



# **Bundy Refrigeration**

## **GLOBAL DATA PROTECTION POLICY FOR PERSONNEL**

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# GLOBAL DATA PROTECTION POLICY FOR PERSONNEL

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## Policy Statement

During the course of our activities, the Bundy Refrigeration Group (“**Bundy Group**”, “**we**”, “**us**”, “**our**”) will collect, store and process information about employees, contractors, suppliers, and other individuals with whom we communicate.

This may include personal information relating to those individuals (known as “**personal data**” in Europe). When handling personal data, we will be subject to data protection and privacy laws which include the EU General Data Protection Regulation EU 2016/679, the UK General Data Protection Regulation and the UK Data Protection Act 2018 (the “**Data Protection Laws**”).

We recognise that the fair, transparent and lawful treatment of this personal data will maintain confidence in our organisation. This policy sets out our rules on data protection and the legal requirements that must be satisfied by our organisation in relation to the obtaining, handling, use, storage, transfer and destruction and other processing of personal data.

This policy applies to all Personnel (as defined below) and should be read alongside any other policies which relate to the use of personal data by the Bundy Group (for example, any policies specific to certain countries).

All Personnel should familiarise themselves with this policy and comply with its terms when processing personal data on behalf of the Bundy Group during the course of their employment.

## Scope

For the purposes of this policy, the Bundy Group comprises of the following legal entities (whether corporations, limited partnerships or other business structures):

- a) the Bundy Group;
- b) subsidiaries of the Bundy Group; and
- c) joint venture companies or consortia which are under the day-to-day management of the Bundy Group or a subsidiary of the Bundy Group.

Personnel is deemed to include:

- a) directors and officers of the Bundy Group;
- b) employees of the Bundy Group; and
- c) contractors, consultants, representatives, intermediaries and agents retained by the Bundy Group.

This policy does not form part of any employee's contract of employment and may be amended by us at any time.

If you have any questions or concerns about the operation of this policy, please contact the HR department.

## Definition of Data Protection Terms

It is important that some terminology is explained to help in understanding what obligations you have which are relevant to this policy.

The following terms are relevant:

- **Personal Data** means any information relating to an identified or identifiable natural person. 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.
- **Data Subjects**, for the purpose of this policy, include all living individuals about whom we hold personal data.
- **Processing** means 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.
- **Sensitive (special category) personal data** is a special category of personal data, including information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life or sexual orientation, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive (special category) personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.

## Data Protection Principles

All Personnel who process personal data under this policy must comply (and be able to demonstrate compliance) with data handling principles. These are set out below and explain how they operate in practice.

As a general principle, we should be accountable for the way in which we process personal data. This means in practice that we should be able to demonstrate how we comply with policies and we should document what we do with personal data particularly around compliance with the data protection principles.

Your attention is particularly drawn to the obligations expected of you in relation to data security. This is a core requirement and we need to respect that if personal data is misused, lost or stolen, then it can give rise to issues for those affected. On this basis, we expect you to let the HR department know immediately.



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## Data Protection Principles (continued)

Principle	What does this mean?
<b>Lawfulness, Fairness &amp; Transparency</b>	
<p>Personal data should be used in a way that makes it clear to data subjects what is being done with their personal data, and such use is fair, reasonable and compliant with Data Protection Laws.</p>	<p><b>Processing Grounds</b></p> <p>The Bundy Group can only use personal data (e.g., use, store, share, transfer or copy it) if it has a legal basis to do so. This means that you should carefully consider what bases applies before you use it and discuss this with your appropriate contact. Examples of legal bases that are relevant include:</p> <ul style="list-style-type: none"> <li>● where we need to process the personal data to perform a contract with the data subject, or because they have asked us to take certain steps before entering into a contract (for example, we may require contact details so we can process certain requests);</li> <li>● the processing is necessary to comply with a legal obligation to which we are subject;</li> <li>● the processing is necessary to protect someone's life or other vital interests;</li> <li>● the processing is necessary to perform a task in the public interest; or</li> <li>● the processing is necessary for our legitimate interest or the legitimate interests of a third party unless there is a good reason to protect the data subject's personal data which overrides those interests.</li> </ul> <p>Consent is another processing ground which we may from time to time rely on in very specific situations. For example, some forms of marketing may require consent. We do not need consent to process personal data for most circumstances relevant to the business of the Bundy Group.</p> <p><b>Sensitive Personal Data</b></p> <p>When sensitive (special category) personal data is being processed, additional conditions must be met. These grounds are a lot stricter and we generally expect that any sensitive personal data should be only used where there is a specific legal justification to do so or where we have been given explicit consent from the data subject.</p> <p><b>Notifying Data Subjects</b></p> <p>To satisfy the transparency requirements under Data Protection Laws, when collecting personal data directly from data subjects, we need to ensure that the data subjects receive fair information about how we will use their personal data.</p> <p>This means that if you are collecting personal data for the first time, you should consider what information is disclosed to those affected. Think carefully about the project you are about to undertake and check notices that are given. This may be undertaken via a privacy policy, terms of use or other data processing statements.</p>



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## Data Protection Principles (continued)

