

# **DATA PROTECTION POLICY**

## **DPA & GDPR**

## Introduction

Wireless CCTV Ltd (WCCTV) is committed to a policy of protecting the rights and privacy of individuals, including staff and others, in accordance with the Data Protection Act (DPA) 2018, General Data Protection Regulation 2018 (GDPR) including UK derogations.

The regulatory environment demands higher transparency and accountability in how Company's manage and use personal data. It also accords stronger rights for individuals to understand and control that use.

The GDPR & DPA 2018 contains provisions that our company will need to be aware of as data controllers, including provisions intended to enhance the protection of employees' personal data. For example, the GDPR requires that:

We must ensure that our privacy notices are written in a clear, plain way that staff will understand.

WCCTV needs to process certain information about its staff and other individuals with whom it has a relationship for various purposes such as, but not limited to:

1. The recruitment and payment of staff.
2. The administration of programmes of study and courses.
3. External accreditation.
4. Complying with legal obligations to government including local government.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) WCCTV must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

## Compliance

This policy applies to all staff of WCCTV. Any breach of this policy or of the Regulations itself will be considered an offence and the Company's disciplinary procedures will be invoked.

As a matter of best practice, other agencies and individuals working with WCCTV and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR, DPA and other relevant legislation.

## General Data Protection Regulation (GDPR)

The GDPR regulates the processing of personal data and protects the rights and privacy of all living individuals, for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images) and may include facts or opinions about a person.

### Responsibilities under the GDPR

WCCTV will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data. WCCTV appoints a Data Protection Officer (DPO), currently the CEO who is available to address any concerns regarding the data held by WCCTV and how it is processed, held and used.

The Senior Leadership Team is responsible for all day-to-day data protection matters and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the company.

The Senior Leadership Team is also responsible for ensuring that the company's notification is kept accurate. Details of the Company's notification can be found on the Office of the Information Commissioner's website. Our data registration number is: ZA163619

Compliance with the legislation is the personal responsibility of all members of the Company who process personal information. Individuals who provide personal data to the Company are responsible for ensuring that the information is accurate and up to date.

### Data Protection Principles

The legislation places a responsibility on every data controller to process any personal data in accordance with the seven principles. Please follow this link to the ICO's website (<https://www.ico.org.uk/>)

In order to comply with its obligations, WCCTV undertakes to adhere to the seven principles:

**1) Process personal data fairly, lawfully and transparently.**

WCCTV will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

**2) Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.**

WCCTV will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

**3) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.**

WCCTV will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

**4) Keep personal data accurate and, where necessary, up to date.**

WCCTV will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the Company if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the Company to ensure that any notification regarding the change is noted and acted on.

**5) Only keep personal data for as long as is necessary.**

WCCTV undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means WCCTV will undertake a regular review of the information held and implement a weeding process.

WCCTV will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

**6) Data Security**

In line with our information security policy (QF5001) and all supporting information security policies Wireless CCTV Ltd shall ensure it:

- Reduces the risk of information leakages by negligence or human error.
- Ensures Confidentiality, Integrity and Availability of our services and Information held by Wireless CCTV Ltd
- Reduces the risk of security issues from third parties
- Manages the costs associated with Information Security by implementing a structured Information Security Management System (ISMS)
- Reduces the likelihood of a Data breach that will affect our clients, customers, employees and other stakeholders.

**7) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.**

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

WCCTV will ensure that all personal data is accessible only to those who have a valid reason for using it.

WCCTV will have in place appropriate security measures e.g. ensuring that hard copy personal data is kept in lockable filing cabinets/cupboards with controlled access (with the keys then held securely in a key cabinet with controlled access):

- keeping all personal data in a lockable cabinet with key-controlled access.
- password protecting personal data held electronically.
- archiving personal data which are then kept securely (lockable cabinet).

- placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff.
- ensuring that PC screens are not left unattended without a password protected screen-saver being used.

In addition, WCCTV will put in place appropriate measures for the deletion of personal data - manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. A log will be kept of the records destroyed.

This policy also applies to staff who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

## **GDPR Individual rights**

### **1) The right to be informed**

Individuals have the right to request how WCCTV will collect and use their personal data. If requested, WCCTV will provide individuals with information including: your purposes for processing their personal data, your retention periods for that personal data, and who it will be shared with (privacy information). The information provided will be concise, transparent, intelligible, easily accessible, and use language that is easy to understand.

### **2) The right of access**

Individuals have the right to access their personal data. This is commonly known as subject access. Individuals can make a subject access request verbally or in writing. WCCTV will endeavour to respond to the request within 30 days.

### **3) The right to rectification**

GDPR includes the right for individuals to have inaccurate personal data rectified or completed if it is incomplete. An individual can make a request for rectification verbally or in writing. WCCTV will endeavour to respond to the request within 30 days but in certain circumstances, WCCTV has the right to refuse the request.

### **4) Right to erasure ('right to be forgotten')**

GDPR introduces the right for individuals to have their personal data erased. This request can be either verbally or in writing. WCCTV will endeavour to respond to the request within 30 days. The right is not absolute and only applies in certain circumstances. See QF5023 for more information.

