PN DALY LTD

DATA PROTECTION POLICY

1. POLICY STATEMENT

1.1 Regarding data protection, PN Daly Ltd is committed to a policy of seeking to protect the rights and privacy of PN Daly Ltd, PN Daly Ltd's personnel, and PN Daly Ltd's customers.

1.2 This policy outlines PN Daly Ltd's responsibilities under data protection legislation and regulation.

1.3 This policy applies to all PN Daly Ltd staff, including agency staff and sub-contractors or anybody carrying out work on behalf of PN Daly Ltd. Any breach of this policy by PN Daly Ltd personnel may result in disciplinary action being taken, and in serious cases, may be treated as gross misconduct leading to dismissal.

2. LEGAL REQUIREMENTS

2.1 Data is also protected by legislation, the General Data Protection Regulation (GDPR), as supplemented by the Data Protection Act 2018. Such legislation seeks to protect the rights and privacy of individuals, and seeks to ensure that personal data is not processed without relevant individuals' knowledge or consent.

2.2 PN Daly Ltd and its personnel are required to comply fully with The Data Protection Act 2018 (and any supplementary and/or replacement legislation/statutory provisions) at all times, whilst also ensuring compliance with any particular agreed data protection and/or processing requirements of our clients.

2.3 All members of staff must read, understand and comply with this Policy when processing personal data in the course of performing their tasks and must observe and comply with all controls, practices, protocols and training to ensure such compliance.

3. PN DALY LTD'S CUSTOMER REQUIREMENTS

3.1 PN Daly Ltd is committed to working closely with its clients, to ensure that any particular client data protection and/or processing requirements are fully understood and implemented and complied with at all times, by PN Daly Ltd and its personnel.

4. DATA PROTECTION PRINCIPLES

PN Daly Ltd determines the purpose for which, and the manner in which, any personal data is, or is to be, processed. We will ensure that we: -

4.1 Process personal data fairly and lawfully

We will endeavour to be clear regarding our intentions on processing personal data. We will also endeavour to ensure that personal data is not kept beyond a reasonable time. In order to

collect and process personal data for any specific purpose, PN Daly Ltd must always have a lawful basis for doing so. Without a lawful basis for processing, such processing will be unlawful and unfair and may also have an adverse impact on the affected data subjects. No data subject should be surprised to learn that their personal data has been collected, consulted, used or otherwise processed by PN Daly Ltd.

Processing personal data will only be lawful where at least one of the following lawful bases applies:

- **Consent**: the individual has given clear consent for PN Daly Ltd to process their personal data for a specific purpose.
- **Contract**: the processing is necessary for a contract PN Daly Ltd have with the individual, or because they have asked PN Daly to take specific steps before entering into a contract.
- **Legal obligation**: the processing is necessary for PN Daly Ltd to comply with the law (not including contractual obligations).
- **Vital interests**: the processing is necessary to protect someone's life.
- **Public task**: the processing is necessary for PN Daly Ltd to perform a task in the public interest or for PN Daly Ltd official functions, and the task or function has a clear basis in law.
- **Legitimate interests**: the processing is necessary for PN Daly Ltd legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Where PN Daly Ltd obtains any personal data about a data subject from a third party (for example, CVs from recruitment agents) it must check that it was collected by the third party in accordance with the GDPR's requirements and on a lawful basis where the sharing of the personal data with PN Daly Ltd was clearly explained to the data subject.

4.2 Process personal data for appropriate and limited purposes

- PN Daly Ltd will only collect and process personal data for specified, explicit and legitimate purposes that have been communicated to data subjects before the personal data is collected. PN Daly Ltd will ensure that it does not process any personal data obtained for one or more specific purposes for a new purpose that is not compatible with the original purpose. Where PN Daly Ltd intends to do so, it must inform the data subjects before using their personal data for the new purpose and, where the lawful basis relied upon for the original purpose was consent, obtain such consent again.
- Any personal data collected and processed by PN Daly Ltd must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is to be processed.

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- PN Daly Ltd personnel will only process personal data when necessary for the performance of duties and tasks and not for any other purposes.

- PN Daly Ltd will only collect personal data as required for the performance of duties and tasks and should not ask a data subject to provide more personal data than is strictly necessary for the intended purposes.

- PN Daly Ltd will ensure that when personal data are no longer needed for the specific purposes for which they were collected, that such personal data are deleted, destroyed or anonymised.

- If the data held by us is requested by external organisations for any reason, this will only be passed to them if we deem it to be appropriate to do so, and data subjects (including customers or staff, as appropriate), agree. Also, in those circumstances, external organisations must confirm the purpose of processing, agree not to copy the data for further use and agree to abide with PN Daly Ltd's Data Protection Policy, and with The Data Protection Act 2018 (and any supplementary and/or replacement legislation/statutory provisions), as well as with any particular data protection and/or processing requirement of our clients.

4.3 We may also disclose personal information:-

- To comply with any court order, law or legal process, including responding to any government or regulatory request;

- If we believe disclosure is necessary / appropriate to protect the rights, property or safety of PN Daly Ltd, and/or PN Daly Ltd personnel, and/or our customers and/or others.