Principle	What does this mean?
<b>Purpose Limitation</b>	
Personal data should only be used in line with <b>how we told the data subject we would use it</b> and not for any wider, incompatible purposes.	<p>Personal data may only be processed for the specific purposes notified to the data subject when the personal data was first collected or for any other purposes specifically permitted by law.</p> <p>This means, broadly, that personal data must not be collected for one purpose and then used for another without the data subject being informed that their personal data will be used for a new purpose.</p> <p>If it becomes necessary to change the purpose for which personal data is processed, steps will need to be taken to inform the data subject of the new purpose before any processing occurs.</p>
<b>Data Minimisation</b>	
Personal data should be <b>adequate, relevant</b> and limited <b>just to what we need it for</b> .	<p>We expect that personal data is collected that is only required for why it is collected. Keeping data "just in case" is not acceptable and could result in risk for our business.</p> <p>You should review data collection points and check that you are only holding personal data that you absolutely require. Holding too much information can cause problems for our business in terms of resulting in a higher security risk (e.g., if it were accessed unlawfully) and could mean that it is more likely that it could be inaccurate.</p>
<b>Accuracy</b>	
Personal data should be accurate and, where necessary, <b>kept up to date</b> .	<p>We expect that personal data which is held is kept accurate and kept up to date.</p> <p>You should check the accuracy of any personal data at the point of collection and at regular intervals afterwards.</p> <p>You should take all reasonable steps to destroy or amend inaccurate or out-of-date personal data.</p> <p>Holding inaccurate information can lead to wrong decisions being taken by the Bundy Group which could have negative consequences for those affected.</p>
<b>Storage Limitation</b>	
Personal data <b>should not be kept for any longer than necessary</b> .	<p>We only expect personal data to be retained for as long as it is needed. We should not hold on to personal data if it is no longer required.</p> <p>The Bundy Group will set out in general terms how long personal data will be kept for in privacy notices or by reference to policies. These should be checked and if personal data is no longer required, it should be securely disposed of.</p>



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## Data Protection Principles (continued)

Principle	What does this mean?
<b>Integrity and Confidentiality</b>	
<p>Personal data should be kept secure.</p>	<p>You are expected to comply with our IT Security Policy and our IT Acceptable Use and Password Policy available from the HR department, which set out further information about how the Bundy Group keeps all data (including personal data) secure. You can be criminally liable personally if you steal or recklessly misuse personal data.</p> <p><b>If you become aware of any incident or circumstance that causes, or is likely to cause any misuse, loss or otherwise affect the integrity of any personal data held by the Bundy Group, you must immediately inform your line manager and the HR department.</b></p> <p>The Bundy Group will ensure that appropriate measures are taken to keep personal data secure.</p> <p>The Bundy Group also expects any suppliers of services to handle personal data in a way that is secure. If you are sharing personal data with any organisation outside of the Bundy Group, you must let your line manager and executive team representative know because we need to have in place appropriate contractual protection and we may need to audit them.</p> <p>If you are undertaking a project that involves new technology that affects personal data, or a project that uses sensitive data, then you should undertake a Privacy Impact Assessment to check that steps are taken to keep it secure. Please discuss this with your line manager.</p>
<b>Rights of Individuals</b>	
<p>Personal data should only be used in accordance with any rights individuals have.</p>	<p>It is important that we recognise that certain territories give rights to individuals around the way their personal data is handled. In particular, in Europe, there are a number of rights given in Data Protection Laws.</p> <p>You have a responsibility to ensure that if you become aware of an individual enforcing their rights, that you let the appropriate contact known immediately to enable the matter to be carefully considered.</p> <p>Examples of rights that individuals have include (but not limited to):</p> <ul style="list-style-type: none"> <li>● the right to be informed of how we process their personal data;</li> <li>● the right to request access to any personal data which we hold about them;</li> <li>● the right to ask to have inaccurate or incomplete personal data amended;</li> <li>● the right to have personal data erased from our systems (where such erasure is not prohibited by law);</li> </ul>



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## Data Protection Principles (continued)

Principle	What does this mean?
<b>Rights of Individuals (Continued)</b>	
Personal data should only be used in accordance with any rights individuals have.	<p>Examples of rights that individuals have include (but not limited to):</p> <ul style="list-style-type: none"> <li>● the right not to be subject to automated decisions (i.e., decisions made solely on a computer without human intervention) which produce legal effects or similarly significantly affect them, unless they have consented or another exception applies;</li> <li>● the right to restrict, 'block' or suppress our use of their personal data and to prevent processing that is likely to cause damage or distress to themselves or anyone else;</li> <li>● the right to receive personal data held about them in a commonly used, machine-readable format, and have the personal data transmitted directly from one organisation to another where it is technically feasible;</li> <li>● the right to object to us profiling them or sending targeted marketing to them; and</li> <li>● where processing of personal data is based on consent (e.g., use of information for direct marketing purposes), a right to withdraw their consent at any time.</li> </ul>

## Transferring Personal Data to a Country Outside the UK and EEA

We are restricted in law when sharing personal data outside of the UK and European Economic Area ("EEA"). A number of mechanisms exist that we can rely on to share personal data and have put in place mechanisms within the Bundy Group to ensure personal data is shared with an appropriate level of protection.

If you are asked to share personal data to an organisation outside of the UK and/or EEA that is not within the Bundy Group, then appropriate safeguards will need to be put in place (such as EU commission approved standard contractual clauses) and you should contact your line manager and the HR department to discuss these.

## Changes to this Policy

We reserve the right to change this policy at any time. Where appropriate, we shall notify Personnel of this policy of those changes by email.