
PD Ports Limited
Customer and Supplier Privacy Policy

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1. **Introduction**

1.1. PD Ports Limited (registered in England and Wales with company number 06928227) of 17 – 27 Queens Square, Middlesbrough TS2 1AH ("we", "us" or "our"), will process certain personal data about our customers and suppliers.

(A) **SUPPLIERS** – we will collect and process personal data about individuals from our suppliers as detailed in Part 1 of Schedule 1 of this policy.

(B) **CUSTOMERS** – we will collect and process personal data about individual customers as detailed in Part 2 of Schedule 1 of this policy.

1.2. Whether you are a customer or supplier we will process personal data (which may be held on paper, electronically, or otherwise) about you. We recognise the need to treat your personal data in an appropriate and lawful manner, in accordance with data protection legislation, including the General Data Protection Regulation ("**GDPR**") and the Data Protection Act 2018 (the "**DPA**"). The purpose of this Privacy Policy is to make you aware of how we will handle your personal data.

1.3. Please read this Privacy Policy carefully to understand our practices regarding your personal data and how we will treat it.

1.4. Our Data Protection Officer can be contacted at dpo@pdports.co.uk

1.5. We reserve the right to amend this policy at any time. Any amended versions of this Privacy Policy will be published on our website at www.pdports.co.uk and we advise that you check this webpage periodically for any updated versions of this Privacy Policy.

2. **Data protection principles**

2.1. We will comply with the data protection principles in the GDPR, which say that personal data must be:

2.1.1. Processed fairly, lawfully and in a transparent manner.

2.1.2. Obtained for specified, explicit and lawful purposes and processed compatibly with those purposes.

2.1.3. Adequate, relevant and not excessive for the purpose(s) for which it is processed.

2.1.4. Accurate and up-to-date.

2.1.5. Kept in a form which enables identification of individuals no longer than necessary for the purposes for which it is processed.

2.1.6. Processed subject to appropriate security measures.

2.2. "Personal data" means recorded information we hold about you from which you can be identified. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you. "Processing" means doing anything with the data, such as accessing, disclosing, destroying, profiling or using the data in any way.

"Special category data" includes information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data (such as data relating to the inherited or acquired genetic characteristics of an individual), biometric data (for the purpose of uniquely identifying an individual), data concerning an individual's health (including both physical and mental health), sex life or sexual orientation. Criminal data is not included within the definition of special categories of data but if we process criminal data we will process it using the same safeguards we operate in respect of special categories of data.

- 2.3. "Profiling" means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movement.

3. **How we make sure processing of your personal data is fair and lawful**

- 3.1. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- 3.1.1. Where we need to perform the contract we have entered into with you.
- 3.1.2. Where we need to comply with a legal obligation.
- 3.1.3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

- 3.2. We may also use your personal information in the following situations, which are likely to be rare:

- 3.2.1. where we need to protect your interests (or someone else's interests).
- 3.2.2. where it is needed in the public interest.

- 3.3. We will only process "special category data" where a further condition is also met. Usually this will mean that you have given your explicit consent to the processing of such data (although sometimes we will process personal data when it is necessary for the establishment, exercise or defence of legal claims), or it is necessary for the purposes of carrying out obligations and exercising specific rights in employment law.

What are our legitimate interests or the legitimate interests of a third party?

- 3.4. We consider that in some circumstances the processing of your personal data is necessary for our, or a third party's, legitimate interests, which include:

- 3.4.1. providing you with the goods or services that you have requested from us (where you are a customer of ours);
- 3.4.2. ensuring that the information you provide us with is accurate and up-to-date at all times;
- 3.4.3. for internal management purposes;
- 3.4.4. record keeping;

- 3.4.5. marketing purposes (where appropriate);
- 3.4.6. ensuring that you are kept up-to-date with matters that relate to our services;

4. **How and why we process your personal data**

- 4.1. We will process personal data about you for the purposes set out in Schedule 1 of this policy, depending on whether you are a customer or supplier.

5. **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit or delivering goods), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of suppliers who visit our premises)

6. **Only processing the personal data that we need to**

Your personal data will only be processed to the extent that it is necessary for the specific purposes we tell you about in this Privacy Policy.

7. **Ensuring your personal data is accurate**

We will keep the personal data we store about you accurate and up to date. We will take every reasonable step to erase or rectify inaccurate data without delay. Please tell us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you or anyone else. We will contact you if we become aware of any event which is likely to result in a change to your personal data.

8. **Retaining your personal data**

- 8.1. We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the Data Protection Officer.
- 8.2. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 8.3. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

9. **Automated decision-making**

- 9.1. Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- 9.1.1. where it is necessary to enter into or perform a contract with you and appropriate measures are in place to safeguard your rights;
 - 9.1.2. if it is authorised by law to which we are subject and which lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
 - 9.1.3. with your explicit written consent and where appropriate measures are in place to safeguard your rights.
- 9.2. If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.
- 9.3. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.
- 9.4. We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

10. **What rights do you have in respect of your personal data?**

- 10.1. You have the right to:
- 10.1.1. Request access to any personal data we hold about you.
 - 10.1.2. Have any personal data which we hold about you which is inaccurate rectified.
 - 10.1.3. Have incomplete personal data completed.
- 10.2. In certain circumstances you also have the right to:
- 10.2.1. Have the processing of your personal data restricted.
 - 10.2.2. Have personal data erased.
 - 10.2.3. Be provided with the personal data that you have supplied to us, in a portable format that can be transmitted to another data controller without hindrance.
 - 10.2.4. Object to certain types of processing, including automated processing (which includes profiling) and processing for direct-marketing purposes.
 - 10.2.5. Not to be subject to a decision that is based solely on automated processing which produces a legal effect or which has a similar significant effect for you.

