



**CP-PY-16/ POLICY
DATA PROTECTION**

Issue **4.0**

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1 POLICY STATEMENT

Everyone has rights regarding the way in which their Personal Data is handled. During Cox Powertrain Limited’s (we, our, the Company) activities we will collect, store and Process Personal Data about our employees, distributors, shareholders/investors, customers, potential customers, suppliers and other third parties. We recognise that the correct and lawful treatment of Data will maintain confidence in the organisation and will provide for successful business operations.

This privacy policy describes how we process Personal Data about you. All Data Users are obliged to comply with this policy when Processing Personal Data on our behalf. Any breach of this policy may result in disciplinary action.

2 ABOUT THIS POLICY

The types of Personal Data that we may be required to handle includes information about current, past, and prospective employee, distributors, shareholders/investors, suppliers, customers, and others that we communicate with. The Personal Data, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 2018 or relevant subsequent legislation, Privacy and Electronic Communication (EC Directive) Regulations 2003, the General Data Protection Regulation ((EU) 2016/679), the UK General Data Protection Regulation (UK GDPR) and other directly applicable EU regulation relating to data protection and privacy (together the Act).

This policy and any other documents referred to in it sets out the basis on which we will Process any Personal Data we collect from Data Subjects, or that is provided to us by Data Subjects or other sources.

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

This policy sets out rules on data protection and the legal conditions that must be satisfied when we Process Personal Data.

The Data Protection Controller (DPC) is responsible for ensuring compliance with the Act and with this policy. Overall, the Company is the Data Controller. Any questions about the operation of this policy or any concerns should be referred in the first instance to the Data Protection Controller, phone 01273 454424, or email: privacy@coxpowertrain.com.

3 DEFINITION OF DATA PROTECTION TERMS

Data is any information which is stored electronically, on a computer, or in certain paper-based filing systems.

Data Subjects for the purpose of this policy includes all living individuals about whom we hold Personal Data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal data.

Personal Data means any data, directly or indirectly, relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal Data can be factual (for example, a name, address, date of birth, email address, etc.) or it can be an opinion about that person, their actions and behaviour.

Data Controllers are the people who or organisations which determine the purposes for which, and the way, any Personal Data is processed. They are responsible for establishing practices and policies in line with the Act. We are the data controller of all personal data used in our business for our own commercial purposes.

Data Users are those of our employees whose work involves processing Personal Data. They must protect the data they handle in accordance with this data protection policy and any applicable data security procedures at all times.

Data Processors include any person or organisation or third party that is not a data user that processes personal data on our behalf and on our instructions. Our employees are excluded from this definition, but it could include suppliers which handle personal data on our behalf.

Processing/Process is any activity that involves use of the Data. It includes obtaining, recording, or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing, or disposing it. Processing also includes transferring personal data to third parties.

Sensitive Personal Data includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the data subject.

4 DATA PROTECTION PRINCIPLES

We are committed to processing Personal Data in accordance with the eight enforceable principles of good data protection practice as required by UK GDPR. In summary, these provide that personal data shall be:

- Processed fairly, lawfully and in a transparent manner (Lawfulness, Fairness and Transparency).
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (Purpose Limitation).
- Adequate, relevant and necessary for the purpose for which it is Processed (Data Minimisation).
- Accurate and where necessary kept up to date (Accuracy).
- Not kept longer than necessary for the purpose for which the Personal Data is Processed (Storage Limitation).
- Made available to Data Subjects and allow the Data Subjects to exercise certain rights in relation to their Personal Data (Data Subject's Rights and Requests).
- Processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful Processing and against accidental loss, destruction, or damage (Security, Integrity and Confidentiality).
- Not transferred to people or organisations situated in countries without adequate protection (Transfer Limitation).

We are required to have a legal basis to process your personal information. In most cases the legal basis will be one of the following:

- (a) to fulfil our contractual obligations to you or to take any necessary steps before entering into agreement, for example to benefit from the services provided by you, to fulfil our contract with you, to ensure payments to us can be made, and to exercise our legal rights.
- (b) to comply with our legal obligations, for example to cooperate with regulators and law enforcement bodies; or
- (c) to meet our legitimate interests, for example communicate with or facilitate communication with you or your entities, and to conduct any project with you or your entities. When we process personal information to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms. For more information about the balancing test that we carry out to process your personal information to meet our legitimate interests and your right to object to us relying on our legitimate interests in processing your Personal Data, please contact our DPC.

5 FAIR AND LAWFUL PROCESSING

The Act is not intended to prevent the Processing of Personal Data, but there must be a legal basis for processing your Personal Data. In most cases the legal basis will be one of the following:

- a) to fulfil our contractual obligations to you
- b) to comply with our legal obligations, or
- c) to meet our legitimate interests.

Complying with at least one of the above legal requirements is necessary to ensure that it data processing is done fairly and lawfully and without adversely affecting the rights or freedoms of the Data Subject.

