

DATA PRIVACY POLICY

May 2018

1.0 Introduction

Charles Edward Limited (“We”) are committed to protecting and respecting your privacy and personal details.

This policy, together with our terms of use, set out the basis on which any personally identifiable data we may collect from you, or that you provide to us will be processed by us. Please read the following carefully to understand our views and practices regarding your data and how we will treat it.

The rules on processing, storing and transmittal of data are set out in the General Data Protection Regulation (“GDPR”). This regulation aims to regularise and set out the aims, requirements and processes by which businesses must handle data from which a person or entity can be identified.

1.1 Definitions

Data Controller – A controller determined the purposes and means of processing data.

Data Processor - A processor is responsible for processing and handling data on behalf of a controller.

Data Subject – The subject is a person, entity or company on which the data is based, or by which the subject can be identified.

Processing – Any operation or series of operations which is performed on data whether by manual or automatic means. This can be collection, recording, organisation, structuring, storage, adaptation, alteration, retrieval, consultation, use, disclosure, dissemination or otherwise making available. It also includes erasure, overwriting or destruction.

Third Party – A natural or legal person, authority, agency or body other than the data subject, controller or processor.

1.2 Data Categories

Personal Data – The GDPR applies to “personal data” meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). These can range from names, identification numbers (i.e. passport, bank account etc.), addresses (home, business or social), or electronic contacts (email, social media accounts, telephone numbers). In addition these could include online identifiers such as IP addresses or use of cookies.

Special Categories – Article 9 of GDPR refers in to sensitive personal data as “special categories of personal data’. The special categories specifically include genetic and biometric data which can be processed to uniquely identify an individual. Other examples include race, ethnicity, sexual orientation, trade union membership, politics, religion, philosophy, sexual expression and data relating to a person’s health.

2.0 Who Are We?

Charles Edward Limited are a data controller in that we define what data we require so as to undertake our business. This includes email addresses, phone numbers and payment details for both companies and individuals.

Charles Edward are a data processor in that we use such data to contact or otherwise interact with individuals and companies in the course of our business. We also store and process data regarding our personnel and subcontractors so that we may undertake our duties as employer or principal contractor.

3.0 Use of Data

We will only use the data of persons outside of our Company who are not contracted or subcontracted to Us so as to directly contact a person with regards to works within our scope.

We will only use the data of persons who are contracted or subcontracted to Us so as to undertake works, deal with commercial or other business matters.

We will use the data of persons employed or subcontracted to us for remuneration and statistical purposes (e.g. accident data collation).

4.0 Categories of Data Concerned

Charles Edward will control and process data of both Personal and Special category dependant on the interaction with the person or entity involved.

Personal – contact details, addresses (physical and meta) and names.

Special – For personnel and subcontractors any and all categories may form part of the data we process.

5.0 Legal Basis

Our lawful basis for processing of personally identifiable data:

Consent of the data subject	By means of email, conversation or documentation (letter or form)
Entering into a contract	Identifiable information will form part of any contract. All contracts are held in confidence
Necessary performance of regulatory duties	As principal contractor We are required to hold and process certain personally identifiable information such as accreditations, health records, accident and incident reports
Necessary performance of employer’s duties	As an employer We are required to hold and process certain personally identifiable information such as home address, payment details and next of kin contacts

6.0 Transmittal of Personal Data

Personal data will be treated as strictly confidential, being shared only with expressed consent from the data subject and or person. Transmission of data outside of this scope will be treated as a sever breach of company policy.

7.0 Storage Duration

Personal data will be stored for no longer than reasonably necessary, for legal purposes or where further interaction would be mutually beneficial for business purposes.

For example we will not retain personal data regarding contracts longer than necessary to fulfil requirements under the contract.

We are required to retain information regarding occupational health or accidents for several years under the law.

We may retain contact details for contractors or other companies for future business purpose.

8.0 Provision of Personal Data

External Parties – We require such data as required to maintain communication, enter into and dispensation of contracts, maintain payments and commercial implications.

Subcontractors - We require such data as required to maintain communication, enter into and dispensation of contracts, maintain payments, commercial implications and health & safety requirements.

Personnel - We require such data as required to maintain communication, maintain payments and health & safety requirements.

9.0 Your Rights as a Data Subject

Unless subject to an exemption under GDPR you have the following rights with respect to your personal data. These apply to ANY controller or operator of your data:

- The right to request a copy of the personal data held
- The right to request correction of data found to be inaccurate, out of date or no longer relevant
- The right to request erasure of data no longer required to be retained
- The right to request transmittal of data to another controller or operator. i.e. you can request that we release specified information to another party on your behalf, or for the means of proof of a requirement
- The right to place a restriction of processing of data. i.e. you can say that your data can no longer be used as part of collation processes except where required under legislation, in which case such data will be anonymised so that you cannot be identified
- The right to object to the processing of personal data. i.e. your data can no longer be processed bar the requirements as detailed. This may mean we can no longer interact with or employ you

10.0 Transfer of Data Outside of the EEA

The GDPR applies to any data processed or stored inside the European Economic Area (“the Area”), or to data that is transmitted from, to or via the Area.

Entities within this area are protected under GDPR and any entities outside of this area but who deal with entities protected under GDPR must sign a document stating that they will abide by GDPR with regards to data subjects covered by this document, which may include clients, contractors, subcontractors or personnel of Charles Edward located, domiciled or otherwise resident outside of the EEA.

11.0 Automated Decision-making

Charles Edward do not currently use any form of automated decision-making processes in our business.

12.0 Further Processing

If We wish or are required to use your personal data for any purpose other than those stated in section 5 we will provide the data subjects affected with a new notice explaining the new use, the basis of that use and the processing requirements.

This will be undertaken at least 7 days prior to the new use taking effect.

13.0 Changes to Privacy and Data Handling Policy

Any changes made to our policy will be posted to those affected by email or on our website.

14.0 Making Us Aware

Our contact details for any data matters is hello@charlesedwardltd.com

This email should be used to exercise all relevant rights, make queries or comments or request updated policies.

If, after contacting us as above, your query is not resolved to your satisfaction you should direct your complaint to: Information Commissioner’s office, Wycliffe House, Water Lane, Wilmslow SK9 5AF

Or by phone: 0303 123 1113

Or on the web: <https://ico.org.uk/global/contact-us/email/>