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MCM.

SUBJECT
Data Protection Policy

DATE
19 July 2020

VERSION
2.0

CLASSIFICATION
Company Confidential

Summary

The Data Protection Policy details the requirements for the organisation with regards to the GDPR.

Reference

ISO9001; ISO14001; ISO27001

Change Record (enter any changes to the document below)

- Updated to reflect requirements of GDPR
- Upgrade to ISO Portal

Data Protection Policy

MCM is committed to protecting the rights and freedoms of data subjects and safely and securely processing their data in accordance with all of our legal obligations. We hold and processes personal data about our employees, clients, suppliers and other data subjects for a variety of business purposes. This policy sets out how we seek to protect personal data and ensure that our staff understand the principals of data protection set out in the GDPR governing their use of personal data to which they have access in the course of their work.

In summary these principles are as follows:

- Lawful, fair and transparent – data collection must be fair, for a legal purpose, and we must be open and transparent as to how the data will be used.
- Limited for its purpose – data can only be collected for a specific stated purpose, and not then used for other purposes.
- Data minimisation – any data collected must be necessary and not excessive for the stated purpose that it was collected for.
- Accurate – the data we hold must be accurate and up-to-date.
- Retention – our data must not be kept for longer than necessary for the purpose.
- Integrity and confidentiality – then data we hold must be kept safe and secure.

Under the GDPR MCM are considered to be data controllers, but not considered data processors.

We are registered as controllers with the Information Commissioner's Office, registration number ZA327924.

Applicable Legislation

General Data Protection Regulation (GDPR).

Registered office as above. Registered in England Number 03473731. VAT Number 5479 167 03

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Definitions

- "Data controller" who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.
- “Other data subjects” and “third parties” may include contractors, suppliers, contacts, referees, friends or family members.
- “Processing” refers to any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

Notification of Data Held

MCM shall notify all staff and other relevant data subjects of the types of data held and processed by MCM concerning them, and the reasons for which it is processed.

Data Protection Policy

Information Provided by Staff to MCM

All staff shall:

- Ensure that all personal information which they provide to MCM in connection with their employment is accurate and up-to-date;
- Inform MCM of any changes to information, for example, changes of address;
- Check the information which MCM shall make available from time to time, in written or automated form, and inform MCM of any errors or, where appropriate, follow procedures for up-dating entries on computer forms.
- MCM shall not be held responsible for errors of which it has not been informed.

Information Held or Processed by Staff

All staff shall:

- All personal information is kept securely;
- Personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party. Unauthorised disclosure may be a disciplinary matter, and may be considered gross misconduct in some cases.

Rights to Access Information

- Kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the appropriate designated data controller.
- MCM aims to comply with requests for access to personal information as quickly as possible; but will ensure that it is provided within 40 days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing by the designated data controller to the data subject making the request.

Lawful basis for Processing Data

- MCM have a variety of lawful bases for processing individual’s personal data:
    - Contract – the processing is necessary to fulfil or prepare a contract for the individual.
    - Legitimate Business Interest – the processing is necessary for our legitimate business interests.
    - Legal Obligation – we are obliged to store certain elements of personal data (such as pay role data) for statutory reasons.
    - Vital interests – processing the data is necessary to protect a person’s life or in a medical situation.

- MCM may process sensitive information about a person's health, disabilities, criminal convictions, race or ethnic origin in pursuit of the legitimate interests of MCM. MCM may also require such information for the administration of the sick pay policy, the absence policy or the equal opportunities policy, or for internal review.
- MCM may also ask for information about particular health needs, such as allergies to particular forms of medication, or conditions such as asthma or diabetes. MCM will only use such information to protect the health and safety of the individual, for example, in the event of a medical emergency.
- Given the nature of the personal data processed by MCM, we do not consider that processing operations are likely to result in a high risk to the rights and freedoms of individuals. For this reason, we do not consider it necessary to carry out Data Protection Impact Assessments. Should the nature of the personal data held change substantially, then this decision will be reviewed.

The Data Controller and the Data Protection Officer

The MCM Board of Directors is the data controller. Responsibility for day-to-day matters will be delegated to Ellen Redmayne-Smith as the Data Protection Officer.

Retention of Data

MCM will keep different types of information for differing lengths of time, depending on legal and operational requirements. These requirements are described in our Document and Data Control Policy.

Compliance

- Compliance with Data Protection is the responsibility of all members of staff who are processing or otherwise accessing personal data. Any deliberate or reckless breach of this Policy may lead to disciplinary, and where appropriate, legal proceedings. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Data Protection Officer.
- Any individual, who considers that the policy has not been followed in respect of personal data about themselves, should raise the matter with the Data Protection Officer initially. If the matter is not resolved, it should be referred to the staff grievance or complaints procedure.

Data Security

All personal data will be stored securely against loss or mis-use:

- In cases where data is stored on printed paper, it will be kept in a secure place where unauthorised persons cannot access it. Printed data will be shredded when it is no longer needed.
- Data stored electronically will be protected by strong passwords, set up and periodically changed min accordance with our password policy.
- Servers containing personal data will be located in a secure location.
- Data will be regularly backed up in line with our Back up policy.
- Personal data should not be saved directly to the C: drive of computers or laptops. Nor should it be saved to CDs or memory sticks unless these devices are either encrypted or password protected.
- We will not transfer any personal data abroad.

You should only take data sufficient for your need

- We will only hold data for the minimum time required to complete your work
- We will destroy data when no longer required and confirm to the client this has been done

- Products for secure access control and hard-disk encryption are recommended for laptops that contain classified information and may be taken outside the organisation. MCM already employs software to carry this out and where is deemed necessary these measures are in place.

Rights of Individuals

Individuals have rights to their data which MCM will respect and comply with to the best of our ability. We will ensure that individuals can exercise their rights in the following areas:

- Right to be informed – we will provide privacy notices which are concise, transparent, intelligible and easily accessible. We will keep a record of how we use personal data to demonstrate compliance with the need for accountability and transparency.
- Right of access – We will enable individuals to access their personal data.
- Right to rectification – We will rectify or amend inaccurate or incomplete personal data if requested by an individual. This will be done within a month of being notified of the inaccurate or incomplete data.
- Right to erasure – We will delete or remove an individual's data if requested if there is no compelling reason for us continuing to hold it.
- Right to data portability – we will provide individuals with their data so that they can re-use it for their own purposes, or across different services.

Approved by:

Kevin Britchfield
Operations Director