

Privacy Notice

Scan Film or Store Limited has a responsibility to document how we will protect your personal data. This is a legal requirement of the UK GDPR under the 'right to be informed'.

This privacy notice will outline our responsibilities to you.

This privacy notice was last updated in March 2023.

1.0 Key Terms

1.1 Whilst every effort has been made to outline our responsibilities to you in as clear, concise, and easy to understand manner as possible, we do need to use certain terms throughout this privacy notice.

1.2 We will now provide an easy-to-understand definition of each term:

- **Client:** The data subject whose personal data Scan Film or Store Limited is processing.
- **Data Controller:** A data controller has the responsibility of deciding how personal data is processed and protecting it from harm.
- **Data Processor:** In a similar way to data controllers, data processors must protect people's personal data – but they only process it in the first place on behalf of the data controller. They would not have any reason to have the personal data if the data controller had not asked them to do something with it.
- **Data Protection Act (DPA 2018):** The DPA 2018 sets out the data protection framework in the UK, alongside the UK GDPR. It contains three separate data protection regimes:
 - Part 2: sets out a general processing regime (the UK GDPR);
 - Part 3: sets out a separate regime for law enforcement authorities; and
 - Part 4: sets out a separate regime for the three intelligence services.
- **Data Subject:** A data subject is someone who can be identified from personal data.
- **GDPR:** This stands for General Data Protection Regulation (GDPR), the EU's agreed standards for data protection that are also written into UK law through the Data Protection Act 2018 (DPA 2018).
- **Individual Rights:** In data protection law, individuals have rights over their personal data. These rights allow the individual to ask the data controller to do something, or stop doing something with their personal data. There are eight individual rights.
- **Information Commissioner's Office (ICO):** The Information Commissioner's Office (ICO) is the UK's independent body set up to uphold information rights, covering laws including the Data Protection Act (DPA 2018), Freedom of Information Act (2000), Privacy and Electronic Communications Regulations 2003 (PECR) and UK GDPR.
- **Lawful Basis:** A lawful basis is the reason or legal grounds relied upon for the processing of individual's personal data. There are six lawful bases to choose from: consent, contract, legal obligation, legitimate interest, public task and vital interests. No single lawful base is better or more lawful than any of the others.
- **Personal Data:** Personal data is information about who you are, where you live, what you do and more. It is all information that identifies you as a data subject.
- **Privacy and Electronic Communications Regulations 2003 (PECR):** PECR sits alongside the DPA 2018 and the UK GDPR. The legislation gives people specific privacy rights in relation to electronic communications.
- **Processing:** Processing means taking any action with someone's personal data, including storing that data.

2.0 Scope

2.1 The scope for Scan Film or Store Limited is any data subject, whose personal data is processed upon instruction, in line with UK privacy legislation including the DPA (2018), PECR (2003), and UK GDPR.

2.2 We also acknowledge any additional responsibilities requested by the industry regulator in the UK, the Information Commissioner's Office (ICO).

2.3 The DPA (2018) and UK GDPR have a material scope covering personal data that is processed either electronically or is processed as part of a physical paper filing system.

2.4 Scan Film or Store Limited will adhere to the seven UK GDPR data processing principles when handling personal data:

- Lawfulness, Fairness, and Transparency
- Purpose Limitation
- Data Minimisation
- Accuracy
- Storage Limitation
- Integrity and Confidentiality (Security)
- Accountability

2.5 All associates and employees of Scan Film or Store Limited who interact with clients and data subjects are responsible for ensuring that this privacy notice is drawn to their attention, at the earliest available opportunity.

3.0 Lawfulness

3.1 Scan Film or Store Limited is a private limited company, based in England, under company registration number 07086260, complying with the laws of England and Wales.

3.2 Scan Film or Store Limited is registered with the ICO under registration number Z2168878.

3.3 Scan Film or Store Limited acts as a data controller and data processor. We are responsible for the personal data that we process (on behalf of the data subject), and have our own measures for ensuring compliance with the UK data protection regulations.

3.4 Scan Film or Store Limited has the main responsibility for the delivery of bespoke document management solutions. Scan Film or Store Limited also determines the scope of data processing (what data we process).

