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**L LYNCH PLANT HIRE & HAULAGE LTD
UK-GENERAL DATA PROTECTION REGULATION (UK-GDPR)**

DATA BREACH NOTIFICATION POLICY & PROCEDURE – QP32

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DATA BREACH NOTIFICATION POLICY AND PROCEDURE

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1 PURPOSE

This policy and procedure establish an effective, accountable and transparent framework for ensuring HSQE with the requirements for any breach of data protection by the *UK-GDPR*.

2 SCOPE

This policy and procedure applies across all entities or subsidiaries owned, controlled, or operated by L Lynch Plant Hire & Haulage Ltd and to all employees, including part-time, temporary, or contract employees.

3 POLICY STATEMENT

Any staff member who suspects that a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data might have occurred, must immediately notify the Head of HSQE and provide a description of the circumstances. Notification of the incident can be made via e-mail, by telephone, or in person.

The Head of HSQE will investigate all reported incidents to confirm whether or not a personal data breach has occurred. If a personal data breach is confirmed, the Head of HSQE will follow the data breach notification procedure based on the criticality and quantity of the personal data involved. For severe personal data breaches Lynch Plant Hire & Haulage Ltd Senior Management Team will initiate and chair an emergency response team to coordinate and manage the personal data breach response.

4 NOTIFICATION PROCEDURE

- 4.1 All personal data breaches must be reported immediately to L Lynch Plant Hire & Haulage Ltd Head of HSQE.
- 4.2 If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Head of HSQE must ensure that the Data Protection Regulator is informed of the breach without delay, and in any event, within 72 hours after having become aware of it.
- 4.3 In the event that a personal data breach is likely to result in a high risk (that is, a higher risk than that described under Art 3.2) to the rights and freedoms of data subjects, the Head of HSQE must ensure that all affected data subjects are informed of the breach directly and without undue delay.
- 4.4 Data breach notifications shall include the following information:
 - The categories and approximate number of data subjects concerned;
 - The categories and approximate number of personal data records concerned;
 - The name and contact details of L Lynch Plant Hire & Haulage Ltd Head of HSQE;
 - The likely consequences of the breach;
 - Details of the measures taken, or proposed to be taken, by L Lynch Plant Hire & Haulage Ltd to address the breach including, where appropriate, measures to mitigate its possible adverse effects.

5 RESPONSIBILITIES

HSQE, monitoring and review

- 5.1 The overall responsibility for ensuring compliance with the requirements of the related legislation at L Lynch Plant Hire & Haulage Ltd rests with the Head of HSQE.
- 5.2 All operating units' staff that deal with personal data are responsible for processing this data in full HSQE with the relevant L Lynch Plant Hire & Haulage Ltd policies and procedures.

Records management

Staff must maintain all records relevant to administering this policy and procedure in electronic form in a recognised L Lynch Plant Hire & Haulage Ltd recordkeeping system.

All records relevant to administering this policy and procedure will be maintained for a period of 5 years.

6 TERMS AND DEFINITIONS

General Data Protection Regulation (UK-GDPR): the General Data Protection Regulation (UK-GDPR) (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the Council of the European Union and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU). It also addresses the export of personal data outside the EU.

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

Data Controller: the entity that determines the purposes, conditions and means of the processing of personal data

Data Processor: the entity that processes data on behalf of the Data Controller

Data Protection Authority: national authorities tasked with the protection of data and privacy as well as monitoring and enforcement of the data protection regulations within the Union

Data Protection Officer (DPO): an expert on data privacy who works independently to ensure that an entity is adhering to the policies and procedures set forth in the UK-GDPR

Data Subject: a natural person whose personal data is processed by a controller or processor

Personal Data: any information related to a natural person or 'Data Subject', which can be used to directly or indirectly identify the person

Privacy Impact Assessment: a tool used to identify and reduce the privacy risks of entities by analysing the personal data that are processed and the policies in place to protect the data

Processing: any operation performed on personal data, whether or not by automated means, including collection, use, recording, etc.

Profiling: any automated processing of personal data intended to evaluate, analyse, or predict data subject behaviour

Regulation: a binding legislative act that must be applied in its entirety across the Union

Subject Access Right: also known as the Right to Access, it entitles the data subject to have access to and information about the personal data that a controller has concerning them

7 RELATED LEGISLATION AND DOCUMENTS

- [Regulation \(EU\) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC \(General Data Protection Regulation\)](#)
- L Lynch Plant Hire & Haulage Ltd Data Protection Policy

8 FEEDBACK AND SUGGESTIONS

- 8.1 L Lynch Plant Hire & Haulage Ltd employees may provide feedback and suggestions about this document by emailing UK-GDPR@l-lynch.com

9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	MD & Senior Management Team
Data Protection Officer	Head of HSQE & Digital IT Director
Next Review Date	15/10/26

Approval and Amendment History	Details
Original Approval Authority and Date	MD & Senior Management Team 25/05/2018
V2 Amendment Authority and Date	Change to UK-GDPR & document classification included - Head of HSQE – 26/10/23
V3	Annual review – 18/10/2024
V4	Annual review – 15/10/2025