



## **Data Protection Policy of CSD Scotland Limited**

### **1. POLICY STATEMENT**

- 1.1 Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities we will collect, store and process personal data about our employees, customers, suppliers and other third parties, and we recognise that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.
- 1.2 Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action.

### **2. ABOUT THIS POLICY**

- 2.1 The types of personal data that CSD Scotland Limited (We) may be required to handle include information about current, past and prospective employees, subcontractors, suppliers, customers and others that we communicate with. The personal data, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 1998 (the Act) and other regulations. The Act imposes restrictions on how we may use that information.
- 2.2 This policy sets out the basis on which we will process any personal data we collect from data subjects, or that is provided to us by data subjects or other sources.
- 2.3 This policy does not form part of any employee's contract of employment and may be amended at any time.
- 2.4 This policy sets out rules on data protection and the legal conditions that must be satisfied when we obtain, handle, process, transfer and store personal data.
- 2.5 The Data Protection Officer is responsible for ensuring compliance with the Act and with this policy. That post is held by Fiona Booth, Finance Director, 01467 634807, [fionabooth@e-blastltd.com](mailto:fionabooth@e-blastltd.com). Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the Data Protection Compliance Officer.

### **3. DEFINITION OF DATA PROTECTION TERMS**

- 3.1 **Data** is information which is stored electronically, on a computer, or in certain paper-based filing systems.

- 3.2 **Data controllers** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with the Act. We are the data controller of all personal data used in our business for our own commercial purposes.
- 3.3 **Data processors** include any person or organisation that is not a data user that processes personal data on our behalf and on our instructions.
- 3.4 **Data subjects** include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
- 3.5 **Data users** are those of our employees whose work involves processing personal data. Data users must protect the data they handle in accordance with this data protection policy and any applicable data security procedures at all times.
- 3.6 **Personal data** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession).
- 3.7 **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.
- 3.8 **Sensitive personal data** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.

#### 4. **DATA PROTECTION PRINCIPLES**

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- (a) Processed fairly and lawfully.
- (b) Processed for limited purposes and in an appropriate way.
- (c) Adequate, relevant and not excessive for the purpose.
- (d) Accurate.
- (e) Not kept longer than necessary for the purpose.
- (f) Processed in line with data subjects' rights.
- (g) Secure.

- (h) Not transferred to people or organisations situated in countries without adequate protection.

## **5. FAIR AND LAWFUL PROCESSING**

- 5.1 The Act is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject has a right, on making a request, to be told who the data controller is, the purpose for which the data is to be processed by us, and the identities of anyone to whom the data may be disclosed or transferred.
- 5.2 For personal data to be processed lawfully, they must be processed on the basis of one of the legal grounds set out in the Act. These include, among other things, the data subject's consent to the processing, or that the processing is necessary for the performance of a contract with the data subject, for the compliance with a legal obligation to which the data controller is subject, or for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, additional conditions must be met. When processing personal data as data controllers in the course of our business, we will ensure that those requirements are met.

## **6. PROCESSING FOR LIMITED PURPOSES**

Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the Act. This means that personal data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be notified of the new purpose before any processing occurs. Such notification may be given on CSD Scotland's website ([www.csd-scotland.com](http://www.csd-scotland.com)), including through updated versions of this Data Protection Policy).

## **7. ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING**

Personal data should only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

## **8. ACCURATE DATA**

We will make all reasonable endeavours to ensure that the personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

## **9. TIMELY PROCESSING**

We will not keep personal data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

## **10. PROCESSING IN LINE WITH DATA SUBJECT'S RIGHTS**

We will process all personal data in line with data subjects' rights, in particular their right to:

- (a) Request access to any data held about them by a data controller.
- (b) Prevent the processing of their data for direct-marketing purposes.
- (c) Ask to have inaccurate data amended.
- (d) Prevent processing that is likely to cause damage or distress to themselves or anyone else.

## **11. DATA SECURITY**

11.1 Wherever possible we shall endeavour to ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

11.2 The Act requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data will only be transferred to a third-party data processor if they agree to comply with these procedures and policies, or if they put in place adequate measures themselves.

## **12. TRANSFERRING PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA**

12.1 We may transfer any personal data we hold to a country outside the European Economic Area ("EEA"), provided that one of the following conditions applies:

- (a) The country to which the personal data are transferred ensures an adequate level of protection for the data subjects' rights and freedoms.
- (b) The data subject has given his consent.
- (c) The transfer is necessary for one of the reasons set out in the Act, including the performance of a contract between us and the data subject, or to protect the vital interests of the data subject.
- (d) The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.
- (e) The transfer is authorised by the relevant data protection authority where we have adduced adequate safeguards with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

### **13. DISCLOSURE AND SHARING OF PERSONAL INFORMATION**

- 13.1 We may share your personal data with companies under common ownership with us and/or share the same site or sites as we do to the extent reasonably necessary for the operation of our business.
- 13.2 We may also disclose personal data we hold to third parties:
- (a) In the event that we sell or buy any business or assets, in which case we may disclose personal data we hold to the prospective seller or buyer of such business or assets.
  - (b) If we or substantially all of our assets are acquired by a third party, in which case personal data we hold will be one of the transferred assets.
- 13.3 If we are under a duty to disclose or share a data subject's personal data in order to comply with any legal obligation, or in order to enforce or apply any contract with the data subject or other agreements; or to protect our rights, property, or safety of our employees, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

### **14. DEALING WITH SUBJECT ACCESS REQUESTS**

- 14.1 Data subjects must make a formal request for information we hold about them. This must be made in writing. Employees who receive a written request should forward it to the Data Protection Officer. A fee may be payable by the data subject for provision of this information.

### **15. MONITORING AND REVIEW OF THE POLICY**

We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives. Updates to this policy will be posted on the CSD Scotland's Website ([www.csd-scotland.com](http://www.csd-scotland.com)). You should check the CSD Scotland's Website from time to time to review the then current Data Protection Policy.

### **16. STATUS OF THIS POLICY**

This policy has been approved by the directors and any breach will be taken seriously and may result in formal action.

Any individual who considers that this policy has not been followed in respect of personal data about themselves should raise the matter with CSD Scotland Limited's Data Protection Compliance Manager.

**Fiona Booth, Data Protection Compliance Officer**

**August 2017**