

Data Handling Strategy

1.0 Purpose and Scope

This strategy outlines the data handling procedures within JL Jacob Littorin. It is the responsibility of individuals within JL Jacob Littorin to ensure that data handling procedures are met, and that they are in compliance with the Data Protection Act 2018. Data protection is recognised as a human rights issue, and the right of privacy applies particularly to personal data. The Data Protection Act 2018 controls “how your personal information is used by organisations, businesses or the government”¹.

This strategy applies to subjects whose personal data is handled by JL Jacob Littorin. Data is defined in the legislation as information that identifies a living person by name, postal address, email address, IP address, a cookie identifier, or a biometric password. The rules apply to all data held by JL Jacob Littorin about employees, prospective and actual clients, suppliers, contractors or indeed anyone else. The Data Protection Act 2018 allows JL Jacob Littorin to collect information that is relevant to the estate agency work of selling and buying property. JL Jacob Littorin would be in breach of the legislation if it collected or processed data that is not relevant to the estate agency work. JL Jacob Littorin is registered with the Information Commissioner’s Office (ICO). It is mandatory for all data controllers to be registered with the ICO. The person in control of data handling within JL Jacob Littorin is Jacob Littorin.

2.0 Legislation

The Data Protection Act 2018 empowers people to take control of their data. The legislation gives a number of rights to individuals. Relevant ones are the right to be informed, the right of access to data, the right to rectification of data, the right to erasure data, and the right to restrict processing of data. The principles of data protection require that data is collected for specified, explicit and legitimate purposes. The data must only be held with informed consent (opt-in) and not occur by default. The data must be processed lawfully, fairly and in a transparent manner. The data must not be further processed in a manner that is incompatible with the above point’s purposes. The data must be adequate,

¹ UK Government, Data protection [website], <https://www.gov.uk/data-protection>, (accessed 29 December 2022).

relevant and limited to the purpose for which it was collected. The data must be accurate, and where necessary, kept up-to-date. Every reasonable step must be taken to ensure that inaccurate data is erased or rectified without undue delay. The data must not be kept for longer than is necessary, kept securely and not accidentally lost, destroyed or damaged².

3.0 Strategy Requirements

The requirements of the JL Jacob Littorin Data Handling Strategy is to comply with the Data Protection Act 2018. Data subjects, whose personal data is held by JL Jacob Littorin, have the right to be given information about their handled data. This information should be easily accessible and written in plain, intelligible language. Data subjects have the right to find out what data is being held. If held data is inaccurate or incomplete, data subjects have the right to have their data rectified within 30 days³. Data subjects have the right to erasure and restrict processing of any personal data held by JL Jacob Littorin. Deletion, removal or restriction of processing of the subject's personal data should be done within 30 days.⁴

This strategy requires JL Jacob Littorin (the data controller) to be responsible for and must be able to demonstrate, compliance with data protection principles. It is a key requirement of the legislation that this Data Handling Strategy exists⁵, and that JL Jacob Littorin undertakes risk assessments related to the held data and its security⁶. JL Jacob Littorin is required to ensure that any other businesses it passes data to has acceptable privacy policies, and has undertaken a risk assessment covering the security of data.

² ICO Information Commissioner's Office, *The principles* [website], <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/>, (accessed 29 December 2022).

³ ICO Information Commissioner's Office, *The right to rectification* [website], <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-le-processing/individual-rights/the-right-to-rectification/>, (accessed 29 December 2022).

⁴ ICO Information Commissioner's Office, *The right to erasure and the right to restriction* [website], <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-le-processing/individual-rights/the-right-to-erasure-and-the-right-to-restriction/>, (accessed 29 December 2022).

⁵ ICO Information Commissioner's Office, *Policies and procedures* [website], <https://ico.org.uk/for-organisations/accountability-framework/policies-and-procedures/>, (accessed 29 December 2022).

⁶ ICO Information Commissioner's Office, *Risk and data protection impact assessments (DPIAs)* [website], <https://ico.org.uk/for-organisations/accountability-framework/risks-and-data-protection-impact-assessments-dpias/>, (accessed 29 December 2022).

Any data breaches are reported to the Information Commissioner's Office (ICO) within 72 hours of JL Jacob Littorin becoming aware of it. Where there is a high risk to individuals they too must be informed.⁷

In the case of discovering a data breach, or whenever this strategy has regrettably not been adhered to, a risk assessment must be completed. The assessment needs to include the data involved in the breach, the number of people who will be affected and what harm may come to them as a result of the breach. A breach is only reportable to the ICO under data protection law if personal data is involved and if it puts people at risk. Even if the personal data breach isn't reportable, a risk assessment must be carried out by JL Jacob Littorin. Processes must be established by JL Jacob Littorin to help prevent it from happening again.

4.0 Roles and Monitoring

Jacob Littorin, owner of JL Jacob Littorin, is the person in control of data handling, and is responsible for data protection compliance in JL Jacob Littorin.

5.0 Version History

Version	Changes made	Date	Made by
v0.1	Document created	2022-12-28	Jacob Littorin
v1.0	First release	2022-12-29	Jacob Littorin
v1.1	First release edited	2023-01-17	Jacob Littorin

⁷ ICO Information Commissioner's Office, *Personal data breaches* [website], <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>, (accessed 29 December 2022).