

# General Data Protection Regulation

This is the General Data Protection Regulation (GDPR) document for **Arthur Jary & Sons Ltd.**  
Registered Office: **213-215 Northgate Street, Great Yarmouth, Norfolk, NR30 1DH**  
Company Number: **495277**

Contained within this document are:

- An introduction to Data Security
- Our Privacy Policy
- Our Document Retention Policy

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## An introduction to Data Security.

Under the General Data Protection Regulation, all businesses must determine what steps are reasonable in ensuring that all customer data is secure. Data security includes, but is not limited to, ensuring that data is only available to those with the authority and the need to access it, whilst ensuring that the data is protected from accidental loss, damage or destruction.

Consider the following scenarios and whether the customer would be satisfied that their data is secure, and can't be used by someone with no need to access it:

- I leave completed application forms on the desk and send them all together at the end of the week.
- I keep details of all my enquiries and plan holders' information so that I have a record in case I need it
- I don't use a password on my computer as I keep forgetting it
- I copy all next of kin names, addresses and phone numbers into my diary and mobile phone just in case I need to contact them

In each of the scenarios above there is a risk that customer data could be accessed by someone with no authority or requirement to access it. The obligation lies with us to ensure customer data is held securely and if we fail to do so there is potential for significant monetary fines from the Information Commissioner's Office - in addition to the reputational damage mishandling of customer information could cause our business.

As a business, we have to determine what steps are reasonable in ensuring that all customer data is secure. As a matter of course, we suggest the following:

- If customer documents are kept in the office, they should be kept secure where they cannot be accessed without permission. For example, completed arrangement forms should be kept in a folder, and locked away in a drawer or cabinet at the end of the day. Keys should also be kept hidden.
- Securely destroy all paperwork when it is no longer required. Our procedure now is to save any documents onto our F/ drive, which is encrypted to external access. Electronic data is easier to recover, whereas paper is much easier to misplace.
- Password protection on all computers and Funeral Manager. Encrypt emails containing data. Consider if sharing data by email is necessary, or whether it could be anonymised or removed.
- Consider who may have access to areas containing data, such as doctors, who do not require access to all of our customer data. Secure doors and restrict movements to stop unwanted people entering restricted areas of the business.

In terms of data security, this includes considering who requires access to any personal data we hold. Unless we can satisfy ourselves that each member of staff requires access to the personal data of any individual customer, then they should not be able to access any information that would allow them to identify who the customer is.

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Our customers have rights in relation to their data. Any individual that we hold data on can exercise the following rights:

- Right of Access: Subject Access Request (SAR)

This is the right to access all the personal data we store on them.  
If we receive a request in writing, we have 1 calendar month to respond in writing.  
In our response, we should include:

  - 1) Why we are processing this customer's information, and any personal data that we will continue to process
  - 2) The categories of personal data that have been collected
  - 3) Any recipients of the personal data (for example, a Crematorium / Burial authority, or a Trust Fund)
  - 4) How long we have / intend to store the data
  - 5) Other rights that can be exercised in relation to this data (see below)
  
- Right to Object

A customer has the right to object to how we use customer data. Whilst we wouldn't store data for the purposes of marketing, they do have the right to object to our storing their data at all.  
We are proud of our work in the community, our coffee mornings and carol services, and this may be considered a 'legitimate interest' for us storing some of our customer's data. During the funeral arrangements, we should make it clear that we may wish to contact the customer in the future if we are hosting a service which may be of benefit to them. They are able to object to this, and no data should be stored longer than outlined in our Retention Policy.
  
- Right to Erasure

This is commonly known as the 'Right to be Forgotten', and it means that any personal data should be erased from our records without delay.  
This may not be an option under certain circumstances. For example, if a customer wishes to keep their funeral plan with us, then we will require their data to be securely kept for future use.
  
- Right to Rectification

Very self-explanatory. Customers have the right to have their personal data corrected if they identify something inaccurate.

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If someone is able to access data that is not theirs to see, then this is a breach. A data breach may include:

- Posting paperwork that includes personal details to an incorrect address
- Leaving password protected computers unlocked, and a 3<sup>rd</sup> party viewing the customer information on the screen
- Customer paperwork being left on the desk overnight.

Under the General Data Protection Regulation, we must inform affected customers of the breach without undue delay where there is a high risk of customer detriment.

One of the main reasons for informing customers is to help them take steps to protect themselves from the effects of a breach e.g. identity fraud.

We must also inform the Information Commissioner's Office of any data breach that may cause emotional distress, and physical and material damage to a customer within 72 hours of our business becoming aware of the breach.

An example of when we would need to notify the Information Commissioner's Office of a breach, and the customer of a breach, would be the loss of an arrangement form containing customer details, the data of which may be passed onto 3rd parties to misuse. On the other hand, we would not normally need to notify the Information Commissioner's Office, for example, about the loss of a staff telephone list.

Should there be a breach which requires reporting, then the first point of contact should be your office manager.

