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# carpenters group

Data Protection Policy

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# Introduction

Carpenters Limited (and all group companies) are required to process personal and special category data about living individuals for the purposes of satisfying operational and legal obligations. Carpenters recognises the importance of the correct and lawful treatment of personal data concerning clients, current employees and/or potential employees. Carpenters Limited are registered with the UK Supervisory Body, the Information Commissioner's Office ("ICO"), number ZA147287 and Carpenters Insurance Services Limited ZA108322.

This personal data, whether it is held on paper, on computer or other media, will be subject to the appropriate legal safeguards as specified in both the Data Protection Act 2018 and UK General Data Protection Regulation.

Carpenters Group fully endorse and adhere to the six data Principles. These Principles specify the legal conditions that must be satisfied in relation to obtaining, handling, processing, transporting, and storing personal data and they are the first point of consideration for the regulator when assessing compliance.

## **Principles**

The principles require that processing of personal data shall:

- be lawful and fair;
- be specified, explicit and legitimate;
- be adequate, relevant and not excessive;
- be accurate and kept up to date;
- be kept for no longer than is necessary;
- be processed in a secure manner.

## **Definitions**

### *Personal Data*

'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

### *Special Category Data*

The UK GDPR defines special category data as:

- personal data revealing **racial or ethnic origin**;
- personal data revealing **political opinions**;
- personal data revealing **religious or philosophical beliefs**;
- personal data revealing **trade union membership**;
- **genetic data**;
- **biometric data** (where used for identification purposes);
- data concerning **health**;
- data concerning a person's **sex life**; and
- data concerning a person's **sexual orientation**.

Source: <https://ico.org.uk/>

## **Reporting Breaches**

Breaches of our Data Protection Policy or procedures must be reported to the Risk & Compliance Department **immediately** ([riskandcompliance@carpentersgroup.co.uk](mailto:riskandcompliance@carpentersgroup.co.uk)) using the form available on the Risk and Compliance section of the IT Service Desk. If we need to report a breach to the ICO, we must do so within 72 hours so it is essential that you know and follow the process. The fines are up to €20 or 4% of turnover.

## ***Individual Rights***

All individuals, whether clients or employees, have controls and rights as to how their data is processed. We operate an Individual Rights Policy (see data protection on the intranet). These are:

1. The right to be informed;
2. The right of access (called a subject access request, see below);
3. The right to rectification (updated);
4. The right to erasure;
5. The right to restrict processing;
6. The right to data portability;
7. The right to object;
8. Rights in relation to automated decision making and profiling (we do not do this).

These rights are subject to our obligations under regulation and/or legislation.

## ***Information Security***

Carpenters are accredited with ISO 27001 Data Security accreditation. You can contact Adam Davies who has responsibility for data security management / ISO27001.

## ***Subject Access Request***

There is no charge for doing this and there is a process within VF legal and insurance from the file cover (see the data protection section of the intranet).

Employees and other subjects of personal data held by Carpenters have the right to access any personal data that is being kept about them. This is relevant to paper based information and computer based records. This right is subject to certain exemptions which are set out in the Data Protection Act. Any person who wishes to exercise this right should make the request in writing to the Risk and Compliance Team.

Carpenters aim to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 30 days of receipt of a request unless there is good reason for delay. In such cases, the reason for delay or exemption to compliance will be explained in writing to the individual making the request.

## ***Employee Responsibilities***

All employees must ensure that:

- any personal data they are given is updated via the Individual Rights process;
- they attend any training as required;
- they immediately report any actual or potential breaches verbally;
- take care to ensure that all documentation is accurate, relevant and sent to the correct recipient.

All employee related data must be provided to HR for storing centrally by HR to ensure we have an accurate record.

## ***Recording***

It is illegal to covertly record other individuals without their knowledge.

It is a breach of the firm's DPA Policy to make any recordings in the office either visually or audibly for any purpose. The only exception is if in the unlikely event that you felt your own personal safety was at risk. This is on any device whether your own or belonging to the firm. Any incidents of this nature will be treated as a disciplinary offence which could result in dismissal for gross misconduct.

