

## Privacy Notice

**This notice was last changed in January 2022.**

We may change this notice from time to time.

You can contact us by the means mentioned below if you would like to see previous versions.

### 1 Who we are

We are **Nelipak Elsham Ltd.** (Company number 02702506) of The Flarepath, Elsham Wolds Industrial Estate, Brigg, North Lincolnshire, DN20 0SP and/or **Nelipak Healthcare Packaging Ltd.** (Company Number NI017929) of Acorn Road, Campsie Industrial Estate, Londonderry, Co Londonderry, BT47 3GQ (together or separately, **Nelipak UK**).

You may contact us with any queries and requests at the above addresses or by email at [info@nelipak.com](mailto:info@nelipak.com).

### 2 This notice

This notice describes how we use the personal information of individuals who represent our customers and suppliers when we do business with our customers and suppliers. Please read this notice carefully.

For purposes of data protection law, we are "controllers" of your personal data. For certain uses of your personal data, each of us will be a joint controller with the other or with other companies in our group – where, together, we make decisions about business strategy or group wide operations. You may see details of our group members at <https://www.nelipak.com/about-us/locations/>. Nelipak UK remains responsible for responding to your request mentioned in section 11 below.

We may collect your personal information when your business contacts us or we contact your business about the provision of a product or service. You might be a business owner or shareholder, or a manager, employee, sales representative or other representative of our customer or supplier. This notice will apply whether the individual provided the information directly to us or we have obtained it from a third party.

This notice does not describe our use of personal information collected through our website(s). Please see the notices on our website(s) in that regard.

If you have any questions or need any further clarity please get in touch. Our contact details are set out above.

### 3 Data that we collect

Personal data, or personal information, means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you which we have listed below. Please note that some of the information described below is your personal information only if you are a sole trader or in a small partnership.

- Name
- Job title
- Business contact details including phone numbers, email and office address
- Bank account details and financial information, including VAT number
- Transaction history including the products you have ordered from us or we have ordered from you
- Personal data contained in communications with us

- Whether you've opened electronic communications from us
- Whether you've clicked on links in electronic communications from us
- Your preferences in receiving marketing communications from us

We also collect, use and share aggregated data such as statistical data for business development or other purposes. Aggregated data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity.

If we need to collect personal data by law, or under the terms of a contract we have with you or the business you represent, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you.

#### **4 How we collect your data**

We collect your personal information from you or from the business you represent when we engage in business with you or the business which you represent or own. We also collect your personal data if you subscribe to our publications or come to our events.

We might also collect your personal information from the business you represent, business contacts whom we have in common, public sources (such as business websites and Companies House), and trade references, if you are a sole trader or partnership.

#### **5 Purposes for which we use your personal data**

We use your information in order to:

- Send you quotations and offers and respond to tenders
- Provide our products and services and manage purchase orders to your business or the business you represent
- Otherwise perform our contract with you or the business you represent
- Manage and administer our products and services
- Administer our relationship with your business or the business you represent
- Take payment from or make a refund to your business or the business you represent
- Make payments for your products and services
- On-board your business or the business you represent as a customer
- In the case of sole traders or some partnerships, check trade references
- Send marketing communications and promote our business
- Develop and improve our products and services
- Perform statistical analysis and research
- Build relationships with other organisations
- Personalise our service
- Help us to prevent fraud
- Perform analysis, testing, system maintenance and hosting
- Comply with anti-money laundering and fraud prevention regulations as well as other legal requirements
- Respond to requests by a law enforcement or regulatory authority, body or agency
- Deal with legal proceedings

#### **6 Lawful bases for using your personal data**

We will only use your personal data when the law allows us to. Our usual lawful bases for using your personal data are:

- It's necessary to enter into and perform our contract with you where you are a sole trader or a partner in some partnerships
- It's necessary to our legitimate interest of performing our contract with the business you represent
- It's necessary to our legitimate business interest of promoting and develop our business. Where the law so requires, we will first obtain your consent
- It's necessary to our legitimate interest of administering and managing our business and our business relationships
- It's necessary to our legitimate interest in understanding customer feedback, handling customer communications, and checking that our staff handle customer communications consistently
- It's necessary to our legitimate interest in protecting the security of our systems and assets
- It's necessary to deal with legal claims or comply with an order or requirement of a law enforcement or regulatory authority, body or agency

Where we have based our use of personal data on our legitimate interests, this will apply only where we consider that our legitimate interest is not overridden by the individual's interests or rights which require protection of their personal data.

You may object to receive marketing communications from us by using the "unsubscribe" function in the marketing email or by contacting us through a means mentioned in section 1.

We may process your personal data without your knowledge or consent where this is required or permitted by law.

## **7 How long we keep your information**

Where you or a business you represent has entered into a contract with us, we will keep your information used in performing the contract for the length of the contract and for six years after that, in case of any claims relating to the contract.

We will also keep personal data as long as necessary to fulfil legal, regulatory, tax, accounting or reporting requirements.

We will keep other information related to your use of our products and services for a reasonable length of time to understand how our customers use them and to understand the impact of any changes we may make and to keep quality control records. This is usually not any longer than six years or in accordance with regulatory requirements.

