

HTA Data Privacy Policy

Approval History

Revision	Revision Date	Author	Reason
0D1	18-Apr-2018	R. Naylor	Creation
1D0	18-Apr-2018	R. Naylor	First Issue
2D0	24-Mar-2021	R. Naylor	New Company Address; renamed to HTA Data Privacy Policy.
3D0	09-Jan-2024	R. Naylor	Minor changes requested by HOR
4D0	12-Jan-2024	R. Naylor	Further changes requested by HOR
5D0	19-Jan-2024	R. Naylor	Further changes requested by HOR
6D0	09-Feb-2024	R. Naylor	Removed Company Confidentiality footer at HOR request

1 DATA PRIVACY POLICY 5

1 DATA PRIVACY POLICY

It is the policy of Horiba Test Automation (HTA) that it shall at all times respect the privacy of individuals by processing personal data only for legitimate and lawful purposes and in strict adherence to current data protection legislation. Set out below is our Data Privacy Policy which makes clear how we meet our obligations to everyone whose personal data we process and to the Supervising Authority under UK law.

The Data Protection Coordinator

The Data Protection Coordinator for Horiba Test Automation can be contacted at:

Horiba Test Automation
Brook Court
Whittington Hall
Whittington Road
Worcestershire
WR5 2RX

+44 (0)1905 359359

Supervising Authority

The Supervising Authority for data privacy matters in the UK is the Information Commissioner's Office (ICO):
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Definitions

'Personal data' means any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly by reference to any other identifier.

'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.

'Data Controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

'Data Processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Data Protection Principles

1. Data will be processed fairly, lawfully and in a transparent manner.
2. Data will be collected for specified, explicit and legitimate purposes.
3. Data will be adequate, relevant and limited to what is necessary.
4. Data will be accurate and kept up to date.
5. Data will be retained only for as long as necessary.
6. Data will be processed in a manner to maintain security.

Lawful Basis for Processing

HTA will obtain, hold, use and disclose personal information for our legitimate business purposes, for the fulfilment of legal obligations and as part of contractual arrangements. Processing of personal data will include:

- staff administration including occupational health, welfare and performance management
- management of finance and accounts
- training and personal development
- property, asset and insurance management
- vehicle and transport management
- payroll and benefits management
- management of complaints
- management of information and communication technology systems
- legal services
- licensing and registration where applicable
- pensions administration
- procurement and contract management
- health and safety management
- performance of a business contract
- obligations under the law to statutory authorities
- business development and planning

The lawful basis for processing personal data is in all cases strictly in accordance with one or more of the following:

- the explicit consent of the individual
- the performance of a contract (or for the purposes of entering in to a contract at the request of the individual)
- a legal obligation upon us e.g. tax affairs
- in the vital interests of an individual
- in the public interest or exercise of official authority
- HTA's legitimate business interests specifically to the extent that the Data Protection Principles imposed by data protection legislation allow.

All personal information processed by us is done so fairly, lawfully and with appropriate justification. We ensure that any personal information used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and limitation. It will be kept up-to-date, be protected appropriately and securely destroyed when no longer required.

We will comply with all individuals' rights under existing data protection legislation. Where personal data is held purely by virtue of the consent of the individual, that consent will be explicitly given, recorded and may be withdrawn at any time without penalty.

Your Data Protection Rights

As the person to whom personal data relates, you have certain rights regarding how your data is held, used, processed or shared by us. These are explained below:

- The right to be informed – You have the right to insist on transparency over how we use your personal data and to be provided with 'fair processing' information.
- The right of access – You have the right to access your personal data and any other supplementary information within one month. You can request this free of charge.
- The right to rectification – You are entitled to have data rectified if it is inaccurate or incomplete.
- The right to erasure – You may request the deletion or removal of personal data if you believe that there is no longer any lawful basis for which it is processed.
- The right to restrict processing – You have the right to request restriction of the processing of your data if you contest its accuracy or object to its processing for any reason. In such cases HTA is entitled to store your data but not further process it until an investigation is complete and your complaint is verified.
- The right to data portability – You have the right to request your personal data be given to you in a machine readable format to be used for your own purposes and to transfer it easily from one IT environment to another. This only applies to information that you have given us and where the processing is carried out by automated means. We may not be able to provide you with this information if it prejudices the rights of another person.
- The right to object – You have the right to object to the processing of your data where the processing is based on the legitimate interests of HTA with regard to direct marketing or where it is being used for statistical purposes.
- The right to object to automated decision making and profiling – There is a right not to be subject to a decision based solely on automated processing, including profiling (i.e. decisions made without human intervention). This right does not apply however if the processing is necessary for entering into, or performance of, a contract between you and HTA (e.g. employment contract) or where the data is processed with your explicit consent.

Types of Personal Data Processed

In the legitimate course of our business we may obtain, hold, use and disclose personal information relating to or consisting of any of the following:

- personal details such as name, address and biographical details
- family and social circumstances
- education and training details
- employment details
- professional qualifications and experiences
- financial details
- goods or services provided
- physical or mental health
- criminal offences, outcomes and sentences
- sound and visual images
- licenses or permits held
- information relating to health and safety
- complaints and correspondence
- incident and accident details
- performance management information
- copies of correspondence to or from us
- data derived from IT systems such as IP addresses or location information
- information that may be required for the performance of a contract

The source and origins of personal data that we hold, use or disclose

We may obtain personal information from a wide variety of sources, including the following:

- HM Revenue and Customs
- law enforcement agencies and regulatory or licensing authorities
- legal representatives
- business partners who share a legitimate business contract with us
- prospective business partners
- external auditors
- central or local government, government agencies and departments
- emergency services
- individuals themselves
- relatives, guardians or other persons associated with the individual
- current, past or prospective employers of the individual
- healthcare, social and welfare practitioners
- education, training establishments and examining bodies
- business associates and professional advisors
- employees and agents of HTA
- suppliers and providers of goods or services
- persons making an enquiry or complaint
- financial organisations and advisors
- credit reference agencies
- survey and research organisations
- trade, employer associations and professional bodies
- data Processors working on behalf of HTA

- our parent organisation and its subsidiaries
- recruitment agencies

Whose Personal Data do we Process?