4.4 Accuracy

- The personal data that PN Daly Ltd collects and processes must be accurate and, where necessary, kept up-to-date and must be corrected or deleted without delay when it discovers, or is notified, that the data are inaccurate.

- PN Daly Ltd will ensure that all relevant records are updated as and when it becomes aware that any personal data are inaccurate. Where appropriate, any inaccurate or out-of-date records should be deleted or destroyed.

4.5 Storage Limitation

- The personal data that PN Daly Ltd collects and processes must not be kept in a form that identifies a data subject for longer than is necessary in relation to the purposes for which it was collected (except in order to comply with any legal, accounting or reporting requirements).

- Storing personal data for longer than necessary may increase the severity of a data breach and may also lead to increased costs associated with such storage.

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- PN Daly Ltd will regularly review any personal data processed to assess whether the purposes for which the data were collected have expired. Where appropriate, all reasonable steps will be taken to delete or destroy any personal data that is no longer required.

5. INDIVIDUALS' RIGHTS REGARDING THE PROCESSING OF THEIR PERSONAL DATA

In accordance with current UK data protection law, data subjects have a number of rights relating to the processing of personal data. These rights include:

- **Right of Access** – this right entitles data subjects to request a copy of any of the information we hold about the data subject.

- **Right to be Informed** – this right entitles the data subject to request to be provided with details of how we process the data subject's personal data, which is covered by this Privacy Notice.

- **Right to Rectification** – this right entitles the data subject to request the correction of any personal data that the data subject believes is inaccurate or incomplete.

- **Right of Erasure** - this right entitles the data subject to request the deletion or removal of personal data where there is no reason for its continued processing. This right is also known as the "Right to be Forgotten".

- **Right to Restrict Processing** – this right entitles the data subject to request no further processing of the personal data that we have previously collected.

- **Right to Object** – this right entitles the data subject to request that the data subject's personal data is not processed for specific purposes such as marketing or to challenge the basis of processing the data subject's data.

- **Right to data portability** – the data subject has the right to ask for any personal data we hold electronically to be sent to another Data Controller of their choice.

- **Right to withdraw consent** – where we have obtained the data subject's data with their consent, the data subject has the right to withdraw that consent at any time. However this will not have affected our legal ability to do this before the data subject withdraws consent.

- **Right to complain**: the data subject has the right to make a complaint to the ICO or another appropriate supervisory authority.

6 PN Daly Ltd will not make personal data available for the purpose of direct marketing.

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7. SECURITY

7.1 Appropriate and reasonable technical and organisational measures shall be taken to avoid both unauthorised and/or unlawful processing or disclosure of personal data, and accidental loss or destruction or disclosure of data. Such measures may include but are not limited to the following:-

- All Company computers have a log in system and our shared network is password protected, which allow only authorised staff to access personal data.
- Passwords on all computers should be frequently changed (actual frequency depending on the sensitivity of the information) and should not be shared (unless with a PN Daly Ltd designated corporate technology security manager). Passwords should not be recorded where someone may find and use them.
- Computers/devices should be locked when the user is away from their workstation / device temporarily. When the computer/device is not in use (e.g. overnight) computer files should be closed and the computer/device switched off.
- All personal and financial data is kept securely and can only be accessed by authorised Executive officers.
- When staff members are using mobile devices (including for example, but not limited to, laptop computers and smart phones, etc) care must always be taken to ensure that any personal data on screen is not visible to others, and that devices are kept secure and safe at all times.
- Only a PN Daly Ltd designated corporate technology security manager is authorised to and may connect devices to PN Daly Ltd's network (or to PN Daly Ltd's client's network if being shared by PN Daly Ltd, and PN Daly Ltd's client so requires).
- The confidentiality, integrity and availability of personal data are to be maintained at all times:
    - **Confidentiality**: means that only people who need to know and are authorised to process any personal data can access it.
    - **Integrity**: means that personal data must be accurate and suitable for the intended purposes.
    - **Availability**: means that those who need to access the personal data for authorised purposes are able to do so

7.2 Where PN Daly Ltd clients share personal data with PN Daly Ltd and/or share their network with PN Daly Ltd, PN Daly Ltd is committed to working closely with clients to identify and agree any additional appropriate security requirements and/or measures and to implementing the same.

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7.3 Reporting personal data breaches

In certain circumstances, PN Daly Ltd will be required to notify the Information Commission Office (ICO), and potentially data subjects, of any personal data breach. PN Daly Ltd has put in place appropriate procedures to deal with any personal data breach and will notify the ICO and/or data subjects where PN Daly Ltd is legally required to do so.

If any PN Daly Ltd personnel know or suspect that a personal data breach has occurred, the breach must be reported to the Data Protection Officer, immediately and obtain advice, and take all appropriate steps to preserve evidence relating to the breach, whilst ensuring that PN Daly Ltd Information, Security, Incident Management Policy is observed and complied with.

Signed: .....

Frank Daly – Managing Director