



## **Vitacress Data Protection Privacy Statement**

### **Who are we?**

Vitacress is a group of companies (known as the "Data Controllers") based out of Vitacress Limited, Lower Link Farm, St Mary Bourne, Andover, Hampshire, SP11 6DB. Vitacress process personal data relating to employees (including workers and contractors), customers, suppliers, visitors and other individuals. This means Vitacress decides how your personal data is processed and for what purpose.

Vitacress is registered as a data controller with the Information Commissioner's Office (ICO) and will renew this registration annually or as otherwise legally required. For further information on this and how to contact us, see the final page of this Statement.

### **What are our Terms of Reference?**

All references to "us", "we", "our" or "the company/business" throughout this Privacy Statement refer to Vitacress (as set out above). References to "you" and "your" refer to the individual about whom Vitacress processes information. References to DPR(s) mean the company "Data Protection Representative(s)".

### **What are our aims?**

Vitacress respects your rights to data privacy and understands the importance of ensuring it processes it in a secure manner. With this in mind we aim to adhere to this Privacy Statement by recognising and addressing our obligations under the provisions of relevant data protection legislation.

Vitacress aims to ensure that all personal data collected about employees (including workers and contractors), customers, clients, suppliers, shareholders, website users, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the provisions of the Data Protection Act 2018 (DPA 2018).

This Privacy Statement applies to all personal data, regardless of whether it is in paper or electronic format and regardless of whether it relates to past or present employees, workers, contractors, customers, clients, suppliers, shareholders, website users, visitors or any other individual.

This Privacy Statement does not form part of any employee's contract of employment and may be amended at any time.

### **What are our responsibilities?**

This Privacy Statement applies to all individuals employed by Vitacress, to external organisations or individuals working and engaged on our behalf and to all other data subjects whose data we may process now and in the future. The Company shall maintain appropriate records of the processing activities for which it is responsible in accordance with the requirements of the GDPR.

#### **a. Operating Board**

The Operating Board has overall accountability for ensuring that Vitacress complies with all relevant data protection obligations and for ensuring Vitacress implements appropriate practices, processes, controls and training to ensure such compliance.

#### **b. Data Protection Officer**

Vitacress is not required to employ a Data Protection Officer (DPO) and therefore our Data Protection Representatives (DPRs) - Business Unit Managing Directors and Group Finance Director - are responsible for overseeing the implementation of this Privacy Statement, monitoring our compliance with data protection law and developing related policies and guidelines where applicable.

The DPRs will report to the Operating Board, giving their advice and recommendations on Vitacress' data protection issues.

The DPRs are also the first point of contact for individuals whose data Vitacress processes and for the ICO. The DPRs are contactable via the details provided on the final page of this policy.

### **c. Staff**

All staff, including employees, consultants, contractors, directors, officers, casual and agency workers must read, understand and comply with this policy and any related policies, operating procedures or processes and privacy notices and attend any required training on its requirements. Staff must process personal data on a need to know basis and for authorised and lawful purposes in accordance with the relevant privacy notices only.

Staff must comply with their obligations of confidentiality and Vitacress' information security measures, policies and procedures as put in place from time to time, including those relating to data security, password protection and encryption, use of and access to the Company's IT and communications systems, access to premises, use of personal devices for work purposes and use of removable storage devices as set out in the Information Security Policy.

Staff must notify a DPR immediately in the event they become aware of or suspect there has been a personal data breach and in the event they receive a request from an individual exercising their data subject rights. Staff must not disclose any personal data requested without having first verified that person's identity.

Any breach of this Privacy Statement may result in disciplinary action.

## **How have we utilised Data Protection Legislation and Guidance?**

This Privacy Statement meets the requirements of the GDPR. It is based on guidance published by the Information Commissioner's Office (ICO) on the [GDPR](#) and the ICO's [Code of Practice for Subject Access Requests](#) (SARs).

It also reflects the ICO's [Code of Practice for the Use of Surveillance Cameras](#) (CCTV) and personal information.

