

## Data Privacy Policy

### Purpose

The purpose of this policy is to ensure that all Eurofins Forensic Services (EFS) UK staff members are aware of the Data Protection Act (DPA) and the General Data Protection Regulation (GDPR) and the seriousness with which EFS views its responsibilities under this legislation.

This policy outlines the EFS directive, requirement and stance with regard to compliance with the legislation and in safeguarding personal data.

### Policy Overview

EFS will only use personal information to administer duties in a lawful basis and will not share or provide personal information to a third party without appropriate consent.

EFS fully supports and complies with the eight principles of the DPA which are summarised below.

Personal data:

1. Shall be processed fairly and lawfully.
2. Shall be obtained/processed for specific lawful purposes.
3. Held must be adequate, relevant and not excessive.
4. Must be accurate and kept up to date.
5. Shall not be kept for longer than necessary.
6. Shall be processed in accordance with rights of data subjects.
7. Must be kept secure.
8. Shall not be transferred outside the European Economic Area (EEA) unless there is adequate protection.

Under the GDPR, EFS fully supports and complies with the main data protection principles and in line with Article 5 of the GDPR, has process in the place to ensure that personal data shall be:

- a) Processed lawfully, fairly and in a transparent manner in relation to individuals
- b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
- c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed are erased or rectified without delay.
- e) 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; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.
- f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage using appropriate technical or organisational measures.

### Policy amendments

EFS may update this privacy policy from time to time with the minimum of a formal yearly review being undertaken. EFS will ensure any updated versions are published with access and/or a copy being provided to all concerned parties.

Data Protection legislation and the act is currently going through a period of change. The basis of this change is European Union's GDPR and the new British Data Protection Bill which will replace the Act

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and is currently passing through Parliament. This policy is intended to comply with the Act and GDPR but may change over time.

### Security of Personal Information

EFS takes all reasonable technical and organisational precautions to prevent the loss, misuse or alteration of personal information.

EFS will store all personal information provided in appropriate, fit for purpose and secure environments.

The security of any data transmission requested by data subjects or data controllers over the internet cannot be guaranteed. It is not EFS policy to transmit sensitive data over the internet.

### Updating Information

Should any personal information held be found to be incorrect or need updating the following responsibilities apply:

- The data subject will inform EFS.
- EFS will make relevant changes where requested/required and engage with the data subject in the event of any incorrect information being identified.

### Purpose of Processing Personal Data

EFS processes personal data for the following reasons:

- To administer the activity of the business for employees and associated partners.
- To provide the best possible service to customers and associated stakeholders.

### Lawful Basis of Processing Personal Data

The lawful bases for processing are set out in Article 6 of the GDPR. It is EFS policy and GDPR requirement for at least one of these to apply whenever you process personal data:

- a) **Consent:** the individual has given clear consent to process their personal data for a specific purpose.
- b) **Contract:** the processing is necessary for a contract held with an individual, or because they have asked for specific steps to be taken before entering into a contract.
- c) **Legal obligation:** the processing is necessary for EFS to comply with the law (not including contractual obligations).
- d) **Vital interests:** the processing is necessary to protect someone's life.
- e) **Public task:** the processing is necessary for EFS to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- f) **Legitimate interests:** the processing is necessary for EFS legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

### Categories of Personal Data Processed

The information EFS hold should be accurate and up to date. The personal information EFS hold will be held securely in accordance with the security policy and requirement and the law. The type of categories of personal data EFS hold includes but is not exclusive to:

- Staff information regarding employment.
- Customer, Supplier and Subcontractor information.
- Business related information.

### Passing of Personal Data to Third Parties

EFS will only pass personal data to third parties or other companies in order to fulfil contractual or legal obligations.

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### Personal Data Retention Periods:

EFS maintain and hold retention period policies for personal data held which will be adhered to

### Data Subjects Rights

Under the DPA and the GDPR data subjects have a number of rights:

#### *Right of Access:*

Data subjects are entitled to access their personal data so that they are aware of and can verify the lawfulness of the processing. This is achieved through the mechanism of Subject Access Rights and Requests (SAR) and there is the right to obtain:

- Confirmation that a subject's data is being processed.
- Access to the subject's personal data and provision of a copy.

The above is not applicable for information being processed with regard to the Criminal Justice System and any requests will be referred to the relevant data controller.

#### *Right of Erasure:*

Data subjects may request the deletion or removal of personal data where there is no compelling reason for its continued processing. The Right to Erasure does not provide an absolute "right to be forgotten" especially once the processing is based upon a contract.

Right of erasure exists where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed:

- When consent is withdrawn (and this was the basis of processing)
- When a data subject objects to the processing and there is no overriding legitimate interest for continuing the processing.
- If the personal data was unlawfully processed.
- When the personal data has to be erased in order to comply with a legal obligation.

#### *Right to restrict processing:*

Data subjects have the right to request the restriction or suppression of their personal data by EFS but this is not an absolute right and only applies in certain circumstances. A request for restriction can be made verbally or in writing and EFS will ensure identity verification.

If processing is restricted EFS can store the personal data, but not use it. In this event exactly what is held and why will be explained.

#### *Right to Data Portability:*

Data subjects may request to obtain and reuse their personal data for their own purposes across different services.

The right to data portability only applies:

- To personal data an individual has provided to a controller;
- Where the processing is based on the individual's consent or for the performance of a contract.
- When processing is carried out by automated means.

#### *Right to Object:*

Individuals have the right to object to:

- 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.

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EFS will explicitly respond to any right to object and the decision shall be presented clearly and separately from any other information. In order to facilitate requests made under GDPR by data subjects, EFS will comply with the following;

### *Fees and Timings:*

Information will be provided without charge and without delay following the timescales prescribed by the ICO. If an extension is required or requests are considered manifestly unfounded or excessive, in particular because they are repetitive, EFS may choose to charge a reasonable fee taking into account the administrative costs of providing the information or refuse to respond. The reasons for this will be formally notified to the requesting party and rights to appeal to the appropriate supervisory authority will be highlighted.

### *Identity Verification:*

To protect personal data, EFS will seek to verify identity of requesting parties before releasing any information, which will normally be in electronic format.

Where EFS is the data processor of personal data and not the data controller it will seek permission from the relevant data controller before releasing any information to any party.

### **How do we use Personal Data?**

EFS will use the data provided on a lawful basis for the following purposes:

- To manage and run the Human Resource and contractual requirements of the business.
- To fulfil customer orders, requirements and services.
- To respond to any enquiries submitted by a data subject.
- To carry out transactions or agreements.
- To operate and improve services.
- Where permitted we may use information such as e-mail addresses to provide news, newsletters and to seek feedback on services.

### **How we Secure Information**

EFS will provide all commercially reasonable precautions on physical and electronic basis including where appropriate but not exclusive to:

- Password protection.
- Encryption.
- Firewalls.
- Internal access restrictions.
- Security passes and restricted physical access.
- CCTV.

### **Data Protection Officer**

EFS will appoint a Data Protection Officer to oversee all Data Protection and GDPR requirements.



Martin Hanly  
Quality and Compliance Director