We may obtain, use and disclose personal information relating to a wide variety of individuals including the following:

- staff including volunteers, contractors, agency staff including temporary and casual workers
- suppliers
- business partners
- complainants, correspondents and enquirers
- relatives and associates of the individual concerned
- advisers, consultants and other professional experts
- former and potential members of staff

We will only obtain, hold, use or disclose appropriate personal information necessary to fulfil a particular purpose. Personal information could be held in computer format or in a paper record. It can also include other types of electronically held information such as CCTV images or audio recordings.

Retention of Personal Data

We keep personal data for as long as, but no longer than is necessary for the particular purposes for which it is held or for any period that might be required by law. Where there is no further requirement to use, hold or store personal data and the law does not require us to do so, we shall remove it from our records and systems. Our retention of personal data is strictly on the basis of the clear and justifiable existence of a lawful basis for processing.

It is not possible in this policy to explicitly state how long personal data should be retained for as this will vary considerably depending on the type of data and the lawful basis for its processing. The overriding rule is that the 'storage limitation' Data Protection Principle will apply in all cases:

"Data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed"

Where Personal Data is Held

Personal data relating to any individual may be held, used and processed on a number of systems and in a variety of formats. Personal data will be held in machine readable format on computers, servers (whether ours or hosted by a business partner), on mobile devices or in paper files. These will include:

- HR systems
- finance systems
- customer databases
- recruitment systems
- occupational health records
- managers' individual filing systems – electronic and hard copy
- project management systems
- emails and correspondence
- software configuration and document management systems

Who We Share Information With

We may disclose personal information to a wide variety of recipients in any part of the world, including those from who personal information is obtained. Disclosure of personal information will be made strictly on the grounds of the following and with suitable controls in place:

- the explicit consent of the individual
- the performance of a contract
- a legal obligation upon us
- in the vital interests of an individual
- the public interest or exercise of official authority
- HTA's legitimate business interests

Where processing is to be carried out on behalf of HTA by a third party organisation (known as the Data Processor), HTA shall use only processors providing by means of contractual clauses sufficient guarantees regarding appropriate technical and organisational measures that processing will meet the requirements of the law and ensure the protection of the rights of the data subject. The processor shall not engage another processor without the prior specific written authorisation of HTA. We may share personal information with any of the following:

- law enforcement agencies and regulatory or licensing authorities
- legal representatives
- business partners who share a legitimate business contract with us
- prospective business partners
- external auditors
- central or local government, government agencies and departments
- emergency services
- current, past or prospective employers of the individual
- healthcare, social and welfare practitioners
- education, training establishments and examining bodies
- business associates and professional advisors
- managers within the Horiba Group of companies
- suppliers and providers of goods or services
- financial organisations and advisors
- credit reference agencies
- survey and research organisations
- trade, employer associations and professional bodies
- recruitment agencies

Overseas Transfers of Personal Data

HTA as part of its business operation will under certain conditions share personal data within the Horiba Group overseas and also to other overseas organisations. Some organisations that HTA disclose personal information to are outside of the European Economic Area. We ensure that all personal data shared with any overseas organisation is adequately protected.

All transfers of data overseas are governed strictly as follows:

- Within the Horiba Group – as allowed by a Framework Agreement.
- Outside of the Horiba Group and outside of the EEA - by EC Model Data Protection Clause agreements approved by the European Commission.
- Within the EEA and to countries approved by the EC as having adequate data protection standards – using standard contract with data privacy clauses.
- With the US – Using EU/US Privacy Shield arrangements.

Automated Decision Making and Profiling

Automated decision making and profiling occurs where a computer system generates an output relating to an individual without any human intervention, upon which a decision is made. HTA may in limited circumstances use such systems. There is a right not to be subject to a decision based solely on automated processing, including profiling (i.e. decisions made without human intervention). This right does not apply however if the processing is necessary for entering into, or performance of, a contract between you and HTA (e.g. employment contract) or where the data is processed with your explicit consent.

Data Security

HTA is committed to meeting the HORIBA Global IT Security policy.

Sensitive Personal Data

Previously 'Sensitive Personal Data' has now been designated as Special Category Data. Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data or biometric data for the purpose of uniquely identifying a person, data concerning health or a person's sex life or sexual orientation can only be processed under specific conditions.

All Special Category Data is held strictly on the basis of the consent of the data subject and is afforded the highest degree of protection.

Complaints or Queries

You have the right to make a complaint about the manner in which your personal data is stored, used, processed or shared by us; or if you feel that any of your Data Protection Rights have been violated.

You can direct all personal data queries or complaints to us by contacting dataprotection.hta@horiba.com.

Or you can complain directly to the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/>

You can also call the ICO Helpline on 0303 123 1113. The ICO is the UK's independent body set up to uphold information rights.