

GDPR Policy	Valid 01/09/2019	Issue: 1
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Introduction

GEMchem Ltd is committed to a policy of protecting the rights and privacy of individuals, in accordance with the General Data Protection Regulation (GDPR). GDPR contains provisions that the organisation will need to be aware of as data controllers, including provisions intended to enhance the protection of personal data.

GDPR requires that GEMchem processes certain information about its staff, customer, suppliers and other individuals with whom it has a relationship, for various purposes such as, but not limited to:

1. The recruitment and payment of staff.
2. The day to day purchasing and sales of goods
3. The making or receiving of payments as part of day to day trading
4. To contact you about a submission or request for information you have made.
5. In relation to any correspondence we receive from you or any comment or complaint you make about our products or services.
6. Complying with legal obligations and government including local government.

To comply with various legal obligations, including the obligations imposed on it by GDPR, GEMchem must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Compliance

All members of staff are responsible for ensuring that any personal information which they hold is kept securely and not disclosed to any unauthorised third parties. GEMchem will ensure that all personal information is accessible only to those who have a valid reason for using it. GEMchem will have in place appropriate security measures to protect information physically and electronically.

As a matter of best practice, other agencies and individuals working with GEMchem and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

Consent as a basis for processing information, although not always necessary, is the best way to ensure that information is collected and processed in an open and transparent manner. Consent is especially important when GEMchem is processing any sensitive information, as defined by the legislation. GEMchem understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement. GEMchem also confirms consent cannot be inferred from the non-response to a communication.

This policy will be updated as necessary to reflect best practice in information management, security, and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

This policy applies to all staff of GEMchem. Any breach of this policy or of the Regulation itself will be considered an offence and the Company's disciplinary procedures may be invoked.

Responsibility

For responsibilities under GDPR, GEMchem Ltd will be the 'data controller' under the terms of the legislation. This means it is ultimately responsible for controlling the use and processing of personal data. The company appoints a Data Protection Officer (DPO) who is available to address any concerns regarding the data held by the company and how it is processed, held and used.

The Senior Management Team is responsible for all day-to-day data protection matters and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the Company.

The Senior Management Team is also responsible for ensuring that the Company's policy is kept up to date. Details of the GEMchem's policy can also be found on the company's website.

Compliance with the legislation is the personal responsibility of all staff at GEMchem Ltd who process personal information. Individuals who provide personal data to GEMchem Ltd are responsible for ensuring that the information is accurate and up-to-date.

Data Protection Principles

To comply with its obligations, GEMchem Ltd undertakes to adhere to the eight principles:

1) Process personal data fairly and lawfully (*the right to be informed*).

GEMchem Ltd will make all reasonable efforts to ensure that individuals who are the focus of personal Identifying information (PII) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

The Company will ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed. It will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. The Company will process the data for the specific and lawful purpose for which it was collected and not further process the data in a manner incompatible with this purpose. The Company will ensure that the reason for which it collected the data originally is the only reason for which it processes that data, unless the individual consents to any additional processing before it takes place.

GEMchem Ltd undertakes not to disclose personal data to unauthorised third parties. Legitimate disclosures may occur in the following instances:

- Where the individual has given their consent to the disclosure.
- The disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual.

2) Subject Access Rights (SARs) (*the right of access*).

Individuals have a right to access any personal data relating to them which is held by GEMchem Ltd. We will use reasonable efforts consistent with our legal duty to supply, correct or delete personal information about you on our files. Any individual wishing to exercise this right should apply in writing to the Data Protection Officer. Any member of staff receiving a SAR should forward this to the Data Protection Officer. To ensure security, we require you to prove your identity with 2 pieces of approved identification before any SARs request can be released.

3) Keep personal data accurate (*the right to rectification*).

It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the Company if a change in circumstances should mean that the data needs to be updated. It is the responsibility of the Company to ensure that any notification regarding the change is noted and acted on.

4) Only keep personal data for as long as is necessary (*the right to erasure*).

GEMchem Ltd undertakes not to retain personal data for longer than is necessary to ensure compliance with GDPR legislation, and other statutory requirements. This means GEMchem Ltd will undertake a periodic review of the information held and implement a purge process as required. GEMchem Ltd will dispose of any personal data in a way that protects the rights and privacy of the individual concerned.

5) Restrict the process of personal information.

Individuals have the right to prevent processing of information while that information is subject to corrective action

At any time a person can request to know what information is stored and request action to rectify, block, erase or destroy inaccurate information while that process is underway.

6) Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

GEMchem will not transfer data to such territories without the explicit consent of the individual. This also applies to publishing information on the Internet - because transfer of data

can include placing data on a website that can be accessed from outside the EEA - so GEMchem will always seek the consent of individuals before placing any personal data (including photographs) on its website.

If GEMchem collects personal data in any form via its website, it will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

7) The right to object allows an individual to prevent processing for purposes of:

- Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling).
- direct marketing (including profiling).
- processing for purposes of scientific/historical research and statistics.

8) Rights in relation to automated decision making and profiling.

- automated individual decision-making (making a decision solely by automated means without any human involvement)
- profiling (automated processing of personal data to evaluate certain things about an individual).

Incident Response

GDPR introduces a duty to report certain types of personal data breach to the relevant supervisory authority. Where feasible, GEMchem Ltd will do this within 72 hours of becoming aware of the breach.

If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, GEMchem Ltd will also inform those individuals without undue delay.

This policy will be updated to reflect the General Data Protection Regulation (GDPR) May 2018. Please view the ICO's website (<https://ico.org.uk>) which provides further details and guidance.

For help or advice on any data protection or freedom of information issues, please do not hesitate to contact: The Data Protection Officer (DPO): David Green, Managing Director (Data.Lead@GEMchem.co.uk).