



Data Protection Policy

Introduction

Tate Consulting Engineers Limited needs to collect and use (process) certain types of personal data about the people with whom it deals (data subjects), for example employees and other workers, potential employees, clients, and suppliers, in order to operate. The processing of personal data by the company, including its employees, other workers etc., will comply with the Data Protection Act 1998, which sets out the rights of individuals in respect of their personal data.

Personal Data

Personal Data includes information about a living person from which that person can be identified and which is held in either a manual or computer based filing system, for example name and address, national insurance number, date of birth.

The Data Protection Principles

The Data Protection Act 1998 sets out eight principles that must be complied with when processing personal data. These principles require that personal data must be:

- fairly and lawfully processed
- processed for specified purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the rights of the data subject
- secure
- not transferred outside the European Economic Area without adequate protection

Sensitive Personal Data

Certain personal data is defined as sensitive personal data. Sensitive data may only be processed in certain circumstances, for example, if there is a legal obligation to do so or if the data subject has given their agreement to its processing. Sensitive personal data includes:

- racial or ethnic origin
- trade union membership
- physical/mental health
- criminal record

Processing

Processing is widely defined to include any possible use you may make of data from obtaining, recording, holding, disclosing and updating to the archiving and disposal of personal data.

Application of the Data Protection Act:

The Company's Responsibilities as Employer:

On joining the company you will be asked to complete an Employee Database Form. This information, together with data on benefits, is kept on individual personnel files.

Any member of staff is entitled to see a copy of their personal data on request. The request should be in writing to your HR Manager and should explain what information you wish to access. Access to personal data does not extend to archived emails or other electronic records that have been archived, other than in exceptional circumstances. The personal data will normally be made available within 20 working days and in any event within the 40 day period prescribed under the Data Protection Act. The company may make a charge of up to £10 to offset any costs incurred.

Personal data will not be disclosed to third parties without the individual's consent, except as permitted or required by law.

The company will regularly review the need to retain personal data and will only retain data for as long as deemed relevant and necessary. Personal data will be destroyed using confidential means.

Personal data relating to employees or other workers must be held within a secure, lockable filing system or held in a secure protected document or system area if held electronically.

Employees' Responsibilities:

The Company Data Protection Policy must be adhered to by all employees, other workers or agents processing personal data on behalf of the company as well as Directors, Line Managers etc.

Individual employees may be held criminally liable if they knowingly or recklessly disclose personal data without the Company's consent.

Particular care must be taken in the use of email, for example email should not be used to make offensive or defamatory comments. Confidential information must be in a password protected document. Further information on the use of email can be found in the Policies & Procedures Handbook.

A breach of the Data Protection Policy may constitute gross misconduct, which could lead to dismissal under the Company Disciplinary Procedure.

If you are concerned that any action on your part may involve a breach of the Data Protection Act you should first raise the matter with your line manager.

Additional Information

The Data Protection Act requires that personal data is processed and stored securely. This Policy should therefore be read in conjunction with the TCE Confidentiality Policy in the Policies & Procedures Handbook.

Personal Data – Employees

Purpose of processing employee personal data:

The company principally uses the personal data of prospective, current and past employees, (including, where applicable, self employed or contract personnel, secondees or temporary staff) for Personnel/Employee Administration purposes.

Typical activities

Typical activities are: recruitment; recording of working time; administration and payment of wages, salaries, pensions and other benefits with deductions; employee assessment and training; negotiation or communication with employees; manpower and career planning; compliance with company policy and/or legislation in relation to health, safety and other employment matters.

Types of personal data processed:

The following list gives examples, but not exhaustive, list of the type of data that may be processed by the Company. Not all of this data will be processed for every employee, some of the data is essential other data is optional:

- Personal identifiers e.g. name, employee reference number
- Financial identifiers, e.g. National Insurance number
- Address & contact details
- Work Permit details
- Licences, permits held (relevant to the working environment)
- Complaint, incident, accident details
- Academic record
- Qualifications and skills
- Membership of professional bodies

How is data kept?

Most personal data is held manually in a personnel file or electronically in a personnel management system.
How long is data kept?

It is the company policy to archive manual personnel files for a period of 3 years after employment has ended after which the major part of the file is confidentially destroyed. Personal Data that is kept for more than 3 years includes Health and Safety records and basic personal data, for example name and employment dates.

Signed.....*Shane Tate*.....

Shane Tate, Managing Director
Tate Consulting Engineers

Dated.....04/11/08.....