



**Document Name: EOP 140 Privacy-Data Protection Policy GDPR**

Revision	Reason for Revision	Prepared by	Approved by	Issue Date
-	First issue	M Lehane	M Lehane	23 <sup>rd</sup> May 2018

- 🌱 This privacy notice describes how Lehane Environmental & Industrial Services Ltd (“LE”) (“we”) and its Parent Company and Subsidiaries collect and processes personal information about you.
- 🌱 How we use and protect this information, and your rights in relation to this information.
- 🌱 This privacy notice applies to all personal information we collect about you.
- 🌱 Personal information is information, or a combination of pieces of information that could reasonably allow you to be identified.

**INTRODUCTION;**

The General Data Protection Regulation sets out the principles that Lehane Environmental & Industrial Services Ltd (“LE”) (“we”) must follow when processing personal data about individuals and also gives individuals certain rights in relation to personal data that is held about them.

**The Aims of this Policy are;**

- To assist LE in meeting its obligations under the General Data Protection Regulation.
- To Regulate LE’s use of information relating to employees and others who work for LE and to ensure that employees and others working for LE are aware of both their rights in relation to personal data that LE holds about them, and their responsibilities as regards personal data that they may process about Clients, Suppliers and other individuals as part of their job.

**DATA PROTECTION PRINCIPLES**

The GDPR places an obligation on data controllers such as LE, to observe the data protection principles. In summary, these include that personal data must;

- 🌱 Be obtained and processed fairly
- 🌱 Be used and disclosed for specified, explicit and legitimate purposes and not in any manner incompatible with those purposes.
- 🌱 Be adequate, relevant and not excessive
- 🌱 Be accurate, complete and up to date.
- 🌱 Not be kept for longer than is necessary for the purpose(s) for which it is obtained
- 🌱 Be processed in line with the rights given to individuals under the acts
- 🌱 Be kept safe and secure, and
- 🌱 Not be transferred to countries without adequate levels of data protection.

**All Employees, Clients, Contractors and Suppliers have an obligation to comply with these principles where appropriate.**



## WHAT IS PERSONAL DATA

Personal data is data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller. The data protection principles apply to any sort of personal data, which is either electronically processed (eg on a database) or which is held or intended to be in a structured filing system (eg a set of personnel files).

Certain personal data is classified as “sensitive personal data”. This is personal data relating to a person’s racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, physical or mental health, sexual life or any criminal offence or related proceedings. For example, LE, may, where necessary in connection with employment, collect and process sensitive personal data in respect of your health.

## LE OBLIGATIONS

“Processing” includes obtaining, recording, keeping and disclosing of data. Generally, processing of employee personal data may only be done with employee’s consent. However, such consent is not required in certain circumstances, for example where the processing is necessary for compliance with a legal obligation or where the processing is necessary for the performance of a contract to which the employee is a party -eg an employment contract.

## INFORMATION WE COLLECT

We may collect your personal information from a variety of sources, including information we collect from you directly (e.g. when you contact us and provide services to us), and information we collect about you from other sources, including commercially available sources, such as public databases (where permitted by law).

Certain personal information is required as a consequence of any contractual relationship we have with you or your employer, to enable us to carry out our contractual obligations to you or your employer. Failure to provide this information may prevent or delay the fulfilment of these obligations.

The categories of information that we may collect on you includes the following:

### EMPLOYEES

-  Contact information (name, address, telephone number, email address, emergency contact information)
-  Personal information (date of birth, marital status, nationality & gender)
-  Employment, Performance, Compensation and Benefits (employment date, identification number, job title, attendance, supervisor & performance reviews, salary, bonus)
-  Education & Training (education level, professional licenses and certificates, training courses)
-  Employment history and letters of recommendation
-  Trade Union Membership
-  Access, Monitoring & Security – Door Access Systems, Fleet-tracking, CCTV
-  PPS Number & or other national identification numbers
-  Passport Details
-  Driver’s License Details
-  Bank Account Information
-  Contracts of Employment/Agreements that you enter into with LE

The examples provided are not all inclusive and LE also may collect similar or related information.

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#### **CUSTOMERS**

- Contact information (business name, business address, contact telephone number and email address)
- Personal information (Company/Business Registration number, VAT number, Bank details, Insurance details)
- Payment Data (If paying by credit/debit card we share this data with banks and our payment transaction providers)
- Credit Rating Data
- Contractual Agreement's
- Financial data (e.g. revenue received YTD)

The examples provided are not all inclusive and LE also may collect similar or related information.

#### **SUPPLIERS**

- Contact information (business name, business address, contact telephone number and email address)
- Personal information (Company/Business Registration number, VAT number, Bank details, Insurance details)
- Credit Rating Data
- Contractual Agreement's
- Financial data (e.g. revenue spent YTD)

The examples provided are not all inclusive and LE also may collect similar or related information.