We will collect information related to the security of our systems and operations for a reasonable length of time to monitor and address security issues.

We will not delete personal information if relevant to an investigation or a dispute. It will continue to be stored until those issues are fully resolved.

When we no longer need to use your personal data, we will remove it from our systems and records, and or take steps to anonymise it so that you can no longer be identified from it.

## **8 Information we share with other parties**

We may share your personal data with the third parties listed below for the purposes set out in section 5:

- Our group companies including Nelipak Corporation
- Contractors or service providers who process your personal data for us, in order to provide services to us, such as Amazon Web Services or other cloud hosting services, backup and disaster recovery specialists and parties who provide support and maintenance services for our IT systems

- Banks and payment processors
- Our professional advisors, such as lawyers, auditors and accountants, and IT and technical consultants
- Business partners to whom we may introduce you, where they provide products and services which we think may be of interest to you, or who introduce customers to us
- Competent authorities such as tax authorities, courts, regulators and security or police authorities where required or requested
- Parties with which we're discussing selling part or all of our business, in connection with the proposed sale
- Parties to which we sell any of our business so that they can continue to provide services to you
- Parties to which we consider we need to provide your information in order to make or defend legal claims

We require our service providers to meet our standards on processing information and security. We will provide them with your information only in connection with the performance of their function.

## **9 Countries where your information will be held**

We may transfer your information outside the United Kingdom or for the purposes listed in section 5.

In certain cases, including transfers to the United States, the United Kingdom authorities have not made a decision that the country, to which we transfer your data, provides an adequate level of protection for your personal information. To ensure your personal information is properly protected in line with UK data protection law, we will conduct an assessment and make the transfer of this information subject to a contract including Standard Contractual Clauses approved by the authorities in the United Kingdom.

We may also rely on any other international transfer mechanisms that are available to us under UK data protection law to ensure that the transfer of your personal data outside of the United Kingdom will comply with applicable data protection laws.

If you would like to obtain copies of the regulator-approved Standard Contractual Clauses or further information on any other international transfer mechanism used by us, please contact us through the means given in section 1.

## **10 Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. Where we engage third parties to process your personal data on or behalf, they are obliged to process your personal data only on our instructions and they are subject to a duty of confidentiality.

## **11 Your rights**

Individuals have certain rights in relation to your information, listed below, and then explained in further detail. These rights will apply only in certain circumstances.

If you wish to exercise any of these rights, please contact us using the means mentioned in section 1 above.

Where we receive a request to exercise one of these rights, we shall provide information on the action we take on the request without undue delay and in any event within one month of receipt of the request. This may be extended by a further two months in certain circumstances, for example, where requests are complex or numerous.

We will provide the information to you free of charge, except where your requests are manifestly unfounded or excessive, for example, you make repeated requests for the same information. In these circumstances, we may charge a reasonable fee or may refuse to act on the request. We will advise you of any fees prior to proceeding with a request.

We may ask for additional information to verify your identity before carrying out a request.

Where we do not carry out your request, we will tell you so without delay and within one month of receipt of the request, and we will explain our reasons for not taking the action requested.

- **Right to access personal data**

You have the right to confirm the following with us:

- Whether or not we process personal data about you.
- Certain information about the processing.

You also have a right to access the personal data and be provided with a copy.

- **Right to rectification of personal data**

If you believe that the personal data we hold on you is inaccurate, you may request that we correct it. You may also request us to complete personal data about you which is incomplete.

- **Right to restrict processing of personal data**

You have the right to request that we restrict processing of your personal data where one of the following applies:

- You claim that the personal data is not accurate. The restriction will apply until we have taken steps to ensure the accuracy of the personal data.
- The processing is unlawful but you do not want us to erase the personal data.
- We no longer require the personal data for the purposes of processing, but you still need it in connection with a legal claim.
- You have exercised your right to object to the processing. The restriction will apply until we have taken steps to verify whether we have compelling legitimate grounds to continue processing.

- **Right to request deletion of personal data ("right to be forgotten")**

You have the right to request the erasure of your personal data in certain circumstances, including the following (this is not an exhaustive list):

- The personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed.
- You have withdrawn your consent and we have no other legal basis for processing it.
- You have exercised your right to object to the processing and have no overriding legitimate grounds to continue processing it.

There are some bases on which we may refuse a request for erasure, for example, where we need to use the personal data to comply with a legal obligation or to establish, make or defend legal claims.

- **Right to object to processing of personal data**

You have a right, at any stage, to object to our using your personal information to send you marketing information.

You also have the right to object to our using your personal data where our reason is based on our legitimate interests. We will have to stop processing unless we can establish that we have compelling legitimate grounds which override your interests, rights and freedoms, or that we need to continue using it for the establishment, exercise or defence of legal claims.

- **Right to data portability**

This right applies where:

- Our reason for using your personal data is either that you have given consent or that the processing is necessary for us to perform a contract with you (you are a sole trader or in a small partnership); and
- We process the personal data electronically.

This is a right to receive all the personal data which you have provided to us in a structured, commonly used and machine-readable format and to transmit this to another controller directly, where this is technically feasible.

- **Supervisory Authority**

You have a right to complain to the Information Commissioner's Office where you consider we have infringed your rights under UK data protection law.