

## **Data Protection/GDPR Policy**

### **Context and overview**

#### **Key Details:**

- Policy prepared by: Emma Leggett
- Approved on: 22<sup>nd</sup> May 2018
- Policy became operational on: 22<sup>nd</sup> May 2018.
- Next review date: 22<sup>nd</sup> May 2021

### **Introduction**

Flexible People Ltd needs to gather and use certain information about individuals.

These can include customers, suppliers, business contacts, employees and other people the organization has a relationship with or may need to contact.

This Policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards and to comply with the law.

### **Why this policy exists**

This data protection policy ensures Flexible People Ltd:

- Complies with data protection law and follow good practice
- Protects the rights of staff, customers and partners
- Is open about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

## **Data protection law**

The Data Protection Act 1998 describes how organizations – including Flexible People Ltd – must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained for specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held for any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be protected in inappropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

## **People, risks and responsibilities**

### **Policy scope**

This policy applies to:

- The head office of Flexible People Ltd
- All branches of Flexible People Ltd
- All staff and volunteers of Flexible People Ltd
- All contractors, suppliers and other people working on behalf of Flexible People Ltd It applies to all data that the company holds relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act 1998. This can include:
  - Names of individuals
  - Postal addresses
  - Email addresses
  - Telephone numbers
  - ..... plus any other information relating to individuals

## Data protection risks

This policy helps to protect Flexible People Ltd from some very real data security risks including:

- **Breaches of confidentiality.** For instance, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them.
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data.

## Responsibilities

Everyone who works for or with Flexible People Ltd has some responsibility for ensuring data is collected, stored and handled appropriately.

Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The **board of directors** is ultimately responsible for ensuring that Flexible People Ltd meets its legal obligations.
- The **data protection officer, Emma Leggett**, is responsible for:
  - Keeping the board updated about the data protection responsibilities, risks and issues.
  - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
  - Arranging data protection training and advice for the people covered by this policy.
  - Handling data protection training and advice for the people covered by this policy.
  - Dealing with requests from individuals to see the data Flexible People Ltd holds about them (also called 'subject access requests').
  - Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data.
- The **IT manager, Mike Chappell**, is responsible for:
  - Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
  - Performing regular checks and scans to ensure security hardware and software is functioning properly.
  - Evaluating any third-party services the company is considering using to store or process data. For instance, cloud computing services.



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- The marketing manager, Mike Chappell, is responsible for:
  - Approving any data protection statements attached to communications such as emails and letters.
  - Addressing any data protection queries from journalists or media outlets like newspapers.
  - Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

## General staff guidelines

- The only people able to access data covered by this policy should be those who **need it for their work**.
- Data **should not be shared informally**. When access to confidential information is required, employees can request it from their line managers.
- **Flexible People Ltd will provide training** to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, **strong passwords must be used**, and they should never be shared.
- Personal data **should not be disclosed** to unauthorized people, either within the company or externally.
- Data should be **regularly reviewed and updated** if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees **should request help** from their line manager or the data protection officer if they are unsure about any aspect of data protection.

## Data storage

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT manager or data controller.

When data is **stored on paper**, it should be kept in a secure place where unauthorized people cannot see it. These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept **in a locked drawer or filing cabinet**.
- Employees should make sure paper and printouts are **not left where unauthorized people could see them**, like on a printer.
- **Data printouts should be shredded** and disposed of securely when no longer required.



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When data is **stored electronically**, it must be protected from unauthorized access, accidental deletion and malicious hacking attempts:

- Data should be **protected by strong passwords** that are changed regularly and never shared between employees.
- If data is **stored on removable media** (like a CD or DVD), these should be kept locked away securely when not being used.
- Data should only be stored on **designated drives and servers**, and should only be uploaded to an **approved cloud computing services**.
- Servers containing personal data should be **sited in a secure location**, away from general office space.
- Data should be **backed up frequently**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should **never be saved** directly to laptops or other mobile devices like tablets or smart phones.
- All servers and computers contain data should be protected by **approved security software and a firewall**.

## Data use

Personal data is of no value to Flexible People Ltd unless the business can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption and theft:

- When working with personal data, employees should ensure **the screens of their computers are always locked** when left unattended.
- Personal data **should not be shared informally**. In particular, it should never be sent by email, as this form of communication is not secure.
- Data must be **encrypted before being transferred electronically**. The IT manager can explain how to send data to authorized external contacts.
- Personal data should **never be transferred outside of the European Economic Area**.
- Employees **should not save copies of personal data to their own computers**. Always access and update the central copy of any data.

## Data accuracy

The law requires Flexible People Ltd to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate, the greater the effort Flexible People Ltd should put into ensuring its accuracy.

- Data will be held in **as few places as necessary**. Staff should not create any unnecessary additional data sets.
- Staff should **take every opportunity to ensure data is updated**. For instance, by confirming a customer's details when they call.
- Flexible People Ltd will make it **easy for data subjects to update the information** Flexible People Ltd holds about them. For instance, via the company website.



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- Data should be **updated as inaccuracies are discovered**. For instance, if a customer can no longer be reached on their stored telephone number, it should be removed from the database.

It is the marketing manager's responsibility to ensure **marketing databases are checked against industry suppression files** every six months.

## Subject access requests

All individuals who are the subject of personal data held by Flexible People Ltd are entitled to:

- Ask **what information** the company holds about them and why.
- Ask **how to gain access** to it.
- Be informed **how to keep it up to date**.
- Be informed how the company is **meeting its data protection obligations**.
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If an individual contacts the company requesting this information, this is called subject access request.

Subject access requests from individuals should be made by email, addressed to the data controller at [eleggett@flexible-people.co.uk](mailto:eleggett@flexible-people.co.uk). The data controller can supply a standard request form, although individuals do not have to use this.

