

Retention Policy Lugo Limited 28/11/2018

This Policy sets out the obligations of Lugo Limited a company registered in Scotland on the 7th November 2003, company number SC258909. Our registered address is 16 High Street, Linlithgow, West Lothian, EH49 7AE regarding retention of personal data collected, held and processed by the Company in according with the EU regulation 2016/679 General Data Protection Regulation (GDPR).

In the context of this retention policy “personal information” means information which, on its own or in combination with other information, can be used to identify you, in particular by reference to an identifier such as your name, your address, or location data. This Retention Policy will govern how we may use that personal information and how long we retain that information.

We will collect, store and process your personal information on the basis of one or more of four legal basis: your consent; legitimate interests; to perform a contract; or, as required by law.

We will only keep your personal data for as long as necessary to provide you with your contracted services and to enable us to meet our regulatory obligations. We are required to keep data for the purposes of satisfying our legal, accounting and reporting requirements. At the end of this time period we will securely delete all personal data that identifies you or could be used to identify you as stated in this policy.

Data subjects have the right to have their personal data erased (and to prevent the processing of that personal data) in the following circumstances:

- a) Where the personal data is no longer required for the purpose for which it was originally collected or processed (see above);
- b) When the data subject withdraws their consent;
- c) When the data subject objects to the processing of their personal data and the Company has no overriding legitimate interest;
- d) When the personal data is processed unlawfully (i.e. in breach of the GDPR);
- e) When the personal data has to be erased to comply with a legal obligation; or
- f) Where the personal data is processed for the provision of information society services to a child.

We hold personal data for:

- Marketing purposes
- Maintaining customer relations
- Providing products and services
- Entering into contracts
- Billing and accounting
- Managing our human resource functions

This retention policy will identify:

- How long we will retain personal data
- The criteria for establishing and reviewing the period of time we store information
- When and how we will delete personal information

Aim and Objective of Policy

The aim of the policy is to set out limits for the retention of personal data, ensure data subjects are able to exert their rights under GDPR legislation.

The aim is also to ensure that as a company we do not retain excessive amounts of personal information, and that we manage the data we hold with speed and efficiency.

Scope

3.1 This policy relates to all the personal data held by Lugo Limited and by third party data processors who process data on our behalf.

3.2 Personal data, is held by the company in the following ways and in the following locations.

a) Microsoft servers located in America and certified under the E.U -U.S Privacy Shield.

b) Computers located in our three offices, Suite 333, 50 Wellington Street, Glasgow, G2 6HJ, Belgrave Business Centre, 45 Frederick Street, Edinburgh, EH2 1EP and 11 South Tay Street, Dundee, DD1 1NU

c) Laptop computers and mobile devices owned by employees, agents and sub-contractors

d) Servers based at the Iomart data centre, 88 Middlesex Street, Glasgow, G41 1EE

e) Physical financial records stored at 16 High Street, Linlithgow, EH49 7AE

f) Third-party servers operated by Xero who provide our accountancy software. These servers are based outside the EEA but fully comply with GDPR. When data is transferred it is done through E.U U.S Privacy Shield.

g) Third party servers operated by IT Glue our documentation software. Servers are located in Germany.

h) Third party servers operated by Autotask our helpdesk and billing software. These are located outside the EEA however Autotask confirms that all products and services are GDPR compliant.

i) Third party servers operated by Computer Voucher Services. Information is sent out with EEA but agreement with suppliers are in place to safeguard and ensure suppliers comply with GDPR

j) Servers belonging to other third-party suppliers. Full list of third party suppliers can be requested. Each third-party supplier has been subject to a yearly data risk assessment.

4. Data Subject Rights and Data Integrity

All of the personal information we hold is stored in accordance with our internal data protection procedures.

4.1 Customers are informed of our retention policy in the terms and conditions of service provided and their customer contract.