For Personal Data to be processed lawfully, they must be processed based on at least one of the legal grounds set out in the Act. These include, among other things, the Data Subject's informed and unambiguous consent to the Processing, or that the Processing is necessary for the performance of a contract with the Data Subject, for the compliance with a legal obligation to which we are subject to, or for the legitimate interest of the Data Controller or the party to whom the data is disclosed, except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject which require protection of personal data. When sensitive personal data is being processed, additional conditions must be met, most specifically we will obtain the explicit consent to process any sensitive personal data. When processing personal data as data controllers during our business, we will ensure that those requirements are met.

6 PROCESSING FOR LIMITED PURPOSES

During our business, we may collect and process the personal data set out in the **Schedule 1** relating to the Data Subject in a concise, transparent, intelligible, and easily accessible form, using clear and plain language. This may include data we receive directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and data we receive from other sources (including, for example, business partners, sub-contractors in technical, payment and delivery services, credit reference agencies and others).

We will only process personal data for the specific purposes set out in the **Schedule 1** or for any other purposes specifically permitted by the Act. We will notify those purposes to the data subject when we first collect the data or as soon as possible thereafter.

7 NOTIFYING DATA SUBJECTS

If we collect Personal Data directly from Data Subjects, we will, at the time when Personal Data is obtained, inform them about:

- The purpose or purposes for which we intend to Process that Personal Data.
- The types of third parties, if any, with which we will share or to which we will disclose that personal data.
- The means, if any, with which data subjects can limit our use and/or disclosure of their personal data.

If we receive Personal Data about a Data Subject from other sources, we will provide the Data Subject with this information as soon as possible thereafter, but at the latest within one month, having regard to the specific circumstances in which the Personal Data are processed.

We will also inform Data Subjects whose Personal Data we process that we are the Data Controller regarding that data.

8 ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

We will only collect Personal Data to the extent that it is required for the specific purpose notified to the Data Subject.

9 ACCURATE DATA

We will ensure that Personal Data we hold is accurate and kept up to date. We will check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards.

You will ensure that the Personal Data we use, and hold is accurate, complete, kept up to date and relevant to the purpose for which we collected it. You must check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. You must take all reasonable steps to alert us of any changes to your Personal Data.

10 TIMELY PROCESSING

Your Personal Data is stored for as long as there is a need to preserve them to fulfil the purposes for which the data was collected in accordance with this privacy policy. We will not keep Personal Data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy or erase from our systems all Personal Data which is no longer required. In particular, when determining how long we retain personal data, we consider how long we need it to:

- Maintain business records for analysis and/or audit purposes
- Comply with record retention requirements under the law
- Defend or bring any existing or potential legal claims; and
- Deal with any complaints regarding our Sites/any services provided in our Sites.

11 PROCESSING INLINE WITH DATA SUBJECT'S RIGHTS

We will process all personal data in line with data subjects' rights, in particular their right to:

- Request access to any data about them held by a data controller (see also **Clause 15.**)
- Prevent the processing of their data for direct-marketing purposes.
- Ask to have inaccurate or incomplete data amended (see also **Clause 9**).
- Prevent processing that is likely to cause damage or distress to themselves or anyone else.
- Request the removal of data held about them, on the ground that this data is no longer necessary for the purpose for which it was processed.
- Request the blocking or suspension of processing of their data.
- Request the transfer of any of their data.
- Are informed of any of our processing by way of a privacy note.

12 DATA SECURITY

You should always be able to feel safe when you provide us with your Personal Data. Therefore, we have implemented security measures that are necessary to protect your Personal Data against unauthorised access, alteration, and destruction. We will not disclose your Personal Data, other than as expressly provided by this privacy policy.

We will take appropriate security measures against unlawful or unauthorised processing of Personal Data, and against the accidental or unlawful loss of, alteration, unauthorised disclosure of, or damage to, Personal Data.

We will put in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction. Personal Data will only be transferred to a Data Processor, If the Data

Processor agrees to comply with those procedures and policies, and the Data Processor has in place adequate measures to maintain the security of the data. Wherever possible, access to Personal Data shall be limited to Data Subject who need access, subject to complying with our security checks to avoid unauthorised sharing of information. When Personal Data is deleted, we will take reasonable measures to ensure that this is done safely such that the data is irrecoverable.

We may disclose your Personal Data to authorities when necessary for compliance with our legal obligations.

You must follow all procedures and technologies we put in place to maintain the security of all Personal Data from the point of collection to the point of destruction.

We will maintain data security by protecting the confidentiality, integrity, and availability of the personal data, defined as follows:

Confidentiality means that only people who are authorised to process the data can access it.

Integrity means that Personal Data should be accurate and suitable for the purpose for which it is processed.

Availability means that authorised users should be able to access the data if they need it for authorised purposes. Personal Data should therefore be stored on our central computer system instead of individual PCs.

Security procedures include the following steps:

- **Entry controls** - Any stranger seen in entry-controlled areas should be reported.
- **Secure lockable desks and cupboards** - Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)

- **Methods of disposal** - Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required.
- **Equipment** - Data users must ensure that individual monitors do not show confidential information to passers-by and that they lock their PC when it is left unattended.

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data, we shall promptly assess the risk to your rights and freedoms and if appropriate report this breach to the ICO (for more information please refer to the ICO website - <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>).

