

Data Protection Policy for Customers, Suppliers and Contractors

1 Overview

- 1.1 The Company takes the security and privacy of data seriously. We need to gather and use information or 'data' about individuals who are contacts within customers, suppliers and contractors as part of our business and to manage our relationship. We intend to comply with our legal obligations under the **Data Protection Act 2018** (the '2018 Act') and the **EU General Data Protection Regulation** ('GDPR') in respect of data privacy and security. We have a duty to notify those affected of the information contained in this policy.
- 1.2 This policy applies to current and former named contacts of our customers, suppliers and contractors who are a 'data subject' for the purposes of this policy. Data subjects should read this policy alongside any other notice we issue from time to time in relation to such personal data.
- 1.3 The Company has a separate policy and privacy notice in place in respect of employees.
- 1.4 The Company has measures in place to protect the security of personal data in accordance.
- 1.5 We will only hold data for as long as necessary for the purposes for which we collected it.
- 1.6 The Company is a '**data controller**' for the purposes of any personal data. This means that we determine the purpose and means of the processing of personal data.
- 1.7 This policy explains how the Company will hold and process personal information. It explains the rights of any data subject.
- 1.8 This policy can be amended by the Company at any time. It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, the Company intends to comply with the 2018 Act and the GDPR.

Leeds Commercial Limited (T/A LC Vehicle Hire) Registered Office
VAT Reg No. 169 1138 56 Registered in England No. 587618



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2 Data Protection Principles

2.1 Personal data must be processed in accordance with six 'Data Protection Principles.' It must:

- be processed fairly, lawfully and transparently;
- be collected and processed only for specified, explicit and legitimate purposes;
- be adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay;
- not be kept for longer than is necessary for the purposes for which it is processed; and
- be processed securely.

We are accountable for these principles and must be able to show that we are compliant.

3 How we define personal data

3.1 'Personal data' means information which relates to a living person who can be **identified** from that data (a 'data subject') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

3.2 This policy applies to all personal data whether it is stored electronically, on paper or on other materials.

3.3 This personal data might be provided to us by the data subject, or someone else (such as the employer) or it could be created by us. It could be provided or created during the course of a trading contract or after its termination.

3.4 We will collect, directly or indirectly, and use the following types of personal data about contacts within organisations:

- name, title, job title, profession;
- contact information such as addresses, telephone numbers and email addresses;
- demographic information such as post code, preferences and interests;
- gender & marital status;
- bank account and credit or debit card details (for unincorporated accounts this would be classed as personal data)
- images (whether captured on CCTV, by photograph or video) when visiting our premises or otherwise provided;
- any other category of personal data which is notified to us from time to time.

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4 How we define special categories of personal data

We acknowledge there are 'special categories of personal data' consisting of information as to:

- racial or ethnic origin;
- political opinions;
- religious or philosophical beliefs;
- trade union membership;
- genetic or biometric data;
- health;
- sex life and sexual orientation; and
- any criminal convictions and offences.

We do not anticipate collecting and storing such data from this category of data subjects. In the unlikely event that we do so we acknowledge we would require specific consent.

5 How we define processing

5.1 'Processing' means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

6 How and when we will process personal data

6.1 The Company will process personal data (including any special categories of personal data) in accordance with our obligations under the 2018 Act.

6.2 We will use personal data for:

- managing sales processing including all matters relating to:
 - quotations;
 - orders;
 - provision of services;
 - supply of goods;
 - billing;
 - settlement.

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- managing purchasing including all matters relating to:
 - quotations;
 - orders;
 - provision of services;
 - receipt of goods;
 - invoices;
 - settlement.
 - personalising aspects of our overall service to trading partners;
 - marketing purposes, but only to known buyers of our goods and services which satisfy the legitimate interests criteria (below);
 - when it is necessary for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if the data subject's interests and rights do not override ours. Any data subject has the right to challenge our legitimate interest and request that we stop this processing;
 - complying with any legal obligation.
 - monitoring compliance by the data subject, us and others with our policies and our contractual obligations;
 - to answer questions from insurers in respect of any insurance policies;
 - the prevention and detection of fraud or other criminal offences;
 - to defend the Company in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure; or
 - for any other reason for which we give notification of from time to time.
- 6.3 We will only process special categories of personal data (see above) in certain situations, if ever, in accordance with the law.
- 6.4 We do not take automated decisions using personal data or use profiling in relation to it.
- 6.5 We can process personal data for these purposes without consent as it is either in the legitimate interests of the data subject in their professional capacity or it is required for the proper execution of contractual relations.
- 6.6 We will not use personal data for an unrelated purpose without telling the data subject about it and the legal basis that we intend to rely on for processing it.
- 6.7 If certain personal data is withheld we may not be able to carry out certain parts of the contract between our organisations and it may prevent us from entering into a business relationship.

