

1. Introduction

1.1 Background to the General Data Protection Regulation ('GDPR')

The General Data Protection Regulation 2016 replaces the EU Data Protection Directive of 1995 and supersedes the laws of individual Member States that were developed in compliance with the Data Protection Directive 95/46/EC. Its purpose is to protect the "rights and freedoms" of natural persons (i.e. living individuals) and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent.

1.2 Definitions used by the organisation (drawn from the GDPR):

- Material scope (Article 2) – the GDPR applies to the processing of personal data wholly or partly by automated means (i.e. by computer) and to the processing other than by automated means of personal data (i.e. paper records) that form part of a filing system or are intended to form part of a filing system.
- Territorial scope (Article 3) – the GDPR will apply to all controllers that are established in the EU (European Union) who process the personal data of data subjects, in the context of that establishment. It will also apply to controllers outside of the EU that process personal data in order to offer goods and services, or monitor the behaviour of data subjects who are resident in the EU.

1.3 GDPR Article 4 definitions

- Establishment – the main establishment of the controller in the EU will be the place in which the controller makes the main decisions as to the purpose and means of its data processing activities. The main establishment of a processor in the EU will be its administrative centre. If a controller is based outside the EU, it will have to appoint a representative in the jurisdiction in which the controller operates to act on behalf of the controller and deal with supervisory authorities.
- Personal data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- Special categories of personal data – personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- Data controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
- Data subject – any living individual who is the subject of personal data held by an organisation.
- Processing – any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- Profiling – is any form of automated processing of personal data intended to evaluate certain personal aspects relating to a natural person, or to analyse or predict that person's performance at work, economic situation, location, health,

personal preferences, reliability, or behavior. This definition is linked to the right of the data subject to object to profiling and a right to be informed about the existence of profiling, of measures based on profiling and the envisaged effects of profiling on the individual.

- Personal data breach – a breach of security leading to the accidental, or unlawful, destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. There is an obligation on the controller to report personal data breaches to the supervisory authority and where the breach is likely to adversely affect the personal data or privacy of the data subject.
- Data subject consent - means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data.
- Child – the GDPR defines a child as anyone under the age of 16 years old, although this may be lowered to 13 by Member State law. The processing of personal data of a child is only lawful if parental or custodian consent has been obtained. The controller shall make reasonable efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child.
- Third party – a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.
- Filing system – any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis.

2. Policy statement

- 2.1 The Directors and management of Big Sound Marketing Limited located at 7 St. John Street, Mansfield, Nottinghamshire, NG18 1QH are committed to compliance with all relevant EU and Member State laws in respect of personal data, and the protection of the “rights and freedoms” of individuals whose information Big Sound Marketing Limited collects and processes in accordance with the General Data Protection Regulation (GDPR).
- 2.2 The GDPR and this policy apply to all of Big Sound Marketing Limited’s personal data processing functions, including those performed on customers’, clients’, employees’, suppliers’ and partners’ personal data, and any other personal data the organisation processes from any source.
- 2.3 The Managing Director is responsible for reviewing the Data Protection and Privacy Policy annually in the light of any changes to Big Sound Marketing’s activities (as determined by changes to the data inventory register and the management review) and to any additional requirements identified by means of data protection impact assessments. This register needs to be available on the supervisory authority’s request.
- 2.4 Partners and any third parties working with or for Big Sound Marketing Limited and who have or may have access to personal data, will be expected to have read, understood and to comply with this policy.

3. Responsibilities and roles under the General Data Protection Regulation

- 3.1 Top Management and all those in managerial or supervisory roles throughout Big Sound Marketing Limited are responsible for developing and encouraging good information handling practices within Big Sound Marketing Limited responsibilities are set out in individual job descriptions.

- 3.2 The Managing Director is the first point of call for Employees seeking clarification on any aspect of data protection compliance.
- 3.3 Compliance with data protection legislation is the responsibility of all Employees of Big Sound Marketing who process personal data.
- 3.4 Employees of Big Sound Marketing Limited are responsible for ensuring that any personal data about them and supplied by them to Big Sound Marketing Limited is accurate and up-to-date.

4. Data Protection at Big Sound Marketing Limited

- 4.1 This document constitutes Big Sound Marketing Limited's policy on data protection and privacy, in accordance with EU GDPR. The scope of this policy relates to Big Sound Marketing in its purpose to undertake full-service marketing communications activities for the benefit of its clients. Such activities involve the transfer of information between clients, their employees, their customers, their stakeholders and other public or private organisations, as required.