13 TRANSFERRING PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA

We operate in several jurisdictions. This means that /we may process or transfer any Personal Data we hold to a country outside the United Kingdom (UK), the European Economic Area ("EEA"), provided that one of the following conditions applies:

- The country to which the Personal Data is transferred ensures an adequate level of protection for the data subjects' rights and freedoms in accordance with the Act.
- The Data Subject has given his consent.
- The transfer is necessary for one of the reasons set out in the Act, including the performance of a contract between us and the Data Subject, or to protect the vital interests of the Data Subject.
- The transfer is legally required on important public interest grounds or for the establishment, exercise, or defence of legal claims.
- The transfer is authorised by the relevant data protection authority where we have adduced adequate safeguards with

respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

Subject to the requirements of this clause 13, Personal Data we hold may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. That staff maybe engaged in, among other things, the fulfilment of contracts with the data subject, the processing of payment details and the provision of support services.

14 DISCLOSURE AND SHARING OF PERSONAL INFORMATION

We may share personal data we hold with any member of our group, which means our subsidiaries, our ultimate holding company, and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

We may also disclose Personal Data we hold to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose personal data we hold to the prospective seller or buyer of such business or assets.
- If we or substantially all of our assets are acquired by a third party, in which case personal data we hold will be one of the transferred assets.

If we are under a duty to disclose or share a data subject's personal data in order to comply with any legal obligation, or in order to enforce or apply any contract with the data subject or other agreements; or to protect our rights, property, or the safety of our employees, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We may also share personal data we hold with selected third parties for the purposes set out in the **Schedule 1**.

15 DEALING WITH SUBJECT ACCESS REQUESTS

Data Subjects have the right to access the Personal Data we hold about them. Such request must be made in writing to the DPC.

When receiving telephone enquiries, we will only disclose Personal Data we hold on our systems if the following conditions are met:

- We will check the caller's identity to make sure that information is only given to a person who is entitled to it.
- We will suggest that the caller put their request in writing if we are not sure about the caller's identity and where their identity cannot be checked.

Our employees will refer a request to the DPC for assistance in difficult situations. Employees should not be bullied into disclosing personal information.

16 CHANGES TO THIS POLICY

We reserve the right to change this policy at any time. In the event of changes to this privacy policy, we will publish the amended policy on our website with information on when the changes will come into effect. In addition, and where appropriate, we will notify Data Subjects of those changes by mail or email.

17 COOKIES

We use cookie-like techniques to provide certain functions on our website and to improve the website and to make your visit on our website as pleasant as possible. By using and browsing <http://www.coxmarine.com>, you consent to cookies being used. If you do not agree to our use of cookies, you must disable cookies or stop using the site.

18 ICO WEB:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/>

19 THE SCHEDULE - DATA PROCESSING ACTIVITIES

Part 1 – Employees

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Name Telephone Number Address Date of Birth National Insurance Number Bank Details Appraisals Disciplinary Records Medical Record Next of Kin Trade Union Membership Pension Information Expression of Wish Forms BUPA applications	Employees, family members and/or partners	Electronic	To comply with statute, internal administration, including the monitoring for the purposes of security and discipline and to facilitate the distribution of salary payments.	Company's Bank HMRC SAGE Payroll Royal London Friends Life Wren Sterling	One year after termination of employment, howsoever casual, or until such date as necessary to comply with tax legislation.

Part 2 – Customers and Potential Customers

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Name Telephone Number Address Bank Details Email Address	Customers	Electronic	To comply with statute and internal administration to facilitate the sale and supply of goods and services.	Company's Bank	One year after transaction, or until such date as necessary to comply with legislation.

Part 3 – Suppliers

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Individual's Contact Name Contact's Work Email Address Bank Details Correspondence Address	Suppliers	Electronic	To comply with statute and internal administration to facilitate the execution of supply contracts.	Company's Bank Other Suppliers	One year after termination of contract, howsoever casual, or until such date as necessary to comply with legislation.

Part 4 – Job Applicants

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Individual's Contact Name Contact's Work Email Address Bank Details Correspondence Address	Job Applicants	Electronic	To comply with statute and internal administration to facilitate the recruitment of individuals.	Internally within the Company	One year after date of interview, or until such date as necessary to comply with legislation.

Part 5 – Distributors

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Distributor's Contact Name Distributor's Work Email Address Bank Details Correspondence Address	Distributor	Electronic	To comply with statute and internal administration to facilitate the sale and supply of goods and services.	Distributor's Bank Internally within the Company	One year after termination of distributor agreement, or until such date as necessary to comply with legislation.

Part 6 – Shareholders/Investors

Type of data	Type of data subject	Type of processing	Purpose of processing	Type of recipient to whom personal data is transferred	Retention period
Shareholders/investors Contact Name, Work Email Address Bank Details Correspondence Address	Shareholder / investor	Electronic	To comply with statute and internal administration to facilitate the sale of shares and investment into the Company and to facilitate the distribution of dividends.	Shareholder / investors Bank Internally within the Company	One year after termination of shareholder's / investor's interest in Cox, or until such date as necessary to comply with legislation.

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