#### **HOW WE USE YOUR PERSONAL INFORMATION AND THE BASIS ON WHICH WE USE IT**

##### **EMPLOYEES**

The collected personal information is processed for LE's business purposes, including establishing, managing, or terminating your employment relationship with LE.

##### **Such uses include:**

- 🌱 Determining eligibility for initial employment, including the verification of references and qualifications
- 🌱 Administration of the Payroll System and Employee Benefits (such as leave entitlements)
- 🌱 Facilitating the management of work and employees
- 🌱 Operating and checking compliance with LE's employment rules and policies
- 🌱 Processing employee work related claims (e.g. worker compensation, insurance claims, etc)
- 🌱 Establishing training and or development requirements
- 🌱 Conducting performance reviews and determining performance requirements
- 🌱 Assessing qualifications for a particular job or task.
- 🌱 Gathering evidence for disciplinary action or termination.
- 🌱 Establishing a contact point in the event of an emergency (such as next of kin).
- 🌱 Complying with applicable labour or employment statutes.
- 🌱 Operating LE's IT & Communication Systems and checking for unauthorised use of those systems.
- 🌱 Ensuring the security of company held information and
- 🌱 Other such purposes as are reasonably required by LE.



## **CUSTOMERS**

The collected personal information is processed for LE's business purposes, including the provision and administration of our products and related services.

Such uses include:

- Routine management and administration of our financial affairs, including:
  - The receipt of payments,
  - The compiling of annual financial accounts &
  - Complying with audits and investigations by the Revenue Commissioners and other regulatory authorities.
- Information required by service providers, suppliers and subcontractors to facilitate our business with you. This can include cloud service providers. In such cases, our service providers, suppliers and subcontractors may only use the data in line with our instructions and not for any other purpose.

All of the uses provided are not all inclusive and LE may also collect similar or related information consistent with laws and regulations and subsequent notice provided or posted as consistent with applicable legal requirements.

## **SUPPLIERS**

The collected personal information is processed for LE's business purposes, including the receipt and administration of your products and related services and to meet our regulatory obligations and obligations to our Clients.

Such uses include:

- Routine management and administration of our financial affairs, including:
  - The receipt of payments,
  - The compiling of annual financial accounts &
  - Complying with audits and investigations by the Revenue Commissioners and other regulatory authorities
  - Verification of competencies of staff to carry out required tasks
- Information required by our Clients, service providers, suppliers and subcontractors to facilitate our business with you. In such cases, our Clients, service providers, suppliers and subcontractors may only use the data in line with our instructions and not for any other purpose.

All of the uses provided are not all inclusive and LE may also collect similar or related information consistent with laws and regulations and subsequent notice provided or posted as consistent with applicable legal requirements.



## **LAWFULNESS OF PROCESSING**

There are **six** alternative ways in which the lawfulness of a specific case of processing of personal data may be established under the GDPR.

It is LE's policy to identify the appropriate basis for processing and to document it, in accordance with the regulation. The options are described in brief in the following sections.

### **1. Consent**

Unless it is necessary for a reason allowable in the GDPR, LE will always obtain explicit consent from a data subject to collect and process their data. Transparent information about our usage of their personal data will be provided to data subjects at the time that consent is obtained and their rights with regard to their data explained, such as the right to withdraw consent.

### **2. Performance of a Contract**

Where the personal data collected and processed are required to fulfil a contract with the data subject, explicit consent is not required. This will often be the case where the contract cannot be completed without the personal data in question e.g. a delivery cannot be made without an address to deliver to.

### **3. Legal Obligation**

If the personal data is required to be collected and processed in order to comply with the law, then explicit consent is not required. This may be the case for some data related to employment and taxation for example, and for many areas addressed by the public sector.

### **4. Vital Interests of the Data Subject**

In a case where the personal data are required to protect the vital interests of the data subject or of another natural person, then this may be used as the lawful basis of the processing. LE will retain reasonable, documented evidence that this is the case, whenever this reason is used as the lawful basis of the processing of personal data.

### **5. Task Carried Out in the Public Interest**

Where LE needs to perform a task that it believes is in the public interest or as part of an official duty then the data subject's consent will not be requested. The assessment of the public interest or official duty will be documented and made available as evidence where required.

### **6. Legitimate Interests**

If the processing of specific personal data is in the legitimate interests of LE and is judged not to affect the rights and freedoms of the data subject in a significant way, then this may be defined as the lawful reason for the processing. Again, the reasoning behind this view will be documented.



## **YOUR RIGHTS OVER YOUR PERSONAL INFORMATION**

Upon request LE will grant authorised individuals reasonable access to personal data that it holds about them. Individuals are responsible for updating LE of any changes that they should make to their personal data to ensure it is accurate complete and up to date.