## **What are the GDPR Data Protection Principles?**

The GDPR is based on data protection principles with which Vitacress is required to comply. The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected and processed for specified, explicit and legitimate purposes and not be further processed in a manner incompatible with those purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date and all reasonable steps taken to ensure that inaccurate personal data is rectified or deleted without delay
- Not kept in a form which permits identification of the individual for any longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure and appropriate technical and organisational measures must be adopted to make sure that personal data is protected against unauthorised or unlawful processing and accidental loss, destruction or damage

This Privacy Statement sets out how Vitacress aims to comply with these principles.

Vitacress provides privacy notices to relevant individuals to inform them about their rights, how the company complies with its data protection obligations, how it collects and uses personal data, the reasons for processing personal data and the legal basis for such processing.

## **Your Personal Data – what is it?**

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to

come into such possession. The processing of personal data is governed by the EU General Data Protection Regulation (GDPR) and relevant UK Data Protection Regulations.

## **What are your Rights?**

Unless subject to an exemption under the GDPR, you have the following rights with respect to the personal data that Vitacress holds about you:

- The right to request a copy of your personal data which we hold about you
- The right to request that we correct any personal data if it is found to be inaccurate, incomplete or out of date
- The right to request that the company deletes or stops processing your personal data where it is no longer necessary for us to retain or process such data, known as "the right to be forgotten"
- The right to withdraw your consent to the processing at any time where consent is the legal ground for processing
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, known as "the right to data portability"
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction or suspension is placed on further processing
- The right to object to the processing of personal data where the company is relying on legitimate interests as the legal ground for processing

If an individual believes that Vitacress has not complied with their data protection rights, they have the right to complain at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## **What are Subject Access Requests and your Other Rights?**

### **a. Subject Access Requests (SARs)**

Individuals have a right to make a "Subject Access Request" to gain access to personal information that Vitacress holds about them.

Subject Access Requests are required to be submitted in writing, either by letter or email, to the contact details on the final page of this Statement. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested
- Include proof of your identity and address (e.g. a copy of your driving licence or passport, and a recent utility or credit card bill)
- For a parent or carer to make a Subject Access Request with respect to their child, the child must either be unable to understand their rights and the implications of a Subject Access Request, or have given their consent

If Vitacress receives a SAR it should immediately be forwarded to a DPR.

### **b. Responding to Subject Access Requests**

When responding to requests, in normal circumstances we:

- May ask the individual to provide two forms of identification
- Will provide the information free of charge
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within one month of receipt of the request

However, where a request is deemed to be complex or onerous we:

- Will inform the individual of this within one month
- May tell the individual we will comply within three months of receipt of the request, explaining why the extension is necessary
- May charge a fee

## **Collecting and processing your Personal Data – why and how we do this?**

### **a. Collecting your Personal Data**

We collect information about you when you become employed or engaged by us, send email communications both internally and externally, register on our site via the "contact us" form, place an order or enter into a contract of service, provide information when you visit one of our sites or attend one of our events (in whatever capacity), which may include for example your:

- Name
- Email address
- Telephone number
- Job title
- Employer name
- Business activities or the nature of
- Attendance at our sites or events
- Details which help us maximise your experience when engaging with you for whatever reason we do so

It is necessary for us to collect this information in order to communicate with you, provide our services to you, to process payment for such services and to provide the relevant content connected to any link with which you have interacted (as applicable). Further information is set out in the privacy notices provided to relevant individuals.

### **b. Processing your Personal Data**

We use your personal data for various purposes including:

- To manage and fulfil contracts for our employees, contractors, workers, suppliers and customers and other individuals engaged with the company
- To maintain our own accounts and records for legitimate business interests and historical reasons
- For the use of CCTV systems for safety and the prevention of crime
- To operate company websites effectively
- To comply with legal obligations
- To maintain standards of operating
- Personalising your experience and to allow us to deliver the type of content and product offerings in which you are most interested
- Allowing us to better service you in responding to your customer service requests
- Sending you periodic emails regarding your order or other products and services
- Following up with you after correspondence (live chat, email or phone enquiries)
- Otherwise providing you with our services and to process payment for such services

Further information is set out in the privacy notices provided to relevant individuals.

