

# PERSES

## Data Protection Policy

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### Introduction

PERSES is fully committed to compliance with the requirements of the Data Protection Act 2018 and General Data Protection Regulations 2018 (hereafter referred to as the Act). It will therefore follow procedures ensuring that its employees, elected members, contractors, agents, consultants, partners etc., who have access to any personal data held by or on behalf of PERSES are fully aware of and abide by their duties and responsibilities under the Act and Regulations.

### Statement of policy

PERSES has to collect and use information about the people with whom it works and employs. These may include members of the public, current, past, and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of the central government. This personal information must be handled and dealt with properly; however, it is collected, recorded and used, whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this.

PERSES regards the lawful and correct treatment of personal information as very important to its successful operations and as critical towards maintaining confidence between PERSES and those with whom it carries out business. PERSES will ensure that it treats personal information lawfully and correctly, as per the said 2018 Act.

### The principles of data protection

The Act stipulates that anyone processing personal data must comply with the **Eight Principles** of Good Practice. These are legally enforceable.

The Eight Principles set out the following requirements for personal information:

- Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met.
- Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Shall be adequate, relevant, and not excessive in relation to the purpose or purposes for which it is processed.
- Shall be accurate and where necessary, kept up to date.
- Shall not be kept for longer than is necessary for that purpose or those purposes.
- Shall be processed in accordance with the rights of data subjects under the Act.
- Shall be kept secure i.e., protected by an appropriate degree of security.
- Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of data protection.

### Personal and sensitive data

The 2018 Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **“sensitive” personal data**.

Personal data is defined as data relating to a living individual who can be identified from:

#### That data

That data and other information, which is in the possession of, or is likely to come into the possession of the data controller 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.

Sensitive personal data is defined as personal data consisting of information relating to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;

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- Trade union membership;
- Physical or mental health or condition; Sexual life;
- Criminal proceedings or convictions.

## **Handling of personal/sensitive information**

PERSES will through appropriate management and the use of strict criteria and controls as laid down in GDPR: -

Observe full conditions regarding the fair collection and use of personal information;  
Meet its legal obligations to specify the purpose for which information is used;  
Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;  
Ensure the quality of information used;  
Apply strict checks to determine the length of time information is held;  
Take appropriate technical and organisational security measures to safeguard personal information;  
Ensure that personal information is not transferred abroad without suitable safeguards;  
Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

### **These include:**

The right to be informed that processing is being undertaken;  
The right of access to one's personal information within the statutory 40 days;  
The right to prevent processing in certain circumstances;  
The right to correct, rectify, block or erase information regarded as wrong information.

### **In addition, PERSES will ensure that:**

There is someone with specific responsibility for data protection in the organisation: David Betts - Data Protection Officer.

Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practices.

Everyone managing and handling personal information is appropriately trained to do so.

Everyone managing and handling personal information is appropriately supervised.

Anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do.

Queries about handling personal information are promptly and courteously dealt with.

Methods of handling personal information are regularly assessed and evaluated.

Performance with handling personal information is regularly assessed and evaluated.

Data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

## **Information handling**

PERSES is committed to ensuring that all relevant parties are made aware of GDPR and the 2018 Act, the Eight Principles, and their duties and responsibilities in terms of the same. PERSES will also seek to ensure that its staff will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. In particular, PERSES will ensure that:

Paper files and other records or documents containing personal/sensitive data are kept in a secure environment;

Individual passwords should be such that they are not easily compromised.

Personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically.

### **All contractors, consultants, partners or other servants or agents must:**

Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of PERSES, are aware of this policy and are fully trained in and are aware of their duties and responsibilities. Any breach of any provision of the Act will be deemed as being a breach of any contract between PERSES and that individual, company, partner or firm.

Allow data protection audits by PERSES or Interested Parties of data held on its behalf (if requested). Indemnify PERSES any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

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All contractors who are users of personal information supplied by PERSES will be required to confirm that they will abide by the requirements of the Act with regard to the information supplied. On behalf of PERSES

Signed:



Mr Stephen McCann – Director

Date: 27<sup>th</sup> of January 2024