

LIGHT | MEDIA

Employee Data Protection Policy

Last updated: May 2018

1. Introduction

This Policy sets out the obligations of LightMedia Communications Limited (“the Company”) with regard to data protection and the rights of employees (in this context, “data subjects”) in respect of their personal data under the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) (“the Act”). Under the Act, “personal data” is defined as data which relates to a living individual who can be identified from that data or from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller (the Company in this context), 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.

This Policy sets out the procedures that are to be followed when dealing with personal data. The procedures set out herein must be followed at all times by the Company, its employees, agents, contractors, or other parties working on behalf of the Company.

The Company is committed not only to the letter of the law but also to the spirit of the law and places a high premium on the correct, lawful and fair handling of all personal data, respecting the legal rights, privacy and trust of all individuals with whom it deals.

The Company is registered with the Information Commissioner as a data controller under the register held by the Information Commissioner pursuant to Section 19 of the Act.

2. The Data Protection Principles

This Policy aims to ensure compliance with the Act. All personal data:

- 2.1 Must be processed fairly and lawfully, meaning that at least one of the following conditions must be met:
 - 2.1.1 The data subject has given his or her consent to the processing;
 - 2.1.2 The processing is necessary for the performance of a contract to which the data subject is a party, or for the taking of steps at the request of the data subject with a view to entering into a contract;
 - 2.1.3 The processing is necessary for compliance with any legal obligation to which the data controller is subject, other than an obligation imposed by contract;
 - 2.1.4 The processing is necessary in order to protect the vital interests of the data subject;

- 2.1.5 The processing is necessary for the administration of justice, for the exercise of any functions of either House of Parliament, for the exercise of any functions conferred on any person by or under any enactment, for the exercise of any functions of the Crown, a Minister of the Crown or a government department, or for the exercise of any other functions of a public nature exercised in the public interest by any person;
 - 2.1.6 The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data is disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.
- 2.2 Where the personal data is sensitive personal data (defined below in Part 4 of this Policy), at least one of the following conditions must be met:
- 2.1.7 The data subject has given his or her explicit consent to the processing of the personal data;
 - 2.1.8 The processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed by law on the data controller in connection with employment;
 - 2.1.9 The processing is necessary in order to protect the vital interests of the data subject or another person in a case where consent cannot be given by or on behalf of the data subject, or the data controller cannot reasonably be expected to obtain the consent of the data subject, or in order to protect the vital interests of another person, in a case where consent by or on behalf of the data subject has been unreasonably withheld;
 - 2.1.10 The processing is carried out in the course of the legitimate activities of any body or association which is not established or conducted for profit, and exists for political, philosophical, religious or trade-union purposes, is carried out with appropriate safeguards for the rights and freedoms of data subjects, relates only to individuals who either are members of the body or association or have regular contact with it in connection with its purposes, and does not involve disclosure of the personal data to a third party without the consent of the data subject;
 - 2.1.11 The information contained in the personal data has been made public as a result of steps deliberately taken by the data subject;
 - 2.1.12 The processing is necessary for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings), the processing is necessary for the purpose of obtaining legal advice, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights;

- 2.1.13 The processing is necessary for the administration of justice, for the exercise of any functions of either House of Parliament, for the exercise of any functions conferred on any person by or under an enactment, or for the exercise of any functions of the Crown, a minister of the Crown or a government department;
- 2.1.14 The processing is either the disclosure of sensitive personal data by a person as a member of an anti-fraud organisation or otherwise in accordance with any arrangements made by such an organisation, or any other processing by that person or another person of sensitive personal data so disclosed, and is necessary for the purposes of preventing fraud or a particular kind of fraud;
- 2.1.15 The processing is necessary for medical purposes and is undertaken by a health professional, or a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if that person were a health professional;
- 2.1.16 The processing is of sensitive personal data consisting of information as to racial or ethnic origin, the processing is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between persons of different racial or ethnic origins, with a view to enabling such equality to be promoted or maintained, and is carried out with appropriate safeguards for the rights and freedoms of data subjects.
- 2.3 Must be obtained only for specified and lawful purposes and shall not be processed in any manner which is incompatible with those purposes;
- 2.4 Must be adequate, relevant and not excessive with respect to the purposes for which it is processed;
- 2.5 Must be accurate and, where appropriate, kept up to date;
- 2.6 Must be kept for no longer than is necessary in light of the purpose(s) for which it is processed;
- 2.7 Must be processed in accordance with the rights of data subjects under the Act (for which, see Part 3 of this Policy);
- 2.8 Must be protected against unauthorised or unlawful processing, accidental loss, destruction or damage through appropriate technical and organisational measures; and
- 2.9 Must not be transferred to a country or territory outside of the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

