

As a matter of best practice, other company's and individuals working with Abraxas Catering Equipment Ltd and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external company's will take the responsibility for ensuring that such company's sign contracts which among other things will include an agreement to abide by this policy.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

General Data Protection Regulation (GDPR)

This piece of legislation comes in to force on the 25th May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children), for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), and may include facts or opinions about a person.

For more detailed information on these Regulations see the Data Protection Data Sharing Code of Practice (DPCoP) from the Information Commissioner's Office (ICO). Please follow this link to the ICO's website (www.ico.gov.uk)

Responsibilities under the GDPR

Abraxas Catering Equipment Ltd will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data. We have appointed a Data Protection Officer (DPO), currently the Managing Director who is available to address any concerns regarding the data held by Abraxas Catering Equipment Ltd and how it is processed, held and used.

The Senior Leadership Team is responsible for all day-to-day data protection matters, and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the company.

Compliance with the legislation is the personal responsibility of all members of the Company who process personal information.

Individuals who provide personal data to Abraxas Catering Equipment Ltd are responsible for ensuring that the information is accurate and up-to-date.

Data Protection Principles

The legislation places a responsibility on every member of staff to process any personal data in accordance with the eight principles. More detailed guidance on how to comply with these principles can be found in the DPCoP. Please follow this link to the ICO's website (www.ico.gov.uk)

In order to comply with its obligations, Abraxas Catering Equipment Ltd undertakes to adhere to the eight principles:

1) Process personal data fairly and lawfully.

Abraxas Catering Equipment Ltd will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

2) Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.

Abraxas Catering Equipment Ltd will ensure that the reason for which it collected the data originally is the only reason for which it processes that data, unless the individual is informed of any additional processing before it takes place.

3) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.

Abraxas Catering Equipment Ltd will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this in mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

4) Keep personal data accurate and, where necessary, up to date.

Abraxas Catering Equipment Ltd will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the company if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the company to ensure that any notification regarding the change is noted and acted on.

5) Only keep personal data for as long as is necessary.

Abraxas Catering Equipment Ltd undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means Abraxas Catering Equipment Ltd will undertake a regular review of the information held and implement a weeding process.

Abraxas Catering Equipment Ltd will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

6) Process personal data in accordance with the rights of the data subject under the legislation.

Individuals have various rights under the legislation including a right to:

- Be told the nature of the information the company holds and any parties to whom this may be disclosed.
- Prevent processing likely to cause damage or distress.
- Take action to rectify, block, erase or destroy inaccurate data.
- Request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened.

Abraxas Catering Equipment Ltd will only process personal data in accordance with individuals' rights.

7) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

Abraxas Catering Equipment Ltd will ensure that all personal data is accessible only to those who have a valid reason for using it.

- Keeping all personal data in a lockable cabinet with key-controlled access.
- Password protecting personal data held electronically.
- Archiving personal data which are then kept securely (lockable cabinet).
- Placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff.
- ensuring that PC screens are not left unattended without a password protected screen-saver being used.

In addition, Abraxas Catering Equipment Ltd will put in place appropriate measures for the deletion of personal data - manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. A log will be kept of the records destroyed.

This policy also applies to staff who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

8) Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Abraxas Catering Equipment Ltd will not transfer data to such territories without the explicit consent of the individual.

This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so Abraxas Catering Equipment Ltd will always seek the consent of individuals before placing any personal data (including photographs) on its website.

Abraxas Catering Equipment Ltd will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

Consent as a basis for processing

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when Abraxas Catering Equipment Ltd is processing any sensitive data, as defined by the legislation.

Abraxas Catering Equipment Ltd understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

“Personal Details”

- For the purposes of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) you consent to Abraxas Catering Equipment Ltd holding and processing personal data including sensitive personal data of which you are the subject.
- This will include marketing images and the company CCTV.”

Subject Access Rights (SARs)

Individuals have a right to access any personal data relating to them which are held by Abraxas Catering Equipment Ltd. Any individual wishing to exercise this right should apply in writing to the Managing Director. Any member of staff receiving a SAR should forward this to the Managing Director

Abraxas Catering Equipment Ltd reserves the right to charge a fee for data subject access requests (currently £20).

Under the terms of the legislation, any such requests must be complied with within 40 days.

For detailed guidance on responding to SARs, see the CoP.

Disclosure of Data

Only disclosures which have been made through a SAR must be made and therefore staff should exercise caution when asked to disclose personal data held on another individual or third party.

Abraxas Catering Equipment Ltd undertakes not to disclose personal data to unauthorised third parties.

Legitimate disclosures may occur in the following instances:

- The individual has given their consent to the disclosure.
- The disclosure has been notified to the OIC and is in the legitimate interests of the company.
- The disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual.

For detailed guidance on disclosures see the Code of Practice (CoP).

In no circumstances will Abraxas Catering Equipment Ltd sell any of its databases to a third party.

Publication of Company Information

Abraxas Catering Equipment Ltd publishes various items which will include some personal data, e.g.

- Event information.
- Photos and information in marketing materials.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential, or restricted company access only. Therefore it is Abraxas Catering Equipment Ltd's policy to offer an opportunity to opt-out of the publication of such when collecting the information.

Email

It is the policy of Abraxas Catering Equipment Ltd to ensure that senders and recipients of email are made aware that under the DPA, and Freedom of Information Legislation, the contents of email may have to be disclosed in response to a request for information. One means by which this will be communicated will be by a disclaimer on the company's email.

Under the Regulation of Investigatory Powers Act 2000, Lawful Business Practice Regulations, any email sent to or from the company may be accessed by someone other than the recipient for system management and security purposes.

CCTV

There are some CCTV systems operating within Abraxas Catering Equipment Ltd for the purpose of protecting Company staff and property. Abraxas Catering Equipment Ltd will only process personal data obtained by the CCTV system in a manner which ensures compliance with the legislation.

Procedure for review

This policy will be updated as necessary to reflect best practice or future amendments made to the General Data Protection Regulation (GDPR) May 2018 and Data Protection Act 1998.

Please follow this link to the ICO's website (www.ico.gov.uk) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

For help or advice on any data protection or freedom of information issues, please do not hesitate to contact:

The Data Protection Officer (DPO): Rob Woodward, Managing Director.
