

ACT

ACT BUILDING CONTROL

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Data Protection Policy

Introduction

In order to provide the service for which we have been appointed Act Building Control Ltd need to collect and hold information from clients, individuals and other relevant contacts. Under the General Data Protection Regulation personal information must be recorded and stored appropriately. Act Building Control Ltd is the Data controller and is responsible for providing the information to the Commissioners Office if required.

We advise that Act Building Control will never sell your data to any third party. We will only share your data with a third party where necessary to undertake the instructions you have given us.

Disclosure of information

Act Building Control Ltd may share information with organisations such as local authorities, government departments and other relevant organisations but only when in relation to undertaking the instructions you give us. The client/individual in most circumstances will be aware of whom their information will be shared with. There are circumstances where the law allows Act Building Control Ltd to disclose data (including sensitive data) without the data subject's consent as follows:

- Carrying out a legal duty or as authorised by the Secretary of State.
- Protecting vital interests of an Individual/Service User or other person.
- Where the Individual/Service User has already made the information public and it is available within the public domain.
- Conducting any legal proceedings, obtaining legal advice or defending any legal rights.
- Monitoring for equal opportunities purposes – i.e. race, disability or religion.
- Providing a confidential service where the Individual/Service User's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill Individuals/Service Users to provide consent signatures.

Act Building Control Ltd will adhere to the Principles of Data Protection as detailed in the Data Protection Act 1998. The Principles require that personal information

- Shall be processed fairly and lawfully and, in particular, shall not be processed unless Specific conditions are met.



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- Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes.
- Shall be adequate, relevant and not excessive in relation to those purpose(s).
- Shall be accurate and, where necessary, kept up to date.
- Shall not be kept for longer than is necessary.
- Shall be processed in accordance with the rights of data subjects under the Act.
- Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information.
- Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information. It is however highly unlikely that any information will be disclosed to any parties outside the United Kingdom.

In addition Act Building Control Ltd will, with appropriate management and application of controls

- Observe fully the conditions regarding the fair collection and use of information
- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements
- Ensure the information used is correct and used for the minimum purposes necessary.
- Ensure that the rights of people about whom information is held, can be fully exercised under the Act. These include: The right to be informed that processing is being undertaken,
The right of access to one's personal information
The right to prevent processing in certain circumstances and
The right to correct, rectify, block or erase information which is regarded as wrong information)
- Take appropriate technical and organisational security measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual, orientation or ethnicity when dealing with requests for information
- Set out clear procedures for responding to requests for information

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Collection of data

Informed consent

Informed consent is when a client, individual or relevant contact understands why the information is required and if necessary with whom it will be shared with. Also the client,

individual or relevant contact understands the possible consequences of agreeing or refusing the proposed use of the data and then gives their consent.

Data sources

Act Building Control Ltd process information provided by the following

- Information supplied directly by the client
- Instructions upon appointment by other businesses in order to provide our services
- Information taken from public records such as Local Authorities for the purpose of undertaking procedures for Approved Inspector services
- Information obtained during the course of surveys and inspections which have been provided with the individuals consent
- Personnel records are held internally as required by the Management of the company

Scope of Data

The information collected/received from the client, individual or relevant contact is generally limited to the following

- Name, address, telephone number, email address,

In the case of personnel details (staff only) we collect the following information in addition to the above

- Date of birth, sex, tax and Insurance numbers, bank details, next of kin and details of any health issues

The data collected by Act Building Control Ltd either in person or by completing a form will ensure that the client, individual or relevant contact

- Clearly understands why the information is needed.
- Understands what it will be used for and what the consequences are should the Individual/Service User decide not to give consent to processing.
- As far as reasonably possible, grants explicit consent, either written or verbal for data to be collected and processed.
- Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress.
- Has received sufficient information on why their data is needed and how it will be used.

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Storage of Data

Information that has been collected will be stored securely and is only accessible by authorised personnel. Information will be archived and stored securely for only as long as is required by statute and will be disposed of appropriately at the end of the period.

Data access, Individuals rights and Accuracy

Clients, individuals and relevant contacts can request access to the personal information Act Building Control Ltd holds about them. All reasonable steps are taken to ensure that the information is accurate and up to date. Act Building Control will ensure that

- All staff processing personal information understand and follow good data protection practice
- All staff are appropriately trained in processing personal information
- It deals promptly and courteously with regard to any enquires about handling personal information.
- It regularly reviews and audits the way it holds, manages and uses personal information
- All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

This policy will be maintained by Act Building Control Ltd to ensure compliance with any changes or amendments made to the Data Protection Act 1998 or through the General Data Protection Regulation.

Should you need any further information in relation to this policy please do not hesitate to contact the Data Protection Officer for Act Building Control Ltd.

Signed: Mr Alexander Maidment



Dated : 11th May 2018