

GDPR Policy Statement

General

1. Introduction

- 1.1 Formby Surveys Ltd is committed to conducting its activities to provide a high-quality service whilst ensuring that 'Data Protection' is a central component of these activities. This commitment extends to all aspects of our business.

To achieve this, Formby Surveys Ltd have implemented and effectively control data protection through its GDPR policy that meets the requirements of the General Data Protection Regulations dated 25th May 2018.

- 1.2 In conducting these activities Formby Surveys Ltd will:-

- Ensure compliance with relevant legislative requirements
- Communicate GDPR information to relevant interested parties
- Ensure constant GDPR awareness to all relevant interested parties
- Consistently provide services that meet applicable statutory and regulatory requirements
- Address risks associated with Data Protection
- Complete regular audit and monitoring programmes to ensure compliance taking immediate action to rectify non-compliance
- Document all personal data that we hold, where it came from and whom we Formby Surveys Ltd share it with, with retention periods
- Consider individuals rights
- Plan how we handle Subject Access Requests
- Identify the lawful basis for processing personal data
- Review how we seek, record and manage consent and refresh existing consents to meet the GDPR requirements
- Put procedures in place to detect, report and investigate any personal data breaches
- Assess whether Protection Impact Assessments need implementing and when
- Designate a specific Data Protection Coordinator to take responsibility for data protection compliance

2. General

- 2.1 This policy will ensure that Formby Surveys Ltd considers the following aspects of the GDPR Regulations :-

- Awareness
- Information that we hold
- Communicating privacy information
- Individual's rights
- Subject Access Requests
- Lawful basis for processing personal data
- Consent
- Children
- Data Breaches

- Data Protection by Design and Data Protection Impact Assessments
- Data Protection Responsibility
- Documentation
- Retention of Records
- Training and competence of key personnel
- Updating all current policies and procedures to reflect GDPR
- Practical implications of the GDPR i.e. storage, encryption etc.

Procedures

3. Awareness

3.1 Formby Surveys Ltd are committed to ensuring that all decision makers and key people within the Company are aware of the new data protection regulations and are kept up to date with any new data protection legislation in the future to ensure that all processing is fair and transparent.

3.2 Once implemented the management priorities are to: -

- Ensure that all staff within the Company are aware of the Company's constant commitment to meeting data protection laws
- Ensure that the policy is applied, and procedures are adhered to
- Conduct audits of the company's data protection procedures
- Provide all necessary physical and human resources to achieve this

4. Information that Formby Surveys Ltd will hold

4.1 Formby Surveys Ltd has documented the personal data that it holds, where it came from by undertaking a 'data-mapping' exercise;

- what information is being collected;
- how the information is being collected e.g. in writing, or by automated means such as monitoring of IT systems;
- why the information is being collected;
- how the information will be used;
- the effect of this on the individuals concerned

4.2 The mapped out how information flows through the Company and how Formby Surveys Ltd process it, allows us to consider;

- what information constitutes personal data;
- what we do with the personal data;
- what we actually need to carry out these processes

5. Communicating Privacy Information

5.1 Formby Surveys Ltd has conducted a review of its current Privacy Notices and amended them to reflect the new GDPR requirements.

5.2 Formby Surveys Ltd is committed to reviewing its Privacy Notices annually and will communicate them to all interested parties accordingly.

6. Individual's Rights

6.1 The GDPR includes the following rights for individuals:-

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling

6.2 Whilst secure, Formby Surveys Ltd's systems are set so that any personal data can be located easily, with controlled access, via the management team personnel.

6.3 Formby Surveys Ltd can provide personal data free of charge.

6.4 Formby Surveys Ltd can amend or delete personal data if legitimately requested to do so, and in agreement with our own data requirements as set out by regulatory bodies.

7. Subject Access Requests

7.1 Formby Surveys Ltd can provide Subject Access Requests (SAR) with the following conditions:

- These will generally be provided free of charge
- Formby Surveys Ltd will comply within 30 days
- Formby Surveys Ltd have the right to refuse or charge for requests that are manifestly unfounded or excessive
- If Formby Surveys Ltd do refuse a request, Formby Surveys Ltd will inform the individual why and that individual has the right to complain to the supervisory authority and to a judicial remedy. Formby Surveys Ltd will do this without undue delay and within 30 days

8. Lawful Basis for Processing Personal Data

8.1 Formby Surveys Ltd has identified the lawful basis for processing personal data.

8.2 Formby Surveys Ltd only processes personal data on the basis of one or more of the following legal grounds:

- The individual has given their consent to the processing of their data for one or more specific purposes
- It is necessary for entering into or performing a contract with the individual.
- It is necessary for employment with the individual
- It is necessary for compliance with a legal obligation to which the data controller (Formby Surveys Ltd) is subject
- It is necessary to protect the vital interests of the individual or another person
- It is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the employer

- It is necessary for the purposes of legitimate interests pursued by the employer or by a third party, except where these interests are overridden by the interests or the fundamental rights and freedoms of the individual which require protection of personal data

9. Consent

9.1 Formby Surveys Ltd recognises the GDPR guidelines for consent in that:-

- It must be freely given
- Specific
- Informed
- Unambiguous
- Clear
- Prominent
- Properly documented
- Easily withdrawn

9.2 Formby Surveys Ltd recognises that there must be a positive opt-in and consent cannot be inferred from silence, pre-ticked boxes or inactivity.