3. Rights of Data Subjects

Under the Act, all data subjects have the following rights:

- The right to access a copy of their personal data held by the Company by means of a Subject Access Request (for which, see Part 12 of this Policy);
- The right to object to any processing of his or her personal data that is likely to cause (or that is causing) damage or distress. Data subjects should make any such objection in writing to Anthony Probert, Managing Director (tonyp@light-media.co.uk or via www.light-media.co.uk) and the Company shall respond within the timeframes governed by the Act, or explaining why the Company feels that any aspect of the data subject's request is unjustified;
- The right to prevent processing for direct marketing purposes;
- The right to object to decisions being taken by automated means (where such decisions will have a significant effect on the data subject) and to be informed when any such decision is taken (in which case the data subject has the right to require the data controller (by written notice) to reconsider the decision);
- The right to have inaccurate personal data rectified, blocked, erased or destroyed in certain circumstances;

4. Personal Data

Personal data is defined by the Act as data which relates to a living individual who can be identified from that data or from that 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.

The Act also defines "sensitive personal data" as personal data relating to the racial or ethnic origin of the data subject; their political opinions; their religious (or similar) beliefs; trade union membership; their physical or mental health condition; their sexual life; the commission or alleged commission by them of any offence; or any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

The Company only holds personal data that is directly relevant to its employees. That data will be collected, held and processed in accordance with the Act and with this Policy. The following data may be collected, held and processed by the Company:

- Identification information relating to employees including, but not limited to, names and contact details;
- Equal opportunities monitoring information including age, gender, race, nationality and religion. Such information shall be anonymised wherever possible;
- Sick notes from doctors or other medical professionals, medical conditions and details of any disabilities that may have been disclosed to the Company that may need to be recorded to ensure an employee is able to complete their job role

requirements or allow the company to make any necessary changes to accommodate that employee;

- Employment records including, but not limited to, interview notes, curricula vitae, application forms, assessments, performance reviews and similar documents;
- Details of salaries including increases, bonuses, commission, overtime, benefits and expenses;
- Records of disciplinary matters including reports and warnings, both formal and informal;
- Details of grievances including documentary evidence, notes from interviews, procedures followed and outcomes;
- Any other personal information given to the Company by the employee themselves unless explicitly detailed that it is not to be stored and processed.

5. Health Records

The Company may hold health records on employees which are used to assess the health, wellbeing and welfare of employees and highlight any issues which may require further investigation. In particular, the Company places a high priority in maintaining health and safety in the workplace and in promoting equal opportunities and preventing discrimination on the grounds of disability or other medical conditions. In most cases, health data on employees constitutes sensitive personal data under the Act (see Part 4 of this Policy for a definition). Any and all data relating to employees' health, therefore, will be held and processed strictly in accordance with the conditions for processing sensitive personal data, as set out in Part 2 of this Policy. No sensitive personal data will be collected, held or processed without the relevant employee's express consent, unless the Company is required to be Law. Such health records will include the following information:

- Details of sick leave;
- Medical conditions;
- Disabilities;
- Prescribed medication;

Data under this heading will be accessible and used only by Company Directors and will not be revealed to any other employees, agents, contractors or other parties working on behalf of the Company without the express consent of the employee(s) to whom the data relates, except in exceptional circumstances where the wellbeing of the employee(s) to whom the data relates is at stake.

Health information will only be collected, held and processed to the extent required to ensure that employees are able to perform their work correctly, legally, safely and without unlawful or unfair impediments or discrimination.

Employees have the right to request that the Company does not keep health records on them. All such requests must be made in writing and addressed to Tony Probert, Managing Director (tonyp@light-media.co.uk)

6. Benefits

In cases where employees are enrolled in benefit schemes which are provided by the Company, it may be necessary from time to time for third party organisations to collect personal data from relevant employees.

Prior to collection, employees will be fully informed of the personal data that is to be collected, the reasons for its collection, and the way(s) in which it will be processed.

The Company shall not use any such data except insofar as is necessary in the administration of relevant benefits schemes.

The following schemes are available to employees. Please note that not all schemes may be applicable to all employees:

- Company Phones, Company Cars, Simply Health and Company Pensions. The following employee data may be collected, held and processed: Name, sex, email, phone number, date of birth and address information. An employee may also have given permission on behalf of another individual to use their details for any benefits. Written consent from other individuals will be required for any benefits to be available to them. For further details please contact Tony Probert, Managing Director (tonyp@light-media.co.uk).

