

Marches Biogas General Data Protection Regulation Policy

CONTENTS

1. INTRODUCTION 2

2. WHO WE ARE 2

3. POLICY STATEMENT 2

4. DATA WE HOLD 2

5. HOW WE STORE YOUR DATA 2

6. REMOTE ACCESS SOFTWARE 3

7. WHO DO WE CONTACT IF WE WISH TO CHANGE OUR PERSONAL DATA? 3

8. WHY IS YOUR DATA BEING COLLECTED 3

9. OBJECTIVES 3

10. RESPONSIBILITIES 3

 Company Responsibilities 3

11. ARRANGEMENTS 4

 What are the main requirements of GDPR? 4

 What classifies as personal data? 4

 What about processing data on behalf of others? 5

 What happens if the company does not comply? 5

 What is meant by Transparency? 5

 What does “legal basis” for processing personal data mean? 5

 Security of GDPR 5

 Individuals Rights 5

 Privacy by Design 6

 Record Keeping 6

 Breaches 6

 What do you need to do? 6

12. REFERENCE DOCUMENTS 7

Document Title	Marches Biogas General Data Protection Regulation Policy					
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page Number
Version	3	Review Date	30/09/2020	Issued By	EP	
						1

1. INTRODUCTION

Marches Biogas Ltd are committed to protecting and respecting your privacy. This notice, together with our **Terms and Conditions**, outlines that any personal data that we collect from you, or that you provide to us, will be protected under the new GDPR laws.

The General Data Protection Regulations (GDPR) are new laws that replace the previous Data Protection Act (DPA). This new set of regulations aims to provide all of the EU with a standardised way of processing personal data. These regulations come into force on the 25th May 2018.

2. WHO WE ARE

Marches Biogas Ltd which consists of a team of experienced designers and process engineers who have worked within the anaerobic digestion industry for many years dating back to the late 1980's.

As part of the services on offer, we collect data from our customers regarding their plants in order to provide bespoke advice and design work.

Our remote access system can access on site PCs to view live statistics of plant parameters straight to our offices in Shropshire. Contact details for these plants will also be requested in the event that a problem arises, so that we may contact the relevant personnel.

3. POLICY STATEMENT

General Data Protection Regulations (GDPR) has been introduced to UK law as of April 2016. Following this all companies must be compliant with regulation by May 2018.

4. DATA WE HOLD

As part of Marches Biogas, we will keep on record:

- Designs and Site drawings of AD plants
- Contact Details of all AD plants
- Health and Safety information for all sites
- Purchase orders and Job Sheet records
- Film footage of AD plants for mapping purposes
- Contracts for works
- Right to work documents
- Commissioning certificates

Not all of this information will be classed as Personal Data. However, those which are deemed to be will be stored in compliance with the GDPR legislation.

5. HOW WE STORE YOUR DATA

Where we hold hardcopy data, these documents shall be kept within our for a maximum of 7 years in from the date that all work has been completed on site. If after the 7 years the information is no longer deemed as needed, we shall shred the relevant paperwork.

In the event that handover paperwork is lost, you may request further copies from us. We reserve the right to charge a fee for this service.

With regards to electronic copies of site information, we shall keep these on our system for a maximum of 3 years. After this time we shall then archive them accordingly, whether this is on disc

Document Title	Marches Biogas General Data Protection Regulation Policy					
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page Number
Version	3	Review Date	30/09/2020	Issued By	EP	

or via an external hard drive unit. If, after 7 years, this information is also deemed as no longer needed, they will then be deleted. All AD plants will be kept updated on how their information is stored and if they are to be deleted.

Additionally, all sites will be provided with a handover file containing all information we have following the completion of all works

6. REMOTE ACCESS SOFTWARE

As a company the use of remote access software allows us to monitor the running of AD plants. For security purposes, all employees are required to sign in to the software so no unauthorised personnel can access this data. Similarly, all computers used by Marches Biogas are password protected.