3.5 From time to time we may appoint data processors on behalf of Scan Film or Store Limited. We will always ensure that a written agreement is in place with each of our data processors documenting how personal data will be processed, safeguarded and stored. Scan Film or Store Limited has overall responsibility for all data processors.

3.6 Scan Film or Store Limited has a duty of care acting as a data controller to appoint a Data Protection Officer (DPO), due to the processing of sensitive (special category) personal data. We have a legal obligation to notify the ICO of the DPO's name and contact details. Our appointed Data Protection Officer (DPO) is CSRB Limited. They can be contacted by telephone on 0117 325 0830 or via email at dpo@csrb.co.uk.

3.7 Scan Film or Store Limited uses lawful bases, as set out in UK GDPR Article 6, when we process your personal data:

- **Contract** - personal data is processed by us for the purposes of supplying our bespoke document management solutions to you;
- **Legal Obligation** – personal data is processed by us to meet a requirement set out in UK law or statute. For example the Health and Safety at Work Act (1974) requires us to process certain personal information pertaining to the provision for securing the health, safety and welfare of persons at our premises;
- **Legitimate Interests** – personal data is processed by us to communicate with you regards important business or commercial information, and to inform you of complimentary services provided by us, in addition to solicited direct marketing to existing clients under the PECR 'soft opt-in' exemption.

3.8 Scan Film or Store Limited may process certain special category data on behalf of our clients. This may include the following categories of personal data:

- personal data revealing racial or ethnic origin;
- personal data revealing political opinions;
- personal data revealing religious or philosophical beliefs;
- personal data revealing trade union membership;
- genetic data;
- biometric data (where used for identification purposes);
- data concerning health;
- data concerning a person's sex life; and
- data concerning a person's sexual orientation.

3.9 Scan Film or Store Limited ensures that all processing of the above special category data is lawful, fair, transparent, and complies with all the data processing principles of the UK GDPR.

3.10 Scan Film or Store Limited can only process special category data if we can meet one of the specific conditions in Article 9 of the UK GDPR. We may also have to meet additional conditions set out in the DPA (2018).

The Article 9 condition we use is:

- *Explicit consent* – We outline our requirements for the data processing within our terms of contract and ensure an additional data processing agreement (DPA) is signed by both parties.

3.11 Scan Film or Store Limited may transfer personal data we collect about you to countries outside the UK, however, these data transfers will still be within the EEA (European Economic Area). We treat each international data transfer individually and assess the risk associated with the transfer and whether a suitable level of adequacy with UK data protection and privacy legislation is available, within the country to where the personal data is being transferred.

3.12 Data transfers within the EEA/EU/UK can flow freely under the 'Adequacy Decision' agreed between the UK and European Parliament on 27 June 2021. If the international data transfer is outside the EU/EEA/UK then risk assessment criteria and appropriate safeguards would be put in place, such as Data Protection Impact Assessments (DPIAs). We would then seek the explicit consent of the data subject. This privacy notice would also be updated.

4.0 Fairness

4.1 Scan Film or Store Limited processes personal data in a fair way. We do this by putting the individual's rights at the heart of all processing with regards to personal data. There are eight individual rights:

- *Right to be informed* – data subjects have the right to know why we are collecting and processing personal data, and this right is met by the provision of this privacy notice and any subsequent privacy documentation.
- *Right of access* – you have the right to know what personal data we have on record and request a copy.
- *Right of rectification* – you have the right to correct personal data that we hold about you that is inaccurate or incomplete.
- *Right to be forgotten* – in certain circumstances you can ask for the personal data we hold about you to be erased from our records.
- *Right to restriction of processing* – where certain conditions apply you have a right to ask us to only process your personal data for certain processing activities.
- *Right of portability* – you have the right to have the personal data we hold about you transferred to another data controller.
- *Right to object* – you have the right to object to certain types of data processing such as marketing.
- *Right to object to automated processing, including profiling* – you also have the right to object to the legal effects of automated processing or profiling.

4.2 Scan Film or Store Limited will only handle personal data in ways that individuals would reasonably expect and not use it in ways that have unjustified adverse effects on them.

4.3 Scan Film or Store Limited will obtain personal data in a fair way. We will seek explicit consent from the data subject or bring personal data into the business where explicit consent has been given and recorded previously.

