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DATA PROTECTION POLICY				
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## INTRODUCTION

MAN Commercial Protection is committed to conducting business in accordance with all applicable Data Protection Regulations and holds itself to a high ethical standard in this regard.

The policy sets out the requirement by which MAN Commercial Protection employees and third parties shall behave in relation to the collection, use, retention, transfer, disclosure and destruction of any personal data belonging to MAN Commercial Protection data subject and is supported by associated data protection related policies.

Personal data is defined as any information (including opinions) which relate to an identified or identifiable natural person, and personal data relating to a natural person is known as a data subject. Personal data is subject to safeguards which impose restrictions on how organizations process personal data.

An organisation that determines the purpose for processing and the means of the processing carried out by a data controller. An organisation which carries out this processing on behalf of a data controller is known as a data processor. Depending on the relationship MAN Commercial Protection have with the data subject it may be either the controller or the processor.

## SCOPE

This policy applies to MAN Commercial Protection where data subject's personal data is processed:

- In the context of business activities of MAN Commercial Protection
- For the provision or offer of goods or services to individuals by MAN Commercial Protection
- Ongoing management and customer service

The policy applies to processing of personal data in electronic form (included but not limited to email and documents created with word processing software) and data held within manual files which will be automated, or manual files which are already in a structured form and any accessible records.

## DATA PROCESSING PRINCIPLES

The following are the data protection principles set out in Article 5 of the GDPR, these are the principles that MAN Commercial Protection comply with.

### 1. LAWFULNESS, FAIRNESS AND TRANSPARENCY

Organisations need to make sure their data collection practices don't break the law and that they aren't hiding anything from data subjects.

### 2. PURPOSE LIMITATION

Organisations should only collect personal data for a specific purpose, clearly state what that purpose is, and only collect data for as long as necessary to complete that purpose.

### 3. DATA MINIMISATION

Organisations must only process the personal data that they need to achieve its processing purposes.

### 4. ACCURACY

The accuracy of personal data is integral to data protection. The GDPR states that "every reasonable step must be taken" to erase or rectify data that is inaccurate or incomplete. Individuals have the right to request that inaccurate or incomplete data be erased or rectified within 30 days.

### 5. STORAGE LIMITATION

Organisations need to delete personal data when it's no longer necessary.

## **6. INTEGRITY AND CONFIDENTIALITY.**

This is the only principle that deals explicitly with security. The GDPR states that personal data must be “processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures”.

## **7. ACCOUNTABILITY.**

We will do what we say we will do to meet the other six principles.

### **LEGAL CONDITION FOR PROCESSING**

For MAN Commercial Protection to comply with GDPR, we must apply a legal basis for processing, those legal conditions consist of:

- *Consent*
- *Performance of contractual negotiation*
- *Compliance with a legal obligation*
- *Vital interests*
- *In a public interest of official authority*
- *Legitimate interest*

Where sensitive data is concerned not only must we apply one the above conditions but also one of the below following conditions:

- *Explicit consent*
- *Necessity of employment or social security*
- *Protection of vital interests*
- *Charity, religion, other not -for profit*
- *Right if the data is already made public by the data subject*
- *Necessary in a legal claim*
- *In the public's interest*
- *Medical diagnosis or treatment*
- *In the interests of public health*
- *Historical, scientific or statistical purposes*

Sensitive data consists of the following:

- *Racial or ethnic origin*
- *Political opinions*
- *Religious or philosophical beliefs*
- *Trade union membership*
- *Genetic/Biometric data*
- *Health/mental health*

### **DATA SUBJECT RIGHTS**

MAN Commercial Protection shall ensure we have the systems and processes in place to allow data subjects to exercise their rights in relation to:

- Right of access to personal information – Through a subject access request (SAR)
- Right to rectification – Allow the subject to change their personal data if not accurate
- Right to erasure – Erase personal data in certain circumstances
- Right to restrict processing
- Right to notification regarding rectification
- Right to data portability
- Right to object to processing of personal data in certain circumstances
- Rights around automated decision making and profiling

There are several other important obligations by which MAN Commercial Protection must comply with to deliver our data protection obligations these are:

**Data transfers** – MAN Commercial Protection do not transfer data outside the EEA.

**Data protection training** – MAN Commercial Protection recognise the need for our employees to be aware of their data protection obligation and our employees have received appropriate training.

**Complaint handling** – MAN Commercial Protection follow the complaints handling process set out by the Information Commissioner Office and communicate this to data subjects.

**Branch Reporting** – MAN Commercial Protection follow the breach notification process set out by the Information Commissioner Office and communicate this to data subjects.

**Privacy Impact Assessments** – Should MAN Commercial Protection need to conduct one as systems, process or technology change we shall do so.

**Data Protection Officer** - MAN Commercial Protection currently have a data protection officer that all request go to.

**Processor Due Diligence** – MAN Commercial Protection recognise there are requirements places upon us as a data controller when choosing a data processor.

MAN Commercial Protection shall satisfy itself that all data processors it uses meet the expected requirements set out in the Regulation. Where transfers to third parties are concerned appropriate measures and safeguards shall be taken.

MAN Commercial Protection shall keep on top of its data protection obligations and review this along with other supporting policies on an annual basis or as processing changes and shall be reviewed and approved by Directors of the business prior to being issued.