## ***Data Security***

Owner: Robyn O'Grady (ROG)

The need to ensure that data is kept securely means that precautions must be taken against physical loss or damage, and that both access and disclosure must be restricted to relevant and authorised parties. All staff are responsible for ensuring that any personal data held is kept securely; personal information is not disclosed either orally, in writing or otherwise to any unauthorised third party without consent to do so.

Employees are reminded that all Carpenters business must be kept confidential. All employees are accountable for their actions and must not either take files out of the office (unless with Head of Department approval for a specific reason) or send company/client data to their personal email address(es) or to that of a third party who is not involved in either the business or the claim.

All incoming and outgoing calls that involve client information must go through our Data Protection checks before the claim can be discussed. This relies on checking being made for all incoming and outgoing calls that involve client information. Our checks are system driven and must be followed. If any suspicions are held in the course of undertaking these checks, you must terminate the call. MI is obtained on system DPA.

If a client calls and you do not have access to the system, before discussing the claim, we would request that they provide:

- their full address;
- their date of birth;
- a contact number or email address or occupation.

**We must not divulge any information to them; they must give it to us.**

If an Insurer calls we must obtain:

- the names of the parties;
- the date of the accident;
- our client's registration and their insured's registration.

There is a set procedure to be followed within our case management system.

### ***Lawful Processing***

All clients will receive our Fair Processing Notice setting out how we will use their data. Where we process special category data which is medical/health information, we obtain specific consent. Processing may be necessary to operate policies, such as health and safety and equal opportunities.

### ***Retention of Data***

Carpenters Group will keep some forms of information for longer than others according to statutory or regulatory requirements. The company maintains a Data Retention Policy which sets out the requirements.

### ***Client Breaches***

Any breach of the Data Protection Policy will be taken seriously and may result in formal action against any member of staff who is found to be negligent or acting criminally in the handling of any personal data. Any breach of data will be fully investigated and reported to any clients affected as soon as possible.

### ***Employee Data Accuracy***

Any employee who considers that the policy has not been followed in respect of their own personal data should raise the matter with their Line Manager or the Data Protection Officer in the first instance.

Failure to comply with company policy and procedures may result in disciplinary proceedings against an employee.

## Training

We provide training on data protection and information security at induction, annual refresher basis and as required when internal policies, processes and/or legislation changes. If you have not received this or just want more training, let your manager know or contact the training department.

## Data Protection Officer

The Data Protection Officer is responsible for ensuring compliance with Data Protection regulations and implementation of this policy on behalf of the firm. Robyn O'Grady is currently the firm's interim Data Protection Officer - [riskandcompliance@carpentersgroup.co.uk](mailto:riskandcompliance@carpentersgroup.co.uk).

Any questions or concerns about the interpretation or operation of this policy should be taken up in the first instance with the Data Protection Officer.

Version	Name	Reason for change	Approved by	Date
1.0	Angela Coggins	Document Creation	Peter Adlard	07/12/2012
2.0	Maria Rodman	Review and Updated	Maria Rodman	03/01/2014
3.0	Maria Rodman	Updated Breach Reporting	Maria Rodman	19/03/2014
4.0	Maria Rodman	DPA Officer / systems updates	Maria Rodman	05/12/2014
5.0	Maria Rodman	Review/update	Maria Rodman	12/06/2015
6.0	Robyn O'Grady	Review/update contact details	Maria Rodman	29/11/2016
7.0	Robyn O'Grady	Carpenters Limited Update	Maria Rodman	28/11/2016
8.0	Robyn O'Grady	Review	Maria Rodman	04/12/2017
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12.0	Robyn O'Grady	Update regarding confidentiality	Maria Rodman	13.01.2020
13.0	Robyn O'Grady	Contact information update	Maria Rodman	28.10.2020
14.0	Robyn O'Grady	Annual review	Maria Rodman	24.09.2021
15.0	Robyn O'Grady	Owner Update/ Definitions	Maria Rodman	16.02.2022
16.0	Robyn O'Grady	Updated contacts, removed exts, renewal ICO	Maria Rodman	25.03.2023
17.0	Robyn O'Grady	Owner/Contact update	Alan Hayes	15.09.2023
18.0	Robyn O'Grady	Contact update	Holly Houghton	19.02.24