Corn Exchange Business Centre, Hadleigh, IP7 5DN
01206 369009
helpdesk@acceleratefacilities.com
www.acceleratefacilities.com

Accelerate Facilities
People, Passion, Performance

ACP11

Data Protection and Handling Policy

INTRODUCTION

In order to operate both efficiently and legally, Accelerate must collect and hold information about people with whom we work. These may include members of the public, current, past, and prospective employees, and suppliers. In addition, we may be required by law to collect and use information in order to comply with the requirements of central government, such as hold information on Eligibility to work, DBS certificate, Third Party Approval for Security Checking.

This personal information must be handled properly under the General Data Protection Regulation ('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.

INFORMATION COVERED BY THE ACT

The Act uses the term 'personal data'. For information held by Accelerate, personal data essentially means any recorded information held by us and from which a living individual can be identified. It will include a variety of information including names, addresses, telephone numbers, photographs of people and other personal details.

GENERAL DATA PROTECTION PRINCIPLES

We will comply with the six enforceable GDPR principles by making sure that personal data is:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.

2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.

3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.

4. Accurate and, where necessary, kept up to date.

5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.

6. Processed in a way that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

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CONDITIONS

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 for example: 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 'sensitive personal data'. This includes information about racial or ethnic origin, political opinions, religious and other beliefs, trade union membership, physical or mental health conditions, sex life, criminal proceedings, or convictions. We will ensure that one of the following additional conditions are met before we process any sensitive 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

INDIVIDUALS' RIGHTS

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

- the right to obtain their personal information from us except in limited circumstances
- the right to ask us not to process personal data where it causes substantial unwarranted damage to them or anyone else
- the right to claim compensation from us for damage and distress caused by any breach of the Act
- the right to be informed
- the right to access
- the right to rectification
- the right to erasure
- the right to restricted processing
- the right to data portability
- the right to object
- the right to not be subjected to automated decision-making including profiling.

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SUBJECT DATA REQUESTS

This requirement is explicit in the GDPR regulations. Accelerate will deal with any information request formally using the Subject Access Request document which can be found in the master forms and in site files to ensure access to everyone in the organisation. This must be submitted to Human Resources and will be dealt with within 40 days from date of receipt.

CONSENT

Accelerate commits that we shall only process and store personal data in line with the GDPR guidelines and only when a full specific signed consent form is produced by the subject.

DATA PROTECTION OFFICER

Accelerate Data Protection Officer is the Managing Director. This role is responsible to ensure that Accelerates data controllers and processors act in accordance with the General Data Protection Regulations.

- to inform and advise the controller or the processor and the employees who are processing personal data of their obligations pursuant to the GDPR
- to monitor compliance with the GDPR, including the assignment of responsibilities, awareness-raising and training of staff involved in the processing operations and the related audits
- to provide advice where requested as regards the data protection impact assessment and monitor its performance pursuant to article 33
- to cooperate with the supervisory authority (the ICO) and
- to act as the contact point for the supervisory authority on issues related to the processing of personal data.

The DPO assigns the day-to-day responsibility to the HR Advisor, Head Of Operations, Finance Officer, and Head of Business Support Services within the respective departments to ensure full compliance with the policy. Any failings, shortcomings or breaches shall be reported to the DPO without delay via the data breach reporting form and submitted by email to the DPO.

LEGAL REQUIREMENTS

While it is unlikely, Accelerate may be required to disclose your user data by a Court Order or to comply with other legal requirements. We will use all reasonable endeavours to notify you before we do so unless we are legally restricted from doing so.

DATA PROTECTION BREECH

In the extremely unlikely event that Accelerate detects a breach of the GDPR legislation or a breach is reported to Accelerate. The DPO will be made aware immediately and without delay, allowing for a full investigation and the outcome being reported to the ICO within 24 hours.

NO COMMERCIAL DISPOSAL TO THIRD PARTIES

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

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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
- All data transfer from internal department will be, as a minimum standard password protected when transmitted by email.
- staff who handle personal information are appropriately supervised and trained
- 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

Signed as approved and authorised by the board of directors

Mr Gary Morgan
Group Managing Director

Review Date: 01/12/2022
Review Period: Every two years or sooner if required by either statutory change or company change
Next Review Date 30/11/2024