DIGITALPOWER UK LTD

Data Protection Policy

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Data Protection Policy

1. Purpose

The Data Protection Policy is applicable to Digital Power UK Ltd. This policy recognises at senior levels the need to ensure that its business operates smoothly and without interruption for the benefit of its interested parties.

The Data Protection Policy forms a key control to ensure that the confidentiality, integrity and availability of our information assets, are protected effectively and that we can meet our obligations to the interested parties and is applicable for all assets within the scope of the System Architecture used by Digital Power UK Ltd.

2. Scope

Digital Power UK Ltd will be storing large quantities of data on its System Architecture, and the secure handling, retention and protection of this data is necessary in order mitigate any risks pertaining to the data held therein as identified in Digital Power UK Ltd Risk Assessment.

This policy will set out a framework for which Digital Power UK Ltd will govern decisions on whether data should be retained or disposed of; dependent on the data classification defined in the **Information Classification Policy**, any relevant regulatory compliance, and the practicalities of storing data for long periods of time.

The method for storage, protection and disposal is set out in **Information Classification Policy**

All data and information assets handled and stored by the IT User systems will be retained in accordance with this policy.

3. Policy Statement

Introduction and legal framework

Digital Power UK Ltd needs to collect and use certain types of information about the Individuals or Service Users who come into contact with Digital Power UK Ltd in order to carry on our work. This personal information must be collected and dealt with appropriately whether it is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the UK General Data Protection Regulation (UK GDPR), tailored by the Data Protection Act 2018 (DPA2018).

Data Controller

Digital Power UK Ltd is the Data Controller under the Act, which means that it determines what purpose personal information is held, and what it will be used for. It is also responsible for notifying the Information Commissioner (ICO - https://ico.org.uk/) of the data it holds or is likely to hold and the general purposes for which this data will be used.

Disclosure of data

Digital Power UK Ltd may share data with other agencies such as the local authority, funding bodies and other voluntary agencies. The Individual/Service User will be made aware in most circumstances how and with whom their information will be shared.

There are circumstances where the law allows Digital Power UK Ltd to disclose data (including sensitive data) without the data subject's consent.

These are:

a. Carrying out a legal duty or as authorised by the Secretary of State
b. Protecting vital interests of an Individual/Service User or other person
c. The Individual/Service User has already made the information public
d. Conducting any legal proceedings, obtaining legal advice or defending any legal rights
e. Monitoring for equal opportunities purposes – i.e. race, disability or religion
f. 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.

Digital Power UK Ltd regards the lawful and correct treatment of personal information as very important to successful working and maintaining the confidence of those we deal with.

Digital Power UK Ltd intends to treat personal information lawfully and correctly. To this end, Digital Power UK Ltd will adhere to the Principles of Data Protection, as detailed in the DPA2018.

Personal data includes any information that can identify a living individual, such as names, addresses, or online identifiers.

Specifically, the Principles require that personal information:

a. **Lawfulness, Fairness and Transparency:** Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
b. **Purpose Limitation:** 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,
c. **Data Minimisation:** Shall be adequate, relevant and not excessive in relation to those purpose(s)
d. **Accuracy:** Shall be accurate and, where necessary, kept up to date,
e. **Storage Limitation:** Shall not be kept for longer than is necessary
f. **Integrity and Confidentiality:** Shall be processed in accordance with the rights of data subjects under the Act, and
g. **Accountability:** 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,
h. 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.

Digital Power UK Ltd will, through appropriate management and strict application of criteria and controls:

- Observe fully 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 quality of information used
- 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

Data collection and processing

Informed consent is when:

- An Individual/Service User clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
- And then gives their consent.

Digital Power UK Ltd will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, Digital Power UK Ltd will ensure that the Individual/Service User:

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

Data Retention and Storage

Information and records relating to service users will be stored securely and will only be accessible to authorised staff. Information will be stored for only as long as it is needed or required statute and will be disposed of appropriately.