If you wish to exercise any of the rights set out above in paragraph 10.1 or 10.2, you should make the request in writing to the Data Protection Officer, 17-27 Queens Square, Middlesbrough TS2 1AH

If you provided your consent to any aspect of the processing of your personal data, you have the right to withdraw your consent to that processing at any time, where relevant. Please contact the Data Protection Officer if you wish to do so.

10.3. You have the right to object, at any time:

10.3.1. to the processing of your personal data which:

10.3.1.1. is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us; or

10.3.1.2. which is necessary for the purposes of the legitimate interests pursued by us or a third party, including profiling.

If you object to the processing set out in 10.3.1 above, we must no longer process that personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or that the processing is required for the establishment, exercise or defence of legal claims.

11. How we keep your data secure

11.1. We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

11.2. We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. We will only transfer personal data to a third party if that third party agrees to comply with those procedures and policies, or if they put in place adequate measures themselves.

11.3. Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

12. Providing information to third parties

We will share your personal information with third parties where required by law, where it is necessary to administer the working, business or commercial relationship with you or where we have another legitimate interest in doing so.

In addition to our employees, we also use service providers who may process personal data on our behalf (for example software providers for our IT systems and IT service providers). Apart from our employees and service providers, we will not disclose your personal data to a third party without your consent unless we are satisfied that they are legally entitled to the data. Where we do disclose your personal data to a third party, we will have regard to the data protection principles.

We may disclose your personal information to third parties:

- in the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets;

- if we or substantially all of our assets are acquired by a third party, in which case personal data held by us will be one of the transferred assets; and
- if we are under a duty to disclose or share your personal data in order to comply with legal obligations or to protect our rights, property, or safety of customers / users, suppliers or employees. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction (e.g. for the purpose of assessing the level of credit to be granted by us, if applicable).

If your personal data is provided to any third parties, you are entitled to request details of the recipients of your personal data or the categories of recipients of your personal data.

13. **Transferring your personal data outside the European Economic Area ("EEA")**

We will not transfer your personal data outside the EEA unless such transfer is compliant with the GDPR. This means that we cannot transfer any of your personal data outside the EEA unless:

- The EU Commission has decided that another country or international organisation ensures an adequate level of protection for your personal data; or
- The transfer of your personal data is subject to appropriate safeguards, which may include:
 - Binding corporate rules; or
 - Standard data protection clauses adopted by the EU Commission.
- One of the derogations in the GDPR applies (including if you explicitly consent to the proposed transfer).

We currently transfer personal data outside the EEA:

- as some personal data may be reviewed for compliance and regulatory purposes, such as Sarbanes-Oxley (SOX);
- as some personal data is stored on cloud systems, the servers for which may be based outside the EEA;

14. **Breaches of data protection principles**

If you consider that the data protection principles have not been followed in respect of personal data about yourself or others please notify us as soon as possible after becoming aware.

We are obliged to notify the Information Commissioners Office without undue delay, and where feasible, no later than 72 hours of becoming aware of a data breach, unless we consider that the personal data breach is unlikely to result in a risk to the rights and freedoms of the affected data subjects.

15. **Right to lodge a complaint**

If you have any issues with our processing of your personal data and would like to make a complaint, you can contact the Information Commissioner's Office on 0303 123 1113 or at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Schedule 1

PART 1 - SUPPLIERS

1. We will collect and process the following data about individuals from our suppliers:
 - 1.1. name;
 - 1.2. job title;
 - 1.3. telephone number;
 - 1.4. email address;
2. The information will be collected from:
 - 2.1. you directly; or
 - 2.2. a colleague of the individual at the supplier organisation.
3. The information we use is collected from inbound or outbound calls which we receive or make and/or manually completed paper forms and/or paper correspondence which we receive or send and/or email correspondence which we receive or send.
4. We process the personal data about you for the following purposes:
 - 4.1. to process the orders that we have made for goods and/or services from you, including purchase orders and invoices;
 - 4.2. to ensure that the goods and/or services can be delivered to our premises;
 - 4.3. to provide and help or support in respect of our orders; and
5. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

PART 2 – CUSTOMERS

6. We will collect and process the following data about customers:
 - 6.1. name;
 - 6.2. job title;
 - 6.3. telephone number;
 - 6.4. email address;
 - 6.5. home address
7. The information will be collected from:
 - 7.1. you directly; or
 - 7.2. third party where you placed an order.
8. We process the personal data about you for the following purposes:
 - 8.1. to process the orders for goods and/or services that you have made with us, including purchase orders and invoices;
 - 8.2. to provide marketing information to you in respect of our goods and/or services;
 - 8.3. for after-sale services in respect of the goods / services you have purchased from us;
 - 8.4. for credit checking purposes, in certain circumstances;
 - 8.5. dealing with queries in respect of our goods / services;
 - 8.6. account management;
9. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Revision History

| Revision | Description | Reviewed by | Review Date |
|-----------------|--------------------|--------------------|--------------------|
| 1.1 | Annual Review | R Ellison | 09/02/2021 |
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