### **5) Right to restrict processing**

Individuals have the right to obtain from the controller restriction of processing where one of the following applies:

- (a) the accuracy of the personal data is contested by the individual, for a period enabling the controller to verify the accuracy of the personal data.
- (b) the processing is unlawful, and the individual opposes the erasure of the personal data and requests the restriction of their use instead.
- (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the individual for the establishment, exercise or defence of legal claims.

(d) the individual has objected to processing their data pending the verification whether the legitimate grounds of the controller override those of the individual.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

An individual who has obtained restriction of processing pursuant shall be informed by the controller before the restriction of processing is lifted.

## **6) Right to data portability**

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability.

Doing this enables individuals to take advantage of applications and services that can use this data to find them a better deal or help them understand their spending habits.

The right only applies to information an individual has provided to a controller.

## **7) Right to object**

GDPR gives individuals the right to object to the processing of their personal data in certain circumstances. Individuals have an absolute right to stop their data being used for direct marketing.

In other cases where the right to object applies you may be able to continue processing if you can show that you have a compelling reason for doing so. An individual can make an objection verbally or in writing. WCCTV will endeavour to respond to the request within 1 calendar month.

## **8) Rights related to automated decision making and profiling**

WCCTV does not use automated decision making or profiling

## **International Transfer**

WCCTV will ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. WCCTV will not transfer data to such territories without the explicit consent of the individual. This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so WCCTV will always seek the consent of individuals before placing any personal data (including photographs) on its website.

If the Company collects personal data in any form via its website, it will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

## **Consent as a basis for processing**

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when WCCTV is processing any sensitive data, as defined by the legislation.

WCCTV understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

#### *“Personal Details*

- *For the purposes of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679 you consent to the Company holding and processing personal data including sensitive personal data of which you are the subject, details of which are specified in the Company's data protection policy.*
- *This will include marketing images and the Company CCTV.”*

WCCTV will ensure that any forms used to gather data on an individual will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosed and also indicate whether or not the individual needs to consent to the processing.

#### How We Use Your Personal Information

This privacy notice is issued by the Company It is to inform data subjects how their personal information will be used by the Company. For the purposes of the Data Protection Act 2018, WCCTV is the data controller for personal data processed by the Company. Your personal information is used by the Company to exercise its functions and to meet its statutory responsibilities.

Your information may be shared with third parties for education, training, employment and well-being related purposes. This will only take place where the law allows it and the sharing is in compliance with the Data Protection Act 2018.

You can opt out of contact for other purposes by ticking any of the following boxes if you do not wish to be contacted:

By post.  
By phone.  
By email.

WCCTV will ensure that if the individual does not give his/her consent for the processing, and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

## **Subject Access Rights (SARs)**

Individuals have a right to access any personal data relating to them which are held by the Company. Any individual wishing to exercise this right should apply verbally or in writing to the HR Representative. Any member of staff receiving a SAR should forward this to the HR Representative.

Under the terms of the legislation, any such requests must be complied with within 30 days. For detailed guidance on responding to SARs, see QF7705 GDPR Subject Access Request Disclosure Policy.



## Disclosure of Data

Only disclosures which have been notified under the Company's notification must be made and therefore staff should exercise caution when asked to disclose personal data held on another individual or third party.

WCCTV undertakes not to disclose personal data to unauthorised third parties, including family members, friends, government bodies and in some circumstances, the police.

Legitimate disclosures may occur in the following instances:

- the individual has given their consent to the disclosure.
- the disclosure has been notified to the OIC and is in the legitimate interests of the Company.
- the disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual.

In no circumstances will WCCTV sell any of its databases to a third party.

## Publication of Company Information

WCCTV publishes various items which will include some personal data, e.g.

- internal telephone directory.
- event information.
- photos and information in marketing materials.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential, or restricted Company access only. Therefore, it is WCCTV policy to offer an opportunity to opt-out of the publication of such when collecting the information.

## Email

It is the policy of WCCTV to ensure that senders and recipients of email are made aware that under the DPA, and Freedom of Information Legislation, the contents of email may have to be disclosed in response to a request for information. One means by which this will be communicated will be by a disclaimer on the Company's email. Under the Regulation of Investigatory Powers Act 2000, Lawful Business Practice Regulations, any email sent to or from the Company may be accessed by someone other than the recipient for system management and security purposes.

## CCTV

There are some CCTV systems operating within WCCTV for the purpose of protecting Company members and property. WCCTV will only process personal data obtained by the CCTV system in a manner which ensures compliance with the legislation.

## Procedure for review

This policy will be updated as necessary to reflect best practice or future amendments made to the General Data Protection Regulation (GDPR) May 2018 and Data Protection Act 2018.

Please follow this link to the ICO's website ([www.ico.org.uk](http://www.ico.org.uk)) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access



requests, how to handle requests from third parties for personal data to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

For help or advice on any data protection or freedom of information issues, please do not hesitate to contact:

The Data Protection Officer (DPO)