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## Our Privacy Policy

### 1. Scope

All data subjects whose personal data is collected, in line with the requirements of the General Data Protection Regulation.

### 2. Responsibilities

2.1 Arthur Jary & Sons Ltd. is responsible for ensuring that this notice is made available to data subjects prior to Arthur Jary & Sons Ltd. collecting/processing their personal data.

2.2 All Employees Arthur Jary & Sons Ltd. who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

### 3. Privacy notice

#### 3.1 Who are we?

Arthur Jary & Sons Ltd.

Head Office: 213-215 Northgate Street, Great Yarmouth, Norfolk, NR30 1DH

We are Funeral Directors, Memorial Masons and Pre-Paid Funeral Plan providers.

We supply funerals on at 'at need' basis, as well as discuss and supply funeral plans in association with various Trust Funds. We liaise with a variety of 3<sup>rd</sup> party groups, such as crematoria and burial authorities, trust funds and alternate service suppliers.

The personal data we would like to process on you is:

Personal data type:	Source
Name	Data subject
Address	Data subject
Contact number	Data subject
Contact email address	Data subject

The personal data we collect will be used for the following purposes:

- For the fulfilment of your funeral service (including follow up contact if we are awaiting your decision on the disposal of cremated remains)

Our legal basis for processing the personal data:

- fulfilment of a contract

Any legitimate interests pursued by us, or third parties we use, are as follows:

- Invitation to our coffee mornings and any memorial / carol services we may organize

The special categories of personal data concerned are:

- Religious Beliefs

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## 3.2 Consent

By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified.

Consent is required for Arthur Jary & Sons Ltd. to process both types of personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

You may withdraw consent at any time by contacting us in writing to update your preferences.

## 3.3 Disclosure

Arthur Jary & Sons Ltd. will not pass on your personal data to third parties without first obtaining your consent. The following third parties may receive your personal data for the following purpose(s):

- A local crematorium for the purpose of organising cremation of the deceased
- A local cemetery for the purpose of organising burial of the deceased
- A nominated celebrant for the purpose of arranging details of the funeral service
- A local musician for the purpose of liaising with you for your musical choices for the funeral service
- A nominated third party providing additional services required, such as Ashes into Glass, or a repatriation company.

## 3.4 Retention period

Arthur Jary & Sons Ltd. will process personal data for as long as is necessary to allow us to fulfil the funeral services and will store the personal data for an indefinite period on both our paper and electronic systems, as applicable.

## 3.5 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that Arthur Jary & Sons Ltd. refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.6 below.

All of the above requests will be forwarded on should there be a third party involved (as stated in 3.3 above) in the processing of your personal data.

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## 3.6 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Arthur Jary & Sons Ltd. (or third parties as described in 3.3 above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and Arthur Jary & Sons Ltd.

The details for each of these contacts are:

	<b>Supervisory authority contact details</b>	<b>Arthur Jary &amp; Sons contact details</b>
Contact Name:	Information Commissioner's Office	Mr Sean Thompson
Address line 1:		Arthur Jary & Sons Ltd.
Address line 2:		213-215 Northgate Street
Address line 3:		Great Yarmouth
Address line 4:		Norfolk
Address line 5:		NR30 1DH
Email:	<a href="https://ico.org.uk/global/contact-us/email/">https://ico.org.uk/global/contact-us/email/</a>	sean@arthurjary.co.uk
Telephone:	0303 123 1113	01493 844363

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## 3.7 Privacy statement

Read more about how and why we use your data below, or on our website:  
[www.arthurjary.co.uk](http://www.arthurjary.co.uk)

### Personal data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

*“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”.*

### How we use your information

This privacy notice tells you how we, Arthur Jary & Sons Ltd., will collect and use your personal data for provision of services, cookies, complaints etc.

### Why does Arthur Jary & Sons Ltd. need to collect and store personal data?

In order for us to provide you with a funeral service, and any associated services, we need to collect personal data for fulfilment of the contract and any related correspondence. In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

In terms of being contacted for marketing purposes Arthur Jary & Son Ltd. would contact you for separate consent.

### Will Arthur Jary & Son Ltd. share my personal data with anyone else?

We may pass your personal data on to third-party service providers contracted to Arthur Jary & Son Ltd. in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide on behalf of Arthur Jary & Son Ltd. When they no longer need your data to fulfil this service, they will dispose of the details in line with the procedures of Arthur Jary & Sons Ltd.'s. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent, unless we are legally required to do otherwise.

### How will Arthur Jary & Son Ltd. use the personal data it collects about me?

Arthur Jary & Son Ltd. will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary. Arthur Jary & Sons Ltd. is required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

### Under what circumstances will Arthur Jary & Sons Ltd. contact me?

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

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## Can I find out the personal data that Arthur Jary & Sons Ltd. holds about me?