4.4 Scan Film or Store Limited always considers the rights and freedoms of data subjects when processing personal data. This could be for individuals or those part of a wider group.

4.5 Scan Film or Store Limited will have a written agreement with each client setting out the contract terms.

5.0 Transparency

5.1 Transparency is fundamentally linked to fairness. Scan Film or Store Limited will always be clear, open and honest with people from the start, about who we are and how and why we need to use your personal data.

5.2 Scan Film or Store Limited will inform clients and data subjects from the outset regarding the types of personal data we need to process, usually within our business terms, contract documentation, this privacy notice and other privacy documentation.

5.3 Scan Film or Store Limited processes the following personal data types as a minimum:

- **Contact Data** (e.g. email address, telephone number, business address)
- **Identity Data** (e.g., passport number, driving licence number)
- **Special Category Data** (as outlined in paragraph 3.8 above).

5.4 Scan Film or Store Limited informs individuals about all personal data processing in a way that is easily accessible and easy to understand, using clear and plain language. We do this via ensuring all Scan Film or Store Limited's employees receive regular data protection training, whilst having an information governance framework with up-to-date policies, procedures, and processes.

5.5 Scan Film or Store Limited hope we can resolve any query or concern you raise about our use of your personal data. You can contact Scan Film or Store Limited in the first instance at any time by telephone on 01278 450500 or via email at info@scan-film-store.co.uk.

5.6 Scan Film or Store Limited has appointed a certified Data Protection Officer (DPO) to act in the interests of all parties. Should you require further information with regards to personal data and the protection of that data please contact our nominated DPO at CSRB Limited. They can be contacted by telephone on 0117 325 0830 or via email at dpo@csrb.co.uk.

5.8 Should we not be able to resolve the complaint, you have the right to lodge a complaint with the lead authority. The lead authority in the UK is the Information Commissioner's Office (ICO), who may be contacted by telephone on 0303 123 1113 or by visiting www.ico.org.uk.

6.0 Purpose Limitation

6.1 Scan Film or Store Limited will always be clear about what the purpose is for any personal data processing from the very start. We use your personal data for the following purposes:

- carry out our obligations arising from any contracts entered into between you and us;
- provide you with information, products or services that you request from us or which we feel may interest you, where you have consented to be contacted for such purposes or by Legitimate Interests;
- notify you about changes to our company and the services we provide;
- carry out the necessary maintenance to our infrastructure; and
- if you are an existing contact or customer we will contact you by postal and electronic means (e-mail) with information about services or goods which you have previously purchased from us or enquired about. If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by post or electronic means only if you have consented to this. You can choose to not receive these types of communication by contacting us (right to object).

6.2 Scan Film or Store Limited will record our purposes for personal data processing as part of our contract obligations. We will also specify them in any additional privacy documentation provided.

6.3 Scan Film or Store Limited will only use personal data for a new purpose if this is either compatible with the original purpose, or we obtain consent, or we have a clear obligation, or function set out in law.

6.4 Where relevant, Scan Film or Store Limited, may also share personal data with third parties, such as:

- Trusted third party partners who we work alongside and process personal data on behalf of with regards to agreements and contracts, or for the provision of supplementary support services. Disclosure of the nominated trusted third-party partner would be provided at the agreement/contract stage and a relevant Data Processing Agreement (DPA) would be put in place to protect all personal data, from a data controller, data processor, and data subject perspective.
- Fraud prevention agencies, money laundering agencies and associations.
- Regulators and law enforcement agencies, including the police, HM Revenue and Customs, or any other relevant authority who may have jurisdiction. We would always inform you ahead of acting on any instructions to proceed.

6.5 Scan Film or Store Limited will share personal data with law enforcement or other authorities, if required by law.

7.0 Data Minimisation

7.1 Scan Film or Store Limited always ensures the personal data we are processing is:

- adequate – sufficient to properly fulfil our stated purpose;
- relevant – has a rational link to that purpose; and is
- limited to what is necessary – we do not hold more than we need for that purpose.

The UK GDPR does not define these terms. As this is the case, Scan Film or Store Limited accepts these terms may have a differing definition from one individual to the other, as the processing will depend on the specified purpose for collecting and using the personal data.

7.2 In order to