It is Digital Power UK Ltd's responsibility to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

See **Information Classification Policy** and **Data Retention Policy**

Data access and sharing

All Individuals/Service Users have the right to access the information Digital Power UK Ltd holds about them. Digital Power UK Ltd will also take reasonable steps to ensure that this information is kept up to date by asking data subjects whether there have been any changes. In addition, Digital Power UK Ltd will ensure that:

- It has a Data Protection Officer with specific responsibility for ensuring compliance with Data Protection
- Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- Everyone processing personal information is appropriately trained to do so
- Everyone processing personal information is appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- It deals promptly and courteously with any enquiries about handling personal information
- It describes clearly how it handles personal information
- It will regularly review and audit the ways it holds, manages and uses personal information
- It regularly assesses and evaluates its methods and performance in relation to handling 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 updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998. In case of any queries or questions in relation to this policy please contact the Digital Power UK Ltd Data Protection Officer.

Data Subject Rights

All Individuals/Service Users have the right to access the information Digital Power UK Ltd holds about them. Digital Power UK Ltd will also take reasonable steps to ensure that this information is kept up to date by asking data subjects whether there have been any changes. In addition, Digital Power UK Ltd will ensure that:

- **Access:** Data subjects have the right to know what personal data is being processed by the company, why it is being processed, and who it is being shared with. (See Privacy Notice)

- **Responding to Requests** Digital Power UK Ltd should have a clear process for receiving, handling and responding to data subject access requests (DSARs), and provide the information requested in a timely manner and ensure that the data is securely and permanently deleted from all relevant systems and databases, if requested.

- **Rectification:** Data subjects have the right to rectify any inaccuracies in their personal data. A company should have a process in place for rectifying inaccurate data and ensuring that it is updated across all relevant systems and databases.

- **Erasure:** Data subjects have the right to have their personal data erased in certain circumstances, such as if the data is no longer necessary for the purposes for which it was collected, if the data subject withdraws consent, or if the data was processed unlawfully.

- **Communication:** Digital Power UK Ltd must communicate with data subjects in a clear and

concise manner and provide them with information about their rights under data protection law through the privacy notice that explains the types of personal data collected, how it is used, and how data subjects can exercise their rights.

- **Authentication:** A company must take appropriate measures to authenticate the identity of data subjects making requests to exercise their rights. This helps to prevent fraudulent requests and protect the personal data of other individuals.

- **Training:** A company should provide training to its employees on how to handle data subject requests and ensure compliance with data protection laws.

The combination of the controls above through training, process awareness and documenting as well as technical and organisational controls should ensure that Digital Power UK Ltd are able to respond to any requests in relation to Data Protection.

Data Security Measures

The company shall define the security measures in place to protect data from unauthorized access, theft, or loss, including technical and organizational measures as per their **Security Landscape (Confidential)**

Data Breach Notification

The company shall define the procedures for reporting and managing data breaches, including the timeframe for notification and the authorities to be notified.

Data Training and Awareness

The company shall provide Data Protection and Security Awareness training for its employees, contractors and those requiring data access. Any third parties should be reviewed for their Data Protection Procedures, that also include continual training and awareness.

Continual Review and Update

The review and update for the Data Protection Procedures for the policy, shall be annually for applicability and suitability, including the mechanisms for feedback, and the roles and responsibilities of stakeholders.

4. Policy Change Control

This Policy document will be formally controlled and used to monitor and measure compliance of Data Protection processes and procedures.

Any changes to this policy shall only occur after completing a risk assessment against the changes for Digital Power UK Ltd, and its effected customers.

Any material changes should be made by adhering to the latest Change Management Policy.

Consequences

Non-compliance with this policy could have a significant effect on the efficient operation of the organisation and may result in financial loss and an inability to provide necessary services to our customers. If any employee is found to have breached this policy, they may be subject to disciplinary procedure. If a criminal offence is considered to have been committed, further action may be taken to assist in the prosecution of the offender(s).