5. Consent to data collection

- 5.1 Big Sound Marketing Limited collects data for the express purpose of carrying out full-service marketing communications services on behalf of its clients and Big Sound Marketing Limited in accordance with Legitimate Interest GDPR guidance [<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/legitimate-interests/>] This information is that which is relevant to a specific project or the general continuation of the company's relationship with its clients, or data that a client has requested in relation to a third-party.
- 5.2 Such data may include:
 - Name, job title, business address, contact details (phone, email, social media details) of any client, their dealer, their customer, journalist, trade show or event organiser, official public figure, member of a public or private organisation.
 - Business information on clients or customers, such as (but not limited to) the number of specific machines sold in a particular region, the number of employees, or the revenue gained through a business activity.
- 5.3 This information may be collected via:
 - Any person who voluntarily supplies this data to Big Sound Marketing Limited in relation to his/her own business activities.
 - Any client who supplies data on behalf of their colleagues or customers (of which Big Sound Marketing Limited can reasonably expect that the client has obtained prior consent to reveal such data).
 - Websites which publicly gives contact details
 - Social media sites where any person publicly states their contact details.
- 5.4 As part of Big Sound Marketing Limited's core business activity, the company will capture photo and video material as instructed by clients for the purposes of producing film and graphic design for use in marketing communication activity. Such material will be held in adherence with the Data Protection and Privacy Policy. All individuals featured in photo and video will complete a consent form explaining how photo and video material will be used.
- 5.5 It is the responsibility of Big Sound Marketing Limited Employees to keep a record of where this information has been obtained in order to quickly identify and access the source of the data

6. Data storage

- 6.1 Big Sound Marketing Limited Employees store data (as outlined in Section 5), on company laptops, phones, external hard drives, business cards and notebooks. Such information is that which has been supplied according to the conditions outlined in Section 5. This information is retained securely to prevent unauthorised access, via:
- Password protection on laptops.
 - Password protection of cloud-based storage platforms and online email accounts.
 - Passcode protection on phones.
 - Lockable drawers and cupboards for paper-based information and external hard drives
 - Locked in the boot of a car when working outside of the office
- 6.2 Big Sound Marketing Limited aims to keep all information up to date and will periodically check that such data is still relevant. Any client, associate or other person who wishes to see what information Big Sound Marketing Limited holds, or wishes that any such contact or business information be updated, should email Big Sound Marketing Limited [info@bigsoundmarketing.com] stating what information is to be altered. (See also Section 9)

7. Data processing

- 7.1 Big Sound Marketing Limited will only process information collected for the fair and legal purpose of its business activities. Such activities include:
- Sharing marketing communications material for review and approval with clients and other relevant parties
 - Sending information between Big Sound Marketing Limited and our clients in line with legitimate business activities.
- 7.2 Big Sound Marketing Limited will not sell any data to a third party; and no data will be shared with any third party without prior permission by the person to whom such information relates.
- 7.3 Big Sound Marketing Limited uses Santander Bank for the collection of payments by clients and for dispersal of payments to any supplier and staff member. Santander has a Privacy Statement [<https://www.santander.co.uk/uk/help-support/security-centre/privacy-statement>]
- 7.4 Big Sound Marketing Limited may sign confidentiality agreements or non-disclosure agreements with clients, as per any client's request.

8. Human Resources

- 8.1 Big Sound Marketing Limited collects and retains data on each staff member which can include: home address, passport number, personal contact details, national insurance number (or other national identification information), payroll information and bank details in the normal course of its business operations: this is to ensure that each staff member is legally entitled to work in the office's country for which they are employed; that they may be paid for their work; and so that any personal correspondence may be sent and received, as required. This information is kept in digital format in a password protected folder on a company external hard drive. It is also held in digital and printed form by Apc Accountants who have a Privacy Procedures in place: <https://www.apc-accountants.co.uk/disclaimer>
- 8.2 Payroll information is also sent to Her Majesty's Revenue & Customs (HMRC). HMRC has a privacy policy [<https://www.gov.uk/help/privacy-policy>]

9. Request for removal of data

- 9.1 Big Sound Marketing Limited is open and transparent about the ways in which it uses any individual's data. In addition to complying with legal regulations, the company wishes to assure any person that it will act in a reasonable manner to ensure privacy.

- 9.2 If any person wishes their contact details, or other information, to be removed from Big Sound Marketing Limited's database, they should email Big Sound Marketing Limited stipulating what information they wish to be removed. Big Sound Marketing Limited will undertake to remove such information in a timely manner, within one month, as stipulated by the GDPR. The person who wishes data to be removed can either email a Big Sound Marketing Employee or info@bigsoundmarketing.com

10. Other resources

- 10.1 For more information on GDPR, visit:
- <https://www.eugdpr.org/>
 - <https://ico.org.uk/>