It is important that no plants use personal email addresses when running remote access software on their computers, this will eliminate any privacy issues arising from the use of this software.

7. WHO DO WE CONTACT IF WE WISH TO CHANGE OUR PERSONAL DATA?

At Marches Biogas the main contact for changing or removing data will be the Data Protection Officer. Who can be contacted on 03332 079991 option 3, or via email on info@principlebiogas.co.uk.

There is no fee for this and it can be updated at any time. If you wish to speak about this in more detail, please contact us directly.

8. WHY IS YOUR DATA BEING COLLECTED

Data collected by ourselves is used solely for the design, consultation and/or improvement of AD plants covered by the contract signed at the beginning of our work for you, along with our standard Terms and Conditions. Your information will not be sold to other organisations nor posted publicly for other companies to see.

No information provided will be shared outside of Marches Biogas and will remain confidential

9. OBJECTIVES

This policy aims to outline the regulation details and how this affects you as an employee.

GDPR is a reviewed piece of legislation following on from the Data Protection Act of 1988. This new legislation includes more personal data sources, stemming from the use of social media and internet platforms.

GDPR aims to give individuals more control over their own data which includes the right to amend it and have it removed. It also outlines how Data Controllers handle the information and how they may use it.

10. RESPONSIBILITIES

Company Responsibilities

- The Directors have overall responsibility for ensuring that General Data Protection Regulation is understood and implemented at all levels within the Company. This will be monitored by the Directors to ensure that the policy is being followed.

Document Title	Marches Biogas General Data Protection Regulation Policy						
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page	3
Version	3	Review Date	30/09/2020	Issued By	EP	Number	

- As detailed in the **Marches Biogas Roles and Responsibilities Matrix** the Managing Director and Senior Managers are responsible for the implementation of the General Data Protection Regulation Policy.

11. ARRANGEMENTS

What are the main requirements of GDPR?

GDPR works on the basis of six core principles:

- Transparency, fairness and lawfulness when handling personal data. It is required to be clear with those whose data you are handling what the data will be used for and what lawful basis you have for doing so.
- Only using the data provided for the purpose of which the data was collected in the first instance. You cannot reuse data for further research or documentation without first requesting consent from the person whose data this is.
- Only collecting the amount of data required and storing it appropriately for its intended and relevant purposes.
- Ensuring all data is accurate and up to date. This also enables it to be rectified or deleted when required.
- Only holding data for as long as is necessary.
- Ensuring the confidentiality, security and integrity of the data is upheld.

GDPR is required to be followed by **all** organisations within the EU as well as include those who trade with EU countries. There are more than the outlined six principles for the GDPR legislation.

Copies of the full document can be requested from HR or found online at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>.

What classifies as personal data?

As mentioned above, the new GDPR legislation covers many more pieces of personal information, which include but are not limited to:

- Name
- Date of Birth
- Address
- IP addresses
- Employee information
- Biometric data
- Location data
- Customer feedback forms
- CCTV footage
- Loyalty Card records
- Health and financial information
- Social media profiles / activity

As well as those listed above, data that can be linked by an account or unique codes can also classify as personal data, as it can be traced back to an individual. For example, if you have a picture of a landscape on an internet account, even though there are people in the image, it can count as personal data as it can be traced back to you.

Document Title	Marches Biogas General Data Protection Regulation Policy					
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page
Version	3	Review Date	30/09/2020	Issued By	EP	Number
						4

This is also the same as using pseudonyms (screen names) on account profiles, as they can still be traced back to the individual.

You should also be aware of “Special” categories of data. These include but are not limited to data that reveals a person’s racial or ethnic origin, health or sexual orientation which are subject to tighter control. These elements of data could include medical records or personnel files in the workplace.

What about processing data on behalf of others?

We would still need to adhere to the GDPR policies, as we would be part of the processing element of data control. So any data that comes to us, should be treated as equal when it comes to GDPR.

What happens if the company does not comply?

