

## DATA PROTECTION POLICY

### INTRODUCTION:

The General Data Protection Regulations (GDPR) replaces the 1998 Data Protection Act.

The key reason for employees against the misuse of personal data and may cover both manual and electronic records.

This Policy / Privacy Notice informs how KPS look after the personal information.

### HOW ARE RECORDS HELD AND STORED:

All records whether they be held electronically or physically fall within scope of the Regulations.

The Regulations require that any personal data held should:

- a. be fairly and lawfully processed
- b. be processed for limited purposes and not in any manner incompatible with those purposes
- c. be adequate, relevant and not excessive
- d. be accurate
- e. not be kept for longer than is necessary
- f. be processed in accordance with individuals' rights
- g. be secure; and
- h. not be transferred to countries without adequate protection

The Regulations also give employees certain rights. For employment purposes, the most important right is the right to access personal data held about the employee.

### POLICY

KPS utilises and comes into contact with and personal information about clients and suppliers, (such as names and addresses) and to the more extensive personal extent personal circumstances, families, health and other private matters (relating to Human Resources). This policy is written to provide readers with reassurance that KPS do not breach the General Data Protection Regulations, and provides strict rules in this area (as outlined above). If you are in any doubt about what you may or may not do seek advice from your office manager.

KPS Contractors Ltd and KPS Composting Services Ltd holds data from various sources, including customers, suppliers, sub contractors and staff. A privacy notice / internal data audit can be provided separately which tells you what information we hold, what we do with it, who we share it with and the lawful basis for the processing of the data.

The data that been collected about you will be kept for the following purposes:

- Communicating with businesses and customers with regards to the services we undertake and products we sell (non marketing)
- Communication with suppliers with regards to deliveries, payments and general administration and the payment of wages
- Communication with staff with regards to their employment, payroll, disciplinary or performance management purposes
- Compliance with legislation
- Provision of references to financial institutions, to facilitate entry onto education courses and/or to assist future potential employers; and
- Staffing levels and career planning

KPS Contractors Ltd and KPS Composting Ltd will review the nature of the information being collected and held on an annual basis to ensure there is a sound business reason for requiring the information to be retained.

Subject to the annual review, information collected will be retained for the legal statutory retention period as outlined in the table below:

Record	Statutory Retention Period
Accident Reports	Three years after date of last entry. These are rules on recording incidents involving hazardous substances
Payroll Records	At least three years after the end of the tax year they relate to
Statutory Maternity, Adoption and Paternity Pay Records	Three years after the end of the tax year they relate to
Statutory Sick Pay Records	Three years after the end of the tax year they relate to
Working Time	Two years' from date on which they were made
National Minimum Wage Records	Three years after the end of the pay reference period following the one that the records cover
Retirement Benefits Schemes- Notifiable events, e.g. relating to incapacity	Six years from the end of the scheme year in which the event took place
Application forms/interview notes for unsuccessful candidates	One year
Health and Safety records of consultations	Six years for non vital data,
Parental leave taken	Five years from birth/adoption, or until child is 18 if disabled
Pension records	Six years
Disciplinary, working time and training records	Six years after employment ceases

Redundancy details	Six years from date of redundancy
Senior executives' records	Permanently for historical purposes
Trade union agreements	Ten years after ceasing to be effective
Minutes of trustee/ work council meetings	Permanently
Eligibility to work documents	Two years after employment ceases

However, in exceptional circumstances this information may be held for longer periods and in this case KPS contractors Ltd and KPS Composting Ltd will explain the legal basis for retaining the data upon request.

Anyone whose data is held at KPS has the right to request that their data is deleted; such requests will be dealt with by the Office Manager, who will delegate to the Department in charge, who will review the request and take appropriate steps. If for any reason the request is denied, KPS Contractors Ltd and KPS Composting Ltd will respond with the company's reasons, including the legal basis, for retaining data.

## **ENSURING OUR COMPLIANCE**

The company's Data Protection Officer is Helen Watson who will monitor GDPR compliance within the organisation and advise the organisation of their obligations. If you have any concerns or need further information, please contact her.

Employees who have access to personal data must comply with this Policy and adhere to the procedures as laid down.

## **USE OF PERSONAL DATA**

To ensure compliance with the Regulations and in the interests of privacy, employee confidence and good employee relations, the disclosure and use of information held by KPS Contractors Ltd and KPS Composting Ltd is governed by the following conditions:

- personal data must only be used for one or more of the purposes specified in this Policy
- The company documents may only be used in accordance with the statement within each document stating its intended use; and
- provided that the identification of individual employees is not disclosed, aggregate or statistical information may be used to respond to any legitimate internal or external request for data (for example, surveys, staffing level figure); and
- personal data must not be disclosed, either within or outside the company, to any unauthorised recipient

## **PERSONAL DATA HELD FOR EQUAL OPPORTUNITIES MONITORING PURPOSES**

Where personal data obtained about candidates is to be held for the purposes of equal opportunities monitoring, all such data will remain anonymous.

 **ACCURACY OF DATA**

KPS Contractors Ltd and KPS Composting Ltd will review data regularly to ensure it is accurate, relevant and up to date.

To ensure the company's files are accurate and up to date, and so that KPS Contractors Ltd and KPS Composting Services Ltd is able to contact the employee or, in the case of an emergency, another designated person, employees must notify the company as soon as possible of any change in their personal details.

These records will be stored in the employee's personnel file at KPS House, Ham Lane, Scaynes Hill, West Sussex RH17 7PR

 **ACCESS TO PERSONAL DATA ('SUBJECT ACCESS REQUEST')**

Employees have the right to access personal data held about them. KPS Contractors Ltd and KPS Composting Ltd will arrange for the employee to see or hear all personal data held about them within 30 days of receipt of a written request. A Subject Access Request form can be obtained from your line manager. Information will be provided electronically in a commonly used format.

 **DATA BREACHES**

Where KPS Contractors Ltd and/or KPS Composting Ltd becomes aware of a personal data breach it will, without undue delay and where feasible, not later than 72 hours of becoming aware of it to the Supervisory Authority to ensure that fines are not implicated.