Individuals will be charged £10 per subject access request. The data controller will aim to provide the relevant data within 14 days.

The data controller will always verify the identity of anyone making a subject access request before handing over any information.

## Disclosing data for other reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject.

Under these circumstances, Flexible People Ltd will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the board and from the company's legal advisers where necessary.

## **Providing information**

Flexible People Ltd aims to ensure that individuals are aware that their data is being processed, and that they understand:

- How the data is being used
- How to exercise their rights
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To these ends, the company has a privacy statement, setting out how data relating to individuals is used by the company.

[This is available on request. A version of this statement is also available on the company's website.]

## **General Data Protection Register (GDPR)**

Flexible People Limited will gather and process our employees and staff personal information in accordance with this privacy notice and in compliance with the relevant data protection Regulation and law. The information contained under the heading 'General Data Protection Register (GDPR)'. Will contain the necessary information regarding employees and staff rights and obligations, and explains how, why and when we collect and process their personal data

In line with the General Data Protection Register Flexible People Ltd process our employees and staff personal information to meet our legal, statutory and contractual obligations and to provide them with the best services we can deliver. We will never collect any unnecessary personal data from them and do not process any information in any way, other than already specified in this notice.

The personal data that we collect is:

- Full Name.
- Date of Birth.
- Home Address
- Personal Email Address.
- Telephone Numbers.
- National Insurance Number.
- Private Limited Company Details (If applicable).
- Driving License details.
- Digital Tachograph Information.



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- Driver CPC Information.
- Passport Information.
- Driving License endorsements.
- Bank Details.
- CV.
- Any other information that may be required by a client as part of their company employment policies.

We collect the data from the following resources:

- From the individual either in face to face meeting. writing, email, text or verbally.
- DVLA Online driving license search tool.
- Online Searches.
- Online Application through job search websites.
- Previous Employment References.

Flexible People Ltd takes employee and staff privacy very seriously and will never disclose, share or sell your data without the individuals consent, unless required to do so by law. We only retain your data for as long as is necessary and for the purposes specified in this notice. An individual is entitled to withdraw consent at any time.

*The purposes and reasons for processing your personal data are detailed below: -*

**Example:** *We collect an individuals personal information to provide the service of job placement and to ensure that the individual can be placed in employment most suitable to the information provided.*

**Example:** *We have a legal obligation to share an individuals personal data with our payroll companies whose services are supplied to us for the purpose of paying our individual for their services.*

**Example:** *Personal information is also retained because in the event of an criminal act/accident/Fatality while working for Flexible People Ltd emergency services by law may require details on an individual.*

The individual has the right to access any personal information held by Flexible People Limited about them and to request information about: -

- What personal data we hold about you.
- The purposes of the processing.



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- The categories of personal data concerned.
- The recipients to whom the personal data has/will be disclosed.
- How long we intend to store your personal data for.
- If we did not collect the data directly from you, information about the source.

If an individual believes that we hold any incomplete or inaccurate data about them, they have the right to ask us to correct and/or complete the information and we will strive to update/correct it as quickly as possible; unless there is a valid reason for not doing so, at which point they will be notified.

They also have the right to request erasure of their personal data or to restrict processing in accordance with data protection laws, as well as to object to any direct marketing from us and to be informed about any automated decision-making that we use.

If we receive a request from an individual to exercise any of the above rights, we may ask you for an administration fee and to verify your identity before acting on the relevant request; this is to ensure that your data is protected and kept secure.

Flexible People Ltd takes an individual's privacy seriously and we take every reasonable measure and precaution to protect and secure an individual's personal data. We work hard to protect them and their information from unauthorized access, alteration, disclosure or destruction and have multiple layers of security measures in place, including but not limited to: -

- Website SSL.
- Secure Company Cloud Storage.
- An Individual Consent to share data to third parties when required to.
- The recipients to whom the personal data has/will be disclosed.
- How long we intend to store your personal data for.
- Register of when an individual's personal data has been destroyed signed by a witness confirming that their personal information has been destroyed.
- If we did not collect the data directly from you, information about the source.

An individual is not obligated to provide their personal information to Flexible People Limited, however, as this information is required for Flexible People Limited to provide you with employment places we will not be able to offer the individual employment without it.

Flexible People Limited will only ever retain an individual's personal information for as long as is necessary and we have strict review and retention policies in place to meet these obligations. We are required under UK tax law to keep your basic personal data (*name, address, contact details*) for a minimum of 6 years after which time it will be destroyed.

Occasionally, Flexible People Limited would like to contact an individual with details of employment or training opportunities that we provide. If we have an individual's consent to us using your contact details for these purposes, they have the right to modify or withdraw your consent at any time by contacting Flexible People Ltd directly.



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Flexible People Limited only processes personal information in compliance with an individual signed privacy notice and in accordance with the relevant data protection laws. If, however if an individual wishes to raise a complaint regarding the processing of their personal data or are unsatisfied with how Flexible People Limited have handled their information, they have the right to lodge a complaint with Flexible People Limited supervisory authority. All complaints should be made in writing and sent to the details below:

Data Protection Officer:	<b><i>Simon Matthews</i></b>
Address:	<b><i>Flexible People Ltd</i></b> <b><i>Unit 4/ 5 London House</i></b> <b><i>Thames road</i></b> <b><i>Crayford</i></b> <b><i>DA1 4SL</i></b>
Telephone Number:	<b><i>07771934514</i></b>
Email Address:	<b><i>smatthews@flexible-people.co.uk</i></b>

Once a complaint has been received Flexible People Limited will deal with it in accordance to the company's complaints policy.