4.2 Data subjects who have not entered into a service contract with Lugo can view their rights on our website www.lugoit.co.uk/privacypolicy

5. Technical and Organisational Data Security Measures

All personal information provided to us is stored in secure locations. We take data protection seriously and have several layers of security measures in place including SSL, encryption, two factor authentication, firewalls and end-point protection. We ensure that all staff are aware of their responsibilities to store and transfer data securely. We utilise IT documentation tools to ensure customer data is kept in a secure place that only authorised personnel can access.

6. Data Retention

6.1 As required by UK and EU Data Protection Legislation Lugo Limited shall not retain any personal data for any longer than is necessary in light of the purpose(s) for which that data is collected, held and processed.

6.2 Different types of personal data, used for different purposes, will be retained for different periods. The retention of this data will be periodically reviewed as stated below.

6.3. When reviewing how long we store personal data we will take the following into account.

a) The objectives and requirement of the Company

b) The type of personal data in question

c) The purpose(s) for which the data in question is collected, held and processed;

d) The Company's legal basis for collecting, holding and processing that data;

e) The category or categories of data subject to whom the data relates;

6.4 If a precise retention period cannot be fixed for a particular type of data, criteria will be established by which the retention of the data can be determined. The data will be regularly reviewed against the identified criteria.

6.5 (1) Data used for managing customer accounts will be reviewed annually. At the end of a contract the data will be reviewed and held for a period of one year. At the end of this year the data will be deleted unless it has to be kept to meet our legal, financial and regulatory requirements.

6.5 (2) Data used for legal documentation and contracts related to the provision of products and services (contractual arrangements) will be reviewed annually and kept for a period of one year.

6.5 (3) Data used to manage and record the Company's financial transactions (Financial Records) shall be kept for 6 years. This is a HMRC policy.

6.5 (4) Data used to managing human resources will be held for a period of 6 years. This is a CIPD recommendation.

6.6 (5) Data used for monitoring usage of our products and services and providing customer and technical (support) will be reviewed annually. If a subject's contract ends the information will be reviewed and held for a period of one year. At the end of this year the data will be deleted unless it has to be kept to meet our legal, financial and regulatory requirements.

6.7 (6) Subjects who consent to us collecting their personal information for direct marketing will have their data stored until they withdraw consent. We will review the data held for direct marketing each year and provide the opportunity to withdraw consent.

7. Data Disposal

Upon the expiry of the data retention periods or when a data subject exercises their right to have their personal data erased, details shall be destroyed of as follows:

7.1 Electronic data shall be deleted securely and permanently using the most appropriate method for the type of data.

7.2 Personal data stored in hard copy shall be shredded.

8. Suspension of Record Disposal In Event of Legal Proceedings or Claims

There are certain occasions when information needs to be preserved beyond any limits set out in the Policy. The Policy must be suspended relating to a specific customer or document

and the information retained beyond the period specified in The Company's Retention Policy in the following circumstances:

8.1 Legal proceedings or a regulatory or similar investigation or obligation to produce information are known to be likely, threatened or actual.

8.2 A crime is suspected or detected.

8.3 Information is relevant to a company in liquidation or receivership, where a debt is due to The Company.

8.4 Information is considered by the owning unit to be of potential historical importance and this has been confirmed by the Administrator.

8.5 In the case of possible or actual legal proceedings, investigations or crimes occurring, the type of information that needs to be retained relates to any that will help or harm The Company or the other side's case or liability or amount involved.

8.6 If there is any doubt over whether legal proceedings, an investigation or a crime could occur, or what information is relevant or material in these circumstances, legal advice should be sought.

8.7 Ron Weatherup shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

9. Roles and Responsibilities

You can contact our Data Privacy Manager Ron Weatherup, Managing Director at ron.weatherup@lugoit.co.uk .

Ron Weatherup Managing Director shall be responsible for overseeing implementation of this Policy and for monitoring compliance. Any questions regarding retention of personal data, or any other aspect of GDPR compliance should be referred to Ron Weatherup.

This policy shall be deemed effective as of 28/11/2018.

