

PHOENIX

Van, Truck & Trailer Maintenance

Phoenix Van, Truck and Trailer Maintenance Limited

Phoenix Van, Truck and Trailer Maintenance Limited (PVTMM), is a private company, registered in England, company number 12801024. PVTMM incorporates its own training department, Phoenix Training.

Data protection policy

PVTMM is committed to protecting members', employees' and third parties' (individually and collectively referred to as "Data Subjects") privacy with regards to their personal data. Any personal data which we collect, record or use in any way whether it is held on computer media or paper, will be safeguarded ensuring that we comply with the Data Protection Act 2018 and the Regulation (EU) 2016/679 General Data Protection Regulation (GDPR) ("the Regulations").

"**Personal data**" is defined as any information relating to an identified or identifiable natural person (data subject) e.g. a name, reference number, address, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or societal identity of that natural person.

The PVTMM is committed to ensuring compliance with the Regulations and fully endorses and will adhere to the principles of data protection as set out in the Regulations. These principles state that personal data must be:

- Fairly and lawfully processed in a transparent way
- Collected and processed for specified, explicit and legitimate purposes and not in any other way which would be incompatible with those purposes
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and kept up to date
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed
- Processed in a manner that ensures appropriate security of personal data

In addition PVTMM will ensure that personal data

- will be processed in line with the data subject's rights
- will not be transferred to a country which does not have adequate data protection laws. **(see footnote 1)**

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PVTTM will ensure that we achieve the above principles by the following actions:

- We will know the types of personal data that we capture
- We will know where it comes from and how it flows round the organisation
- We will know what we use it for and that we are clear on the lawful purpose for its use
- We will inform our data subjects why we hold personal data and what we do with it
- We know who has access to it
- We will keep it safe
- We will keep it up to date
- We will not keep it for longer than is necessary for statutory or business purposes
- We will ensure that data subjects are able to exercise their rights in relation to it
- We will train our staff
- We will do due diligence on our suppliers to ensure that they are compliant with GDPR, and where necessary put appropriate data sharing agreements in place
- We will ensure we have procedures in place to deal with a personal data breach

Lawful basis for processing personal data

The GDPR requires that there must be a lawful basis from Article 6 for processing personal data. A central information asset register will be maintained by the Data Protection Officer, which will record the lawful basis upon which PVTTM processes personal data. Where PVTTM uses consent as the lawful basis, we will ensure that this is made clear and that it is as easy to withdraw consent as it is to give it.

When PVTTM collects any personal data from you, you will be informed why the data is being collected and what it is intended to be used for. The details will be contained in easily-accessible privacy statements.

Special categories of data

Where PVTTM collects special categories of data an appropriate lawful basis from both Article 6 and Article 9 of GDPR will always be identified and recorded. Special categories of personal data include: racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

PVTTM's processing of special categories of data includes, but may not be limited to:

- anonymous monitoring of employees' racial or ethnic origin although this is anonymised very early on in the process, as part of routine Equal Opportunities monitoring

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- collection of limited data on individual staff members' health as part of routine HR management process
- collection of ethnic and racial data of PVTM members as part of workforce profiling (the data being anonymised before use).

Footnote 1. *NB: Appropriate due diligence will always be taken before allowing data to be transferred to a non-EU country. Many international firms have taken steps to ensure that their data processing is done to at least a similar standard as GDPR and have stated this in their privacy policies.*

Responsibilities

PVTM has appointed the HR Manager as **Data Protection Officer (DPO)**.

PVTM is a Data **Controller**, which is defined by the GDPR as the person or body which determines the purpose and means of processing of personal data.

Third party firms who process personal data on behalf of or under contract to PVTM will be **Data Processors** and will be required to process PVTM's personal data in accordance with the GDPR.

Data breaches

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. All incidents which result in a data breach will be investigated internally and examined to see if a personal data breach which is likely to result in a risk to the rights and freedoms of natural persons has occurred. If this is the case, it will be reported to the ICO within 72 hours. The DPO, or, in his absence, another member of the senior management team is responsible for activating PVTM's Data Breach procedure.

Operational

This policy is supported by appropriate privacy statements and data processing procedures.