Personal data relating to children will only be processed by Vitacress where the organisation responsible and accountable for said children have obtained parental consent in accordance with the relevant data protection legislation, evidence of which must be provided to Vitacress.

We will not provide your information to third parties other than as set out below.

When appropriate, including where processing is likely to result in a high risk to an individual's rights and freedoms and in the event of all major system or business change programs involving the processing of personal data, Vitacress will carry out a data protection impact assessment to determine the necessity and proportionality of processing. This will include a description of the processing, its purposes, the company's legitimate interests if appropriate, an assessment of the risks for individuals and the measures put in place to mitigate those risks. Where the impact assessment indicates the processing involves a high risk that cannot be mitigated by appropriate measures in terms of available technology and costs of implementation, we shall consult the supervisory authority prior to the processing.

**c. Limitation, minimisation and accuracy of Personal Data**

Whenever Vitacress collects personal data directly from individuals, the company will only collect what is necessary for specified, explicit and legitimate reasons.

Vitacress will only process personal data where it is necessary. When the data is no longer required they will ensure it is securely deleted or anonymised. This will be done in accordance with the company's Data Retention Policy.

**d. Biometric Recognition Systems**

Vitacress uses biometric data as part of an automated recognition system. We will comply with the requirements of relevant legislation in connection with the processing of such data and have a separate appropriate policy document in place setting out how we process this type of data.

**e. CCTV**

Vitacress uses CCTV in various locations around our sites for crime prevention and the safety of our employees/visitors. Details of our use of CCTV and the lawful processing of such data is contained in our CCTV Policy. We will adhere to the ICO's [Code of Practice for the Use of Surveillance Cameras](#) (CCTV). Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

**f. Photographs and videos**

As part of our business activities, we may take photographs and record images of individuals. We will obtain written consent from individuals for photographs and videos to be taken of them or any data subject for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to the individual. Uses may include:

- Noticeboards and in publications, brochures, newsletters etc
- Outside the company by external agencies, e.g. photographers, newspapers, campaigns
- Online on our internal and external websites or social media pages
- Personal data relating to children will only be processed by Vitacress where the organisation responsible and accountable for said children has obtained parental consent in accordance with the relevant data protection legislation, evidence of which must be provided to Vitacress

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

**What is the legal basis for processing your Personal Data?**

**a. Lawfulness, Fairness and Transparency**

Vitacress will only process personal data where we have one of six legal reasons to do so as defined under GDPR, Articles 6 and 9. These reasons include where the processing is necessary for the performance of a contract with the individual, to meet our legal compliance obligations, to pursue our legitimate interests for purposes that are not overridden by any prejudice to the interests or fundamental rights and freedoms of individuals, or where we have consent.

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018. These include where the individual has given explicit consent, where it is necessary for carrying out rights and obligations under employment law, where it is necessary for reasons of substantial public interest or where it is necessary for the establishment, exercise or defence of legal claims. Such processing is done in accordance with our separate policies on processing this type of data and ensures appropriate additional safeguards are in place in compliance with our data protection obligations.

**With whom and why do we share your Personal Data?**

We may use your data only for the purpose of conducting business and we may disclose your personal data to (including but not strictly limited to):

- Our agents and service providers
- Other relevant Vitacress employees

- Exhibitors, speakers and other delegates at our events
- A third party who acquires the company

Vitacress shares data for the following reasons (including but not strictly limited to):

- Where there is an issue that puts the safety of employees at risk
- Where we need to liaise with other agencies – we will seek consent as necessary before doing this
- Where our suppliers or contractors need data to enable us to provide services to our employees and data subjects, e.g. IT companies

We will also share personal data with law enforcement and government bodies where we are legally required to do so for (including but not limited to):

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised, or consent has been provided

Further information is set out in the privacy notices provided to relevant individuals.