7. Trade Unions

The Company will provide the following personal data concerning relevant employees to bona fide trade unions where those unions are recognised by the Company. In most cases, information about an individual's trade union membership constitutes sensitive personal data under the Act (see Part 4 of this Policy for a definition). Any and all data relating to employees' trade union membership, therefore, will be held and processed strictly in accordance with the conditions for processing sensitive personal data, as set out in Part 2 of this Policy. The following data will be collected and supplied:

- Name;
- Job Description;
- Address;
- Phone number;
- Date of birth;
- Sex

All employees have the right to request that their personal data is not supplied to trade unions under this Section and will be informed of that right before any of their personal data is transferred.

8. Monitoring

The Company may from time to time monitor the activities of employees. Such monitoring may include, but will not necessarily be limited to, internet and email monitoring. In the event

that monitoring of any kind is to take place (unless exceptional circumstances justify covert monitoring – usually circumstances involving the investigation of criminal activity or a matter of equal severity), employees will be informed of the exact nature of the monitoring in advance.

Monitoring should not (unless exceptional circumstances justify it, as above) with an employee's normal duties.

Monitoring will only take place if the Company considers that it is necessary to achieve the benefit it is intended to achieve. Data collected during any such monitoring will only be collected, held and processed for reasons directly related to (and necessary for) achieving the intended result.

The Company shall all reasonable endeavours to ensure that there is no intrusion upon employees' personal communications or activities and under no circumstances will monitoring take place outside of the employee's normal place of work or work hours unless the employee in question is using Company equipment or other facilities including, but not limited to, Company email, the Company intranet, Company Servers or a virtual private network ("VPN") service provided by the Company for employee use.

9. Processing Personal Data

Any and all employees' personal data collected by the Company (as detailed in Part 4 of this Policy) is collected in order to ensure that the Company can effectively and efficiently manage its employees, comply with its legal obligations, and create a fair, equal and anti-discriminatory workplace.

Personal data may be disclosed within the Company, provided such disclosure complies with this Policy. Personal data may be passed from one department to another in accordance with the data protection principles and this Policy. Under no circumstances will personal data be passed to any department or any individual within the Company that does not reasonably require access to that personal data in view of the purpose(s) for which it was collected and is being processed.

The Company shall ensure that:

- All personal data collected and processed for and on behalf of the Company by any party is collected and processed fairly and lawfully;
- Employees are always made fully aware of the reasons for the collection of personal data and are given details of the purpose(s) for which the data will be used;
- Personal data is only collected to the extent that is necessary to fulfil the purpose(s) for which it is required;
- All personal data is accurate at the time of collection and kept accurate and up to date while it is being held and/or processed;
- No personal data is held for any longer than necessary in light of the purpose(s) for which it is required;
- All personal data is held in a safe and secure manner, as detailed in Part 10 of

this Policy, taking all appropriate technical and organisational measures to protect the data;

- All personal data is transferred securely, whether it is transmitted electronically or in hard copy;
- No personal data is transferred outside of the European Economic Area (as appropriate) without first ensuring that the destination country offers adequate levels of protection for personal data and the rights of data subjects; and
- All employees can fully exercise their rights with ease and without hindrance.

10. Data Protection Procedures

The Company shall ensure that all of its employees, agents, contractors, or other parties working on behalf of the Company comply with the following when working with personal data:

- All emails containing personal data must be stored securely;
- Where Personal data is to be transferred in hardcopy form it should be passed directly to the recipient whenever possible;
- No personal data may be shared informally and if an employee, agent, sub-contractor, or other party working on behalf of the Company requires access to any personal data that they do not already have access to, such access should be formally requested from Tony Probert, Managing Director (tonyp@light-media.co.uk).
- All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be stored securely in a locked box, drawer, cabinet or similar;
- No personal data may be transferred to any employees, agents, contractors, or other parties, whether such parties are working on behalf of the Company or not, without the authorisation of Tony Probert, Managing Director (tonyp@light-media.co.uk).
- Personal data must be handled with care at all times and should not be left unattended or on view to unauthorised employees, agents, sub-contractors or other parties at any time;
- If personal data is being viewed on a computer screen and the computer in question is to be left unattended for any period of time, the user must lock the computer and screen before leaving it;
- Any unwanted copies of personal data (i.e. printouts or electronic duplicates) that are no longer needed should be disposed of securely. Hardcopies should be shredded and electronic copies should be deleted securely.
- No personal data should be stored on any personal mobile device (including, but not limited to, laptops, tablets and smartphones), without the formal written approval of Tony Probert, Managing Director (tonyp@light-media.co.uk) and, in the event of such approval, strictly in accordance with all instructions and limitations described at the time the approval is given, and for no longer than is

absolutely necessary.