By 25th May 2018 the deadline for compliance will be over. There has been a strict statement from the EU that there will **not** be a grace period for breaches after this time. Therefore, if the company are found to be non-compliant, we will face fines accordingly. The maximum fine being €20 million or 4% of an organisation’s annual global revenue, whichever is the highest. We can also be at risk of receiving civil litigation from customers affected by breaches.

What is meant by Transparency?

This element is about telling those whose data you hold, what you are intending to do with their data and how you are going to process it. This also includes why you are processing it and how long you will store it for, as well as whom it will be shared with. This information must be presented in a clear and accessible way.

What does “legal basis” for processing personal data mean?

This means that you cannot process personal data just because you want to. You must have a legal reasoning for this which includes the necessity of processing data to perform a contractual obligation, if they have consented to this processing as well as if it is in the legitimate interest of the company to do so.

Security of GDPR

GDPR requires us to take measures to keep personal data secure. This includes limiting the number of people who have access to this data and encrypting certain files.

There are many risks to personal information which can range from physical intrusion, rogue employees to accidental loss/damage and online hackers.

Risk management plans and taking the appropriate steps to prevent these breaches can include password protection, audit logs and encryption.

Individuals Rights

This new policy gives individuals more control over their personal data. There is now the right to be forgotten, which entitles you to have your information erased at your request as well as the right to amend your information when required.

Furthermore you can also retract your information from being processed and to object to direct marketing, which can prevent unwanted callers and sales pitches.

Document Title	Marches Biogas General Data Protection Regulation Policy						
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page Number	5
Version	3	Review Date	30/09/2020	Issued By	EP		

The right to data portability is also now applicable, which means that you can request your information in a format which is most accessible to you, whether this be via email, letter or on a specific programme.

Privacy by Design

Privacy by design is not about data protection but designing so data doesn't need protection. This refers to how Data Controllers must put technical and organisational measures such as pseudonymisation in place – to minimise personal data processing.

Record Keeping

This refers to the maintenance of detailed internal records of processing activities. This means that we must record why data is being processed and the security measures used when doing so. This ensures that we are only processing data for legitimate reasons which can show our compliance to GDPR.

Breaches

All breaches should be reported to the GDPR officer within the company. At the back of this policy, you will find their details and an incident form to complete.

Breaches can be defined as:

- Accidental loss
- Accidental / Unlawful destruction
- Alteration
- Unauthorised disclosure
- Unauthorised access
- Unauthorised storage of data
- Unauthorised process of data

In the event of a Data Breach, regulators must be notified within 72 hours of detecting the breach. You may also be required to notify anyone who has been affected by it, such as the individual whose data has been affected.

What do you need to do?

So, to be compliant with GDPR we must handle data with care and consideration. This means, that all employees must be wary when handling someone's personal information.

To avoid any breaches we must follow the following practices:

- Desks that have been left for long periods of time must not have personal or company data left on them. This must be kept in the desk draws or filed away appropriately.
- All computers must have a passcode and not left unlocked.
- Screensavers and time outs on computers must be implemented to prevent unauthorised access to documents and system operations.

Document Title	Marches Biogas General Data Protection Regulation Policy					
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page Number
Version	3	Review Date	30/09/2020	Issued By	EP	
						6

- Unless you have the permission of the individuals, personal mobile numbers, email addresses or home addresses must not be disclosed to clients.
- Clients must not be given information of other clients when discussing works. All works provided must be confidential.
- Similarly, no works completed through the company should be spoken about on social media without expressed permissions.
- No data must be altered or destroyed without checking with your line manager first.

Where possible, desks must be locked when they contain personal or company data. This is also applicable to confidential site files.

12. REFERENCE DOCUMENTS

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 – April 2016
- **Terms and Conditions**

Document Title	Marches Biogas General Data Protection Regulation Policy					
Document Number	MBMD-107	Date Issued	01/10/2019	Authorised By	RM	Page Number
Version	3	Review Date	30/09/2020	Issued By	EP	
						7