

## Introduction

Our General Data Protection Regulation (GDPR) policy is a key component of Beardwell Construction's management framework. The Company takes the security and privacy of data seriously. The Company will comply with our legal obligations under the Data Protection Act 2018 (the 'Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security. Our Policy sets the requirements and responsibilities for maintaining the security of information within Beardwell Construction. Our policy is supported by other policies and by guidance documents which assist putting the policy into practice day-to-day.

In order to operate efficiently, we must collect information about people with whom we work. These may include members of the public, current, past and prospective employees, funded bodies and suppliers. In addition, we may be required by law to collect and use information in order to comply with the requirements of the government.

This personal information must be handled properly under the Act. The Act regulates the way that we handle 'personal data' that we collect in the course of carrying out our functions and gives certain rights to people whose 'personal data' we may hold.

We consider that the correct treatment of personal data is integral to our successful operations and to maintaining trust of the persons we deal with. We fully appreciate the underlying principles of the Act and support and adhere to its provisions.

This policy applies to current, former and prospective employees, workers, volunteers, apprentices, clients, contractors, sub-contractors and consultants (known as a 'data subject' for the purposes of this policy).

The Act uses the term 'personal data'. Personal data essentially means any recorded information held by us and from which a living individual can be identified on its own or when taken together with other information which is likely to come into our possession. It will include a variety of information including names, addresses, telephone numbers, photographs of people and other personal details.

Our policy applies to all personal data whether it is stored electronically, on paper or other materials.

The Company is a 'data controller' for the purposes of your personal data. This means that the Company determines the purpose and means of the processing of your personal data.

This policy explains how the Company will hold and process personal information. It explains the rights of a data subject. It also explains our employees' obligations when obtaining, handling, processing or storing personal data in the course of working for, or on behalf of, the Company.

## Data protection principles

We will comply with the eight enforceable data protection principles by making sure that personal data is:

1. Fairly, transparently and lawfully processed
2. Collected and processed only for specified, explicit and legitimate purposes
3. Adequate, relevant and not excessive
4. Accurate and kept up to date
5. Not kept longer than necessary
6. Processed in accordance with the individual's rights
7. Secure
8. Is not allowed to be processed outside of the EU

## Processing

'Processing' means any operation which is performed on personal data such as;

- collection, recording, organisation, structuring or storage
- adaption or alteration
- retrieval, consultation or use
- disclosure or transmission, dissemination or otherwise making available
- alignment or combination
- restriction, destruction or erasure

### How we will process personal data

The Company will process personal data (including Special Categories) in accordance with our obligations under the Act.

We will ensure that at least one of the following conditions are met before we process any personal data:

1. the individual has consented to the processing
2. the processing is necessary for the performance of a contract with the individual
3. the processing is required under a legal obligation (other than one imposed by a contract)
4. the processing is necessary to protect vital interests of the individual
5. the processing is necessary to carry out public functions e.g. administration of justice
6. the processing is necessary in order to pursue our legitimate interests or those of third parties (unless it could unjustifiably prejudice the interests of the individual)

Under the Act, one of a set of additional conditions must be met for 'special categories of personal data'. This includes information about racial or ethnic origin, political opinions, religious and other beliefs, trade union membership, genetic or biometric data, physical or mental health condition, sex life and sexual orientation, criminal proceedings or convictions. The Company will hold and use any of these special categories of personal data in accordance with the Law. We will ensure that one of the following additional conditions are met before we process any special categories of personal data:

1. the individual has explicitly consented to the processing
2. we are required by law to process the information for employment purposes
3. we need to process the information in order to protect the vital interests of the individual or another person
4. the processing is necessary to deal with the administration of justice or legal proceedings

### Sharing of Personal Data

Sometimes the Company may be required to share personal data with our Clients/Agents/Customers or Suppliers in order to carry out our obligations under a contract. The Company will require those companies to keep your personal data confidential and secure and to protect it in accordance with the Law. They will only be permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

### Individuals' rights

We will ensure that individuals are given their rights under the Act including:

- the right to information about what personal data the Company process, how and on what basis
- the right to obtain their personal information from us except in limited circumstances
- the right to correct any inaccuracies in personal data.
- the right to ask us not to process personal data where it causes substantial unwarranted damage to them or anyone else.
- the right to be informed of any data security breaches.
- the right to claim compensation from us for damage and distress caused by any breach of the Act.

### Legal requirements

While it is unlikely, we may be required to disclose data by a court order or to comply with other legal requirements. We will use all reasonable endeavours to notify an individual before we do so, unless we are legally restricted from doing so.

### No commercial disposal to third parties

We will not sell, rent, distribute or otherwise make user data commercially available to any third party, except as described above or with prior permission.

**Subject access requests**

Data Subjects can make a 'subject access request' ('SAR') to find out the information the Company hold about them. Upon receipt of a request of a SAR this will be forwarded to the PA to the Managing Director who will co-ordinate a response.

The Company will respond within 30 days or for complex requests within a further 60 days.

**Our commitment to data protection**

We will ensure that:

- everyone managing and handling personal information understands that they are responsible for following good data protection practice.
- there is someone with specific responsibility for data protection in the organisation.
- staff who handle personal information are appropriately supervised and trained.
- consent is obtained from data subjects.
- records are kept of all personal data processing activities.
- queries about handling personal information are promptly and courteously dealt with.
- people know how to access their own personal information.
- methods of handling personal information are regularly assessed and evaluated.
- any disclosure of personal data will be in compliance with approved procedures.
- we take all necessary steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure .
- all organisations who are users of personal information supplied by us will be required to confirm that they will abide by the requirements of the Act with regard to information supplied by us.
- periodically we will audit our systems to ensure that data is securely held and not misplaced or accessed incorrectly.
- review this policy at least annually.



Duncan Clark  
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Beardwell Construction Ltd  
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