Where Vitacress engages third parties to process personal data on its behalf, it will ensure the third party provides adequate guarantees in terms of data security standards, policies, procedures, security measures in place, reliability and resources to implement appropriate technical and organisational measures to ensure personal data is processed in accordance with both companies' data protection obligations. It will have in place a contract or other legal arrangement with the third party setting out the type of personal data that will be processed, the duration of the processing, the nature and purposes of the processing, the categories of data subjects, the obligations and rights of Vitacress, the specific tasks and responsibilities of the third party and the requirements around returning or deleting the personal data after completion of the contract.

### **Do we transfer your Personal Data abroad?**

Vitacress will only transfer personal data outside the European Economic Area to controllers, processors or other recipients in third countries if the recipient operates within a country or territory or is an international organisation that is deemed by the European Commission to offer an adequate level of data protection, or if there is otherwise in place appropriate safeguards ensuring an adequate level of data protection such as standard data protection clauses adopted by a supervisory authority or the European Commission, or another derogation in the GDPR applies. For details of how your personal data will be protected, together with how to obtain copies of the relevant safeguards, please request this by contacting us through the information provided at the end of this Privacy Statement.

### **What is our Retention Process?**

Vitacress has implemented a Data Retention Policy and any personal data will only be kept for as long as legally permitted or until no longer required (if earlier).

### **What is our Record Disposal Process?**

Personal data records that have become inaccurate, are out of date or are no longer required will be securely disposed of where we cannot or do not need to rectify or update. They will be stored and secured in a locked environment until our carefully selected third party shredding company are present to shred the documentation on site, after which they provide us with a certification of destruction for each visit.

### **How do we ensure the data is kept securely?**

Vitacress has appropriate technical and organisational measures and safeguards in place to prevent unauthorised or unlawful processing, to prevent data from being lost, accidentally destroyed, misused or disclosed, and to ensure it is not accessed except by the company's employees and other staff when necessary in the proper performance of their duties. We will regularly evaluate and test the effectiveness of

these measures and safeguards. Further details are set out in the Information Security Policy.

### **How will we prepare for and handle Data Breaches?**

We will make all reasonable endeavours to ensure that there are no data breaches. In the unlikely event of a suspected data breach, we will follow Vitacress' Data Breach Response procedure.

### **What internal training do we provide?**

All our employees are provided with data protection and/or privacy training as part of their induction process. Data protection will also form part of continuing professional development, where changes to legislation, guidance or Vitacress processes make it necessary.

### **How do we monitor this Privacy Statement?**

The DPR is responsible for monitoring and reviewing this Privacy Statement. This Privacy Statement will be reviewed and updated if any changes are made to the Data Protection Act 2018. Otherwise this Privacy Statement will be reviewed annually.

You should check this Statement frequently on our website to ensure you are aware of the most recent applicable version.

### **What further processing do we do?**

If we wish to use your personal data for a new purpose, not covered by this Privacy Statement, then we will provide you with a new Privacy Statement explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

### **How do you Get in Touch with us and the ICO?**

#### **a. Vitacress Contact Information**

To exercise all relevant rights, queries or complaints, in the first instance please contact:

|                    |  |
|--------------------|--|
| Vitacress Limited: | 01243 819500 or email <a href="mailto:VLDPenquiries@vitacress.com">VLDPenquiries@vitacress.com</a> |
| Vitacress Herbs:   | 01243 819500 or email <a href="mailto:VHDPenquiries@vitacress.com">VHDPenquiries@vitacress.com</a> |
| Vitacress Salads:  | 01264 738766 or email <a href="mailto:VSDPenquiries@vitacress.com">VSDPenquiries@vitacress.com</a> |

#### **b. ICO Contact Information**

To log a complaint or for more information on your rights, the Information Commissioner's Office can be accessed at [www.ico.org.uk](http://www.ico.org.uk)

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