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## Data Protection

Does the data protection act apply to Banyards Solutions Ltd or the e-permits system?

Yes, The Data Protection Act 1998 (<http://www.legislation.gov.uk/ukpga/1998/29/contents>), referred to as the Act, is relevant to all businesses, large or small which process information on individuals.

Banyards Solutions Ltd is registered as a data controller with the ICO, registration no Z2178519. You can view our entry here: <https://ico.org.uk/ESDWebPages/Entry/Z2178519>

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## The 8 Principles of the Data Protection Act 1998

Personal data must be:

1. Processed fairly and lawfully
2. Obtained for specified and lawful purposes.
3. Adequate, relevant and not excessive.
4. Accurate and up to date.
5. Not kept any longer than necessary.
6. Processed in accordance with the "data subject's" (the individual's) rights.
7. Kept securely.
8. Not transferred to any other country without adequate protection in situ.

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## Definition of personal data

Personal data is defined in the Act as:

"data which relate to a living individual who can be identified:

- from those data; or
- from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual"



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## How does Banyards Solutions Ltd comply with the Act?

When handling, collecting, processing or storing personal data, we will ensure that:

1. All personal data is both accurate and up to date.
2. Errors are corrected quickly and effectively.
3. Data that it is no longer needed is deleted / destroyed.
4. Data is kept securely at all times and is protected from unauthorised disclosure or access.
5. The Act is considered when setting up new systems or when considering use of the data for a new purpose.

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## Your use of the e-permits system

If, in your use of the e-permits system, you process personal data, you must consider if you should notify the Data Protection Authority (ICO) of the purposes for which personal data is held/processed.

The e-permits systems includes features to help you comply with the Act including security privileges restricting viewing information and organisational information and restricting access to personal data. You must also ensure you and your employees do not:

1. Access personal data is not required for your work.
2. Use the data for any purpose it was not explicitly obtained for.
3. Keep data that would embarrass or damage your organisation if disclosed (e.g. via subject access request – see below)
4. Transfer personal data outside of the European Economic Area unless you are certain you are entitled to or consent from the individual concerned has been obtained.
5. Store/process/handle sensitive personal data unless are certain you are entitled to or consent from the individual concerned has been obtained.

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## Subject Access

Individuals, to whom the data refers, have various rights:

1. To receive on request details of the processing relating to themselves. This includes any information about themselves including information regarding the source of the data and about the logic of certain “fully automated decisions”.
2. To have any inaccurate data corrected or removed in a timely fashion.
3. In certain circumstances to stop processing likely to cause “substantial damage or substantial distress”
4. To prevent their data being used for advertising or marketing.
5. Not to be subject to certain “fully automated decisions” if they significantly affect him/her.
6. When a subject access request is received, it is important to act promptly and effectively as certain time scales are imposed regarding response.

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## Further information

If you require further information or to make a subject access request, please contact us on 01483 413 770 or email [dataprotection@banyards.co.uk](mailto:dataprotection@banyards.co.uk)