

Amalgamate

Data Protection Policy

Version Control

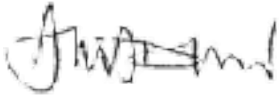
This policy will be reviewed at least on an annual basis and signed and dated on review.

Ref:	Amendments	By	Date
1_01	Created	KG	Thursday, 23 June 2016
2_01	Issued	KG	Thursday, 23 June 2016
2_02	Re-formatted and minor amendments	AM	Tuesday, 6 December 2016
2_03	Changes for new GDPR regulations	AF	Tuesday, 15 May 2018

Authorisation

I, the responsible person as listed below, authorise the use of this policy, and have signed and dated it.

Signed on behalf of Amalgamate - Safety Risk Management Limited:

A handwritten signature in black ink, appearing to read 'Allan MacDonald', written in a cursive style.

Allan MacDonald
Managing Director
Date: 21st May 2018

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Introduction

We are fully committed to compliance with the requirements of the Data Protection Regulation 2018 (“the Regulation”). We follow procedures to ensure that all employees, contractors, consultants, or other persons who have access to any personal data held by or on behalf of Amalgamate, are fully aware of, and abide by, their duties and responsibilities under the Regulation.

Policy Statement

In order to operate efficiently, we have to collect and use information about people with whom we work. These may include current, past and prospective employees, clients, suppliers, or others. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. We recognise that this personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means.

We regard the lawful and correct treatment of personal information as very important to our operation, and to maintaining confidence between ourselves and those with whom we carry out business. We ensure that we treat personal information lawfully and correctly, therefore we endorse and adhere to the Data Protection Principles as set out in article 5 of the Regulation.

The Data Protection Principles

The Regulation outlines six Principles which set out the main responsibilities for organisations. These Principles are legally enforceable.

They require that personal data shall be:

- 1) Processed lawfully, fairly and in a transparent manner in relation to individuals;
- 2) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- 3) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- 4) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- 5) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and

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organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

6) Processed in a manner 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.

The Regulation provides conditions for the collecting and processing of any personal data. It also makes a distinction between personal data and "special category data".

Personal data is defined as any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including:

- An individual's name;
- An identification number,
- Location data; or
- An online identifier.

Special category data is defined as personal data consisting of information as to:

- Race;
- Ethnic origin;
- Politics;
- Religion;
- Trade union membership;
- Genetics;
- Biometrics (where used for ID purposes);
- Health;
- Sex life; or
- Sexual Orientation.

Handling Of Personal/Special Category Data

We will, through appropriate management and the use of strict criteria and controls:

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the lawful basis 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; and

- Ensure that the rights of people about whom the information is held can be fully exercised under the Regulation. These rights include:
 - The right to be informed that collection and processing is being undertaken;
 - The right of access to one's personal information within a month of making a request;
 - The right to rectification within a month of making a request;
 - The right to erasure within a month of making a request;
 - The right to restrict processing within a month of making a request;
 - The right to data portability;
 - The right to object and prevent processing in certain circumstances; and
 - Rights in relation to automated decision making and profiling.

Amalgamate recognises that data may only be processed if one of the following lawful bases apply:

- The individual has given their consent for their personal data to be processed for a specific purpose;
- The processing is necessary for a contract with the individual or in order to take specific steps before entering into a contract;
- The processing is necessary for us to comply with the law;
- The processing is necessary to protect someone's life;
- The processing is necessary for us to perform a task in the public interest or for our official functions, and the this function has a clear legal basis; or
- The processing is necessary for our legitimate interests or the legitimate interests of a third party.

Amalgamate will ensure that:

- There is someone with specific responsibility for data protection in the organisation;
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice; and
- 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; and
- 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.

All elected members are to be made fully aware of this policy and of their duties and responsibilities under the Act.

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All relevant managers and employees within the company will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- No paper files or other records and documents containing personal/sensitive data will be kept;
- Personal data held on computers and computer systems is protected by the use of secure passwords, which, where possible, have forced changes periodically;
- Individual passwords should be such that they are not easily compromised.

All contractors, consultants, partners or other servants or agents of our company must:

- Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of Amalgamate, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Regulation. Any breach of any provision of the Regulation will be deemed as being a breach of any contract between Amalgamate and that individual, company, partner or firm;
- Allow data protection audits by Amalgamate of data held on its behalf;
- Indemnify Amalgamate against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

All contractors who are users of personal information supplied by Amalgamate will be required to confirm that they will abide by the requirements of the Regulation with regard to information supplied by us.

What Information is Collected and Processed by Amalgamate and Why?

Personal data collected and processed by Amalgamate is done so under the legal basis of legitimate interests, in order to provide training courses and complete occupational health reports, and to maintain records to show that these have taken place. This information is collected and processed only when it is necessary and where there is no less intrusive way to achieve the same result. The collection and processing of information is done at all times with the knowledge of the individual to whom this data relates, and within ways that could reasonably be expected by that individual.

Furthermore, Amalgamate ensures the protection of the individual interests of all those whose data we have access to. In order to demonstrate that our interests are legitimate and necessary we have conducted a legitimate interests assessment (LIA).

When Amalgamate provides a training course we collect and process the trainees' name, date of birth, telephone number and sex in order to provide training certificates and maintain a record of what training has been done and when it must be renewed.

When Amalgamate receives an occupational health referral from a client, we collect and process the employee's name, telephone number, email address, and details regarding their absence or health information. The information is processed in order to provide an occupational health assessment with the employee and a report that is provided to both the employee and the client.

Storage of Personal Information

Training is subject to renewal within 3 years and one month. In order to be able to provide refresher training for the courses we provide or provide replacement certificates if needed, data relating to the individuals who have completed training with Amalgamate will be kept for 3 and a half years. In order to ensure that data is deleted within this timeframe, quarterly checks are implemented. Paper copies of training records are shredded immediately after training has taken place, and data is held on the company server which is protected by the use of secure passwords.

When Amalgamate receives an occupational health referral from a client, a secure file is created within the Health folder on our server, which is accessible only to the Director and Business Operations Manager, and information is stored there electronically. No paper documentation exists. Digitally held information is kept for 7 years. In order to ensure that data is deleted after this timeframe, quarterly checks are implemented.

Sharing of Personal Information

Training documentation is shared with SafeCert, the awarding body for training, in order to ensure that the required standards for training have been met. No other information relating to training is shared with anyone outside of Amalgamate.

Information for Occupational Health referrals is shared only with the designated Occupational Health Practitioner who will undertake the assessment with the employee.

Promotional Email Marketing

Where individuals have given their consent to receive news, periodic offers, or promotional email marketing by opting into our mailing list, we will store their email addresses in our password-protected email server in order to provide this service. Should anyone wish to withdraw their consent at any point, they may use the unsubscribe feature on all emails sent, which will automatically delete their information from our mailing list.

Implementation

The Managing Director has overall responsibility for:

- The provision of data protection training for staff within the company;
- The development of best practice guidelines; and
- Carrying out compliance checks to ensure adherence with the Regulation.