Arthur Jary & Sons Ltd. will, at your request, confirm what information we hold about you and how it is processed. If Arthur Jary & Sons Ltd. does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why we process your data. In some cases, this will be a representative in the EU.
- Contact details of the data protection officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Arthur Jary & Sons Ltd. or a third party, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

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## Document Retention Policy

### **Scope**

This policy document outlines the document retention policy of Arthur Jary & Sons Ltd. in order to ensure that the approach taken throughout the business is consistent and meets regulatory requirements to ensure organisational compliance. The purposes of the document is to outline key considerations, legislation, regulations and best practice industry standards across all core document types retained by Arthur Jary & Sons Ltd., and provides guidance on the retention periods for those document types.

Arthur Jary & Sons Ltd. will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its necessary business functions and the provision of services.

The Document Retention Policy applies to all information held by Arthur Jary & Sons Ltd. and its external service providers where they are processing information on Arthur Jary & Sons Ltd. behalf. Please ensure adequate contractual provisions are in place prior to engaging in any form of relationship with a third party on behalf of Arthur Jary & Sons Ltd.

### **Roles & Responsibilities**

Overall data management within Arthur Jary & Sons Ltd. is with the directors. They are:

Mr Sean Thompson – Company Director (author)

Mr Chris Collings – Company Director & Company Secretary

Mrs Susan Thompson – Company Director & Owner

Mr Stephen Thompson – Company Director & Owner

All staff are required to adhere to this retention policy and have an obligation to follow due process to ensure suitable levels of compliance across the business as a whole.

The office manager of Arthur Jary & Sons Ltd., Mrs Melanie Curtis is in authority to all staff in the branches in order to ensure that operational processes are in line with the requirements of the policy.

The policy will be revised and renewed as applicable. Maximum period between reviews is 12 months.

### **General Requirements**

Why do we have records?

In short, the most effective and personal way of keeping accurate notes when arranging a funeral service is to write them down during the discussion. This paper copy of the arrangements will be kept indefinitely, as it will contain the details of the deceased, their wishes, and their next of kin (or applicant). Prior to the year 2000, all information was retained this way, prior to the introduction of electronic storage.

The paper copies are securely stored in a lockable cabinet at the Head Office for a period of 5 years, and as of 2018, backed up on our network for extra security and easy access.

Copies older than 5 years are stored securely in our archives, which are kept off site in a locked location.

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## Why do we require the records to be kept?

Simply put, everyone we have ever cared for forms a part of our history. Our records date back to 1899, and can help our community trace relatives, find graves, long lost family members, or even help settle disputes over who is entitled to collect cremated remains (as the applicant will be noted).

## Disposal

Documents which contain any data / details of our clients and the funeral arrangements, once backed up onto our network, are collected and destroyed under agreement with a third party. At the time of writing, this company is Restore Datashred. This service is employed as regularly as required, so that there is no unnecessary storage of paper which could present an opportunity for a breach.

Document / record	Retention period	Conditions	Basis for decision
Funeral documents (paper files – pre 2018)	Indefinite retention	Copies securely kept in Head Office for future business needs	Kept for reference purposes by both the Company and family
Funeral documents (paper files – 2018 onwards)	5 years after completion	Copies securely kept in Head Office for future business needs	Kept for reference purposes by both the Company and family
Funeral documents (electronic files – 2018 onwards)	Indefinite retention	Copies securely kept on secure network to eliminate paper copies	Kept for reference purposes by both the Company and family
Funeral plan documents	Retained until plan is actioned and then retained in line with funeral documents as above	Each plan is kept securely in Head Office until required	Allows the Company to have a copy of schedule and agreement, and back up in case family misplace their paperwork
Memorial documents	5 years after completion	Copies securely kept in Head Office for future business needs	Kept for reference purposes by both the Company and family
Insurance policies	Indefinite retention	Employers Liability Regulations 1998 requires minimum of 40 years from start of insurance period	Employers Liability (compulsory insurance) Regulation 1998  Limitations Act 1980
Staff records	Throughout employment and 5 years after leaving	Start date of retention period is date of agreed employment	Section 5 Limitation Act 1980
Grievance and disciplinary	Minimum of 7 years	Kept in locked staff file in director's office	Destroy after 7 years
Accounts & payroll	7 years from end of financial year		Companies Act 2006  Finance Act 1998  VAT Act 1994

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## Disposal consideration & guidelines

1. Has the document been checked for type of document, recommended retention timescales in line with the schedules in this document and checked for confidentiality?  
(Check that the nature and contents of the document are suitable for disposal)
2. Is retention required to fulfil statutory obligations or other regulatory obligations?  
Specific legislation setting out mandatory retention periods for documentation held by Arthur Jary & Sons Ltd. is limited but includes:
  - The General Data Protection Regulation provides that data must be held for no longer than is necessary for the purposes for which the personal data is processed
  - Standard contract law stands for 6 years following completion under the contract under the Limitations Act Refer to the attached document retention schedules for relevant guidance.
3. Is retention required for evidence? Is there an outstanding insurance claim, pending legal action or the likelihood of either?
4. Is there a current business requirement or Subject Access Request (SAR) that needs this information?
5. Is retention required to meet any operational or business needs?
6. How is the document to be disposed of?