9.3 If consent is not given as above, Formby Surveys Ltd may hold personal information on the lawful grounds as below:

- For the performance of a contract with the data subject or to take steps to enter into a contract (e.g. the employment contract)
- For compliance with a legal obligation
- For the purposes of our legitimate interests or those of a third party

10. Children

10.1 Currently Formby Surveys Ltd does not hold any personal data relating to children but is aware of the GDPR guidelines should it do so.

11. Data Breaches

11.1 Formby Surveys Ltd will inform the Information Commissioners Office (ICO) if there is a data breach where it is likely to result in a risk to the rights and freedoms of individuals and could result in:

- Discrimination
- Damage to reputation
- Financial loss
- Loss of confidentiality
- Significant economic or social disadvantage

11.2 Where a breach is likely to result in a high risk to the rights and freedoms of individuals, Formby Surveys Ltd will also notify those concerned directly in most cases.

11.3 Any breach described as above will be notified to the ICO (Tel: 0303 123 1113) within 72 hours.

12. Data Protection by Design & Data Protection Impact Assessment (DPIA)

- 12.1 The GDPR state that a DPIA is required in situations where data processing is likely to result in high risk to individuals:
- Where a new technology is being deployed
 - Where a profiling operation is likely to significantly affect individuals
 - Where there is processing on a large scale of the special categories of data
- 12.2 Formby Surveys Ltd has considered the relevant risks and safeguards and there has not been a significant change to the nature, scope, context or purpose of the processing of its personal data and as such, has not carried out a DPIA.
- 12.3 Should Formby Surveys Ltd begin any type of processing which is likely to result in a high risk, a DPIA will be carried out.

13. Data Protection Responsibility & Data Protection Officers (DPO)

- 13.1 Formby Surveys Ltd does not fall into the category to formally designate a DPO.
- 13.2 However, a Data Protection Coordinator has been appointed to take responsibility for data protection compliance – Andy Roberts, Managing Director, Formby Surveys Ltd.

14. International

- 14.1 Formby Surveys Ltd does not operate outside of the EU and does not carry out any cross-border processing.

15. Documentation

- 15.1 Formby Surveys Ltd recognises that documentation improves data governance and increases business efficiency.
- 15.2 Formby Surveys Ltd will specifically document processing activities that:
- Are not occasional
 - Are likely to result in a risk to the rights and freedoms of individuals
 - Involve special category data or criminal conviction and offence data

16. Retention of Records

- 16.1 Formby Surveys Ltd will only retain personal data for as long as necessary to fulfil the purposes the Company collected it for, subject to other laws or regulations that may require a different retention period.
- 16.2 The Company ensures that all records are legible, identifiable and traceable to the activity or service involved. They are stored and maintained in such a manner as to be readily retrievable and protected against damage, deterioration or loss.

Training & Competence of Key Personnel

17. Responsibilities

- 17.1 The Managing Director is responsible for ensuring that all Company personnel are skilled, competent and experienced in their specific area of activity to ensure the effective application and maintenance of all its policies and procedures.
- 17.2 Personnel appraisal will be carried out on an annual basis and the results reviewed at planned Management Review Meetings.
- 17.3 All senior managers at Formby Surveys Ltd have been trained in line with the GDPR and a specific Data Protection Coordinator has been appointed to oversee GDPR management and compliance.

18. Updating All Current Policies & Procedures to Reflect GDPR

- 18.1 Formby Surveys Ltd have reviewed all policies and procedures and have amended any associated policies which refers to data protection having taken professional advice.

19. Practical Implications of the GDPR

- 19.1 Formby Surveys Ltd has reviewed the practical implications of the GDPR and the below applies:

- Access to personal data is carefully controlled
- Personal data is securely stored
- Hard copy personal data is destroyed when no longer required
- Electronic copy of personal data is deleted when no longer required
- IT equipment is encrypted, where applicable
- Electronic data is password protected and has access rights applied
- The company's computer system is regularly backed up with a copy securely stored
- The integrity of the computer system and the data held on it is maintained by running background virus protection software and the maintenance of effective and regularly updated firewalls.
- Only designated data protection trained staff have access to personal data

Signed:-



Dated:-

25th May 2018