- All personal data stored electronically should be backed up. All backups should be encrypted;
- All electronic copies of personal data should be stored securely using passwords and data encryption;
- All passwords used to protect personal data should be changed regularly and should not use words or phrases that can be easily guessed or otherwise compromised;
- Any device that holds personal data that can be locked using a passcode, or alternative methods, should have these features enabled at all times;
- Under no circumstances should any passwords be written down or shared between any employees, agents, contractors, or other parties working on behalf of the Company, irrespective of seniority or department. If a password is forgotten, it must be reset using the applicable method;
- All personal data held by the Company shall be regularly reviewed for accuracy and completeness. Where the Company has regular contact with data subjects, any personal data held about those data subjects should be confirmed at least every year. If any personal data is found to be out of date or otherwise inaccurate, it should be updated and/or corrected immediately where possible. If any personal data is no longer required by the Company, it should be securely deleted and disposed of;
- Where personal data held by the Company is used for marketing purposes, it shall be the responsibility of Tony Probert, Managing Director (tonyp@light-media.co.uk) to ensure that no data subjects have added their details to any marketing preference databases including, but not limited to, the Telephone Preference Service, the Mail Preference Service, the Email Preference Service, and the Fax Preference Service.

11. Organisational Measures

The Company shall ensure that the following measures are taken with respect to the collection, holding and processing of personal data:

- The Company has appointed Mike Parker, Head of Technical Development (mikep@light-media.co.uk) as its Information Security Officer with the specific responsibility of overseeing data protection and ensuring compliance with this Policy and with the Act. The Data Protection Officer shall in particular be responsible for:
 - Overseeing the implementation of, and compliance with this Policy, working in conjunction with the relevant employees, managers and/or department heads, agents, contractors and other parties working on behalf of the Company;
 - All employees, agents, contractors, or other parties working on behalf of the Company are made fully aware of both their individual responsibilities and the Company's responsibilities under the Act and under this Policy, and shall be provided with a copy of this Policy;

- Only employees, agents, sub-contractors, or other parties working on behalf of the Company that need access to and use of personal data in order to carry out their assigned duties correctly shall have access to personal data held by the Company;
- All employees, agents, contractors, or other parties working on behalf of the Company handling personal data will be appropriately trained to do so;
- All employees, agents, contractors, or other parties working on behalf of the Company handling personal data will be appropriately supervised;
- Methods of collecting, holding and processing personal data shall be regularly evaluated and reviewed;
- The Performance of those employees, agents, contractors, or other parties working on behalf of the Company handling personal data shall be regularly evaluated and reviewed;
- All employees, agents, contractors, or other parties working on behalf of the Company handling personal data will be bound to do so in accordance with the principles of the Act and this Policy by contract;
- All agents, contractors, or other parties working on behalf of the Company handling personal data must ensure that any and all of their employees who are involved in the processing of personal data are held to the same conditions as those relevant employees of the Company arising out of this Policy and the Act;
- Where any agent, contractor or other party working on behalf of the Company handling personal data fails in their obligations under this Policy that party shall indemnify and hold harmless the Company against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure.

12. Access by Data Subjects

A data subject may make a subject access request (“SAR”) at any time to find out more about the information which the Company holds about them.

- SARs should be made in writing, addressed to Tony Probert, Managing Director (tonyp@light-media.co.uk or www.light-media.co.uk)
- SARs must make it clear whether it is the data subject themselves that is making the request or whether it is a person acting on his or her behalf. In either case, proof of identity must be provided. If the SAR is made on another’s behalf, the individual making the request must provide clear evidence of their authorised capacity to act on behalf of the data subject.

Upon receipt of a SAR the Company shall have up to the maximum period of time permitted under the Act within which to respond fully.

13. Employee Records and Retention

The Company shall retain all employee records following the end of employment for the period of up to 24 months, unless required to by law.

14. Notification to the Information Commissioner's Office

As a data controller, the Company is required to notify the Information Commissioner's Office that it is processing personal data. The Company is registered in the register of data controllers, registration number: ZA119841.

Data controllers must renew their notification with the Information Commissioner's Office on an annual basis. Failure to notify constitutes a criminal offence.

Any changes to the register must be notified to the Information Commissioner's Office within 28 days of taking place.

The Data Protection Officer shall be responsible for notifying and updating the Information Commissioner's Office.

15. Implementation of Policy

This Policy shall be deemed effective as of January 2018. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.

This Policy has been approved & authorised by:

Name: Tony Probert
Position: Managing Director
Date: 2nd January 2018

Name: Mike Parker
Position: Head of Technical Development
Date: 2nd January 2018