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7 Using our website

- 7.1 When accessing our Website, we will learn certain information during the visit. How we will handle information we learn depends upon what is done when visiting our site.
If information is read or downloaded, we collect and store only the following information:
- the name of the domain from which the Internet is accessed;
 - the date and time our site was accessed;
 - the Internet address of the website used to link directly to our site.
- 7.2 The information collected is for statistical purposes. We may use software programs to create summary statistics, which are used for such purposes as assessing the number of visitors to the different sections of our site, what information is of most and least interest, determining technical design specifications, and identifying system performance or problem areas.
- 7.3 For site security purposes and to ensure that this service remains available to all users, we use software programs to monitor network traffic to identify unauthorised attempts to upload or change information, or otherwise cause damage.
- 7.4 We do not regard the above as personal data and we will not obtain personally-identifying information about the individual when they visit our site, unless they choose to provide such information to us.
- 7.5 If the data subject identifies themselves by sending us an e-mail containing personal information, then the information collected will be solely used to respond to the message. Such information will not be sold or otherwise transferred to unaffiliated third parties without the specific approval of the user at the time of collection.

8 How long do we retain personal data

The following criteria are used to determine data retention periods:

- 8.1 Personal Data of any party involved with any financial transactions with the business, including contacts for customers, suppliers and contractors, will generally be retained 6 years from the end of the financial year covering the transaction; and
- 8.2 Personal Data received in connection with enquiries, which do not result in any financial transactions, or which do not form part of any legitimate audit trail for a transaction, will be reviewed regularly to ensure as far as possible we do not hold it for longer than necessary to satisfy the Data Subject's legitimate interests.

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9 Sharing personal data

9.1 When necessary we might share personal data with:

- contractors e.g temporary staff, with a legitimate need to use the data
- IT service providers,
- auditors,
- other professional advisers and agents
- authorities and regulators

to meet our obligations in law, properly manage our business, perform our obligations under a contract or for our legitimate interests.

9.2 We require those companies to keep personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process personal data for the lawful purpose for which it has been shared and in accordance with our instructions.

9.3 We do not send personal data outside the European Economic Area. If this were to change the data subject will be notified of this and the protections which are in place to protect the security of the data will be explained.

10 How we should process personal data

10.1 Everyone who works for, or on behalf of, the Company has some responsibility for ensuring data is collected, stored and handled appropriately, in line with this policy and the Company's Data Security and Data Retention policies.

10.2 The Company's Data Protection Manager is Gary Wilson who is responsible for reviewing this policy and updating the Board of Directors on the Company's data protection responsibilities and any risks in relation to the processing of data. Any questions in relation to this policy or data protection should be directed to him.

10.3 Personal data covered by this policy should only be accessed by authorised personnel who should only use it for the specified lawful purpose for which it was obtained.

10.4 Personal data should be kept secure and not be shared informally or with unauthorised people.

10.5 Personal data should be regularly reviewed and updated. All parties should assist us by telling us if contact details change.

10.6 Unnecessary copies of personal data should be avoided and copies should be kept and disposed of securely.

10.7 Computer systems should be protected by physical security and strong passwords.

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- 10.8 Where possible data should be anonymised so that the data subject cannot be identified.
- 10.9 Personal data should not be transferred to personal computers or other devices.
- 10.10 Personal data should never be transferred outside the European Economic Area except in compliance with the law and authorisation of the Data Protection Manager.
- 10.11 Paper documents with personal data should be stored in locked cabinets.
- 10.12 Personal data should not be taken away from the Company's premises without authorisation management or Data Protection Manager.
- 10.13 Personal data should be shredded and disposed of securely.
- 10.14 Our staff are aware of their obligations regarding personal data and that deliberate or negligent acts will result in disciplinary action. They are also aware that it is a criminal offence to conceal or destroy personal data which is part of a subject access request (see below). This conduct would also amount to gross misconduct under our disciplinary procedure, which could result in dismissal.

11 How we deal with data breaches

- 11.1 We have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur then we must take notes and keep evidence of that breach. If the breach is likely to result in a risk to the rights and freedoms of individuals then we must also notify the Information Commissioner's Office within 72 hours.

12 Subject access requests

- 12.1 Data subjects can make a '**subject access request**' ('SAR') to find out the information we hold about them. This request must be made in writing. Our Data Protection Manager who will coordinate a response.
- 12.2 There is no fee for making a SAR. However, if the request is manifestly unfounded or excessive we may charge a reasonable administrative fee or refuse to respond to the request.

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13 Data Subject rights

We recognise that all Data Subjects have the following rights:

- 13.1 To information about what personal data we process, how and on what basis as set out in this policy.
- 13.2 To access their personal data by way of a subject access request (see above).
- 13.3 To have inaccurate personal data corrected.
- 13.4 To request that we erase personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected.
- 13.5 While personal data is corrected or erased or the lawfulness of processing is being contested, the data subject can apply for its use to be restricted while the matter is resolved.
- 13.6 The right to object to data processing where we are relying on a legitimate interest to do so and their rights and interests outweigh our own and we are asked to stop.
- 13.7 To object if we process personal data for the purposes of direct marketing.
- 13.8 To receive a copy of their personal data and to transfer their personal data to another data controller. When, and if, appropriate we will not charge for this and will in most cases aim to do this within one month.
- 13.9 With some exceptions, the right not to be subjected to automated decision-making.
- 13.10 To be notified of a data security breach concerning personal data.
- 13.11 In most situations we will not be relying on consent as the lawful grounds to process data. However, if we do request consent to the processing of personal data for a specific purpose, the data subject has the right not to consent or to withdraw consent later.
- 13.12 To complain to the Information Commissioner. This can be done by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has further information on all parties rights and our obligations.

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