Once informed LE will make the necessary changes to the relevant records.

However, we will not alter or destroy records without proper authorisation.

If alterations/corrections are required then we will need written confirmation signed and dated detailing these changes from the authorised party.

If you would like to request access, correct, amend or delete personal data you can do so by contacting us. Contact details are given below.

Please note any requests received to correct, amend or delete data will be done in accordance with current laws and regulations.

## **YOUR PERSONAL INFORMATION**

In order to assist LE in ensuring that your information is kept up to date, you should inform the EHSQ Director of any changes in the following information;

-  CV/Application Form
-  Address and other contact details
-  Emergency Contact Name (Next of Kin)
-  Bank Account Details
-  Marital Status
-  Driving License Details (Points/Convictions including pending)
-  Any other information which you feel is relevant

## **YOUR RESPONSIBILITIES UNDER THE DATA PROTECTION RULES**

As well as having rights under the Acts, all employees when processing personal data must comply with the data protection rules set out in this Policy. Failure to comply with the rules and requirements in relation to the data protection may result in disciplinary action being taken against you.

## **PERSONAL INFORMATION RELATING TO EMPLOYEE, CLIENTS & SUPPLIERS**

-  If as part of your job, you hold any personal information about other employees of LE, Clients, Suppliers or about anyone else, then you also need to take steps to ensure that you are following the guidelines set out below. Please note that the following guidelines apply equally to documents containing personal information, which are kept in files, as well as information which is kept electronically.
-  You should not keep personal information about people, which you no longer need or which is out of date or inaccurate. You should therefore review any personal information that you hold from time to time, bearing these principles in mind.
-  All personal information must be kept securely and should remain confidential.

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- 🌱 If you receive a request from someone to give them any personal data about an employee, Client or Supplier (or other individual) you should refer them to the General Data Protection Officer, Martin Lehane. LE needs to verify the identity of the person making such a request and has to balance various considerations when deciding whether and how to respond to such requests, including compliance with the General Data Protection Regulation. It is therefore important to refer such requests to the General Data Protection Officer, Martin Lehane, so that he can ensure that LE's obligations are complied with. Accessing, disclosing or otherwise employee records or other personal data without authority will be treated as a serious disciplinary offence and may result in disciplinary action being taken in accordance with LE's disciplinary procedure up to and including dismissal.
- 🌱 If you are unsure about the application of these guidelines to the information you hold as part of your job, you should contact the General Data Protection Officer, Martin Lehane, for further guidance.

## INFORMATION SHARING

LE may share your personal data with our employees, contractors, consultants and other parties who require such information to assist us with establishing, managing and operating our business efficiently and effectively. This can include for example accountants, lawyers, payroll administrators, benefits providers and to government and /or regulatory authorities.

Your Personal Data may be disclosed in the following circumstances:

- 🌱 As permitted or required by applicable law or regulatory requirements, in such a case we will endeavour to not disclose more personal information that is required under the circumstances.
- 🌱 To comply with valid legal processes such as search warrants, subpoenas, or court orders.
- 🌱 As part of LE's regular reporting activities.
- 🌱 To protect the rights and property of LE.
- 🌱 During emergency situations or where necessary to protect the safety of a person or group of persons.
- 🌱 Where the personal information is publicly available or with your consent where such consent is required by law.

When LE shares personal data with such parties our policy is to require that they only use or disclose such personal data in a manner consistent with the use and disclosure provisions of this notice and consistent with current laws and regulations.



## INFORMATION SECURITY

We have implemented generally accepted standards of technology and operational security to protect personal information from loss, misuse, alteration or destruction. We require all employees and principals to keep personal information confidential and only authorised personnel have access to this information. We will retain your personal information in accordance with our data retention policy.

## INFORMATION TRANSFER

Your personal information may be transferred to, stored, and processed in a country other than the one in which it was provided. When we do so, we transfer the information in compliance with applicable data protection laws.

## CONTACT US

If you have questions or concerns regarding the way in which your personal information has been used, please contact us by:

 **TEL:** 021-4351020

 **EMAIL:** martin@lehaneenvironmental.com

 **Mail:** Island Corporate Park, Wallingstown, Little Island, Co Cork, T45 EW26, Ireland

We are committed to working with you to obtain a fair resolution of any complaint or concern about privacy. If, however, you believe that we have not been able to assist with your complaint or concern, you have the right to make a complaint to the data protection authority of Ireland using their website <https://dataprotection.ie/>

## VARIATIONS TO THE PRIVACY NOTICE

LE reserves the right to modify this privacy policy at any time so please review it frequently. If we decide to change our privacy policy we will post those changes to this privacy notice, the homepage and other places we deem appropriate so that you are aware of what information we collect, how we use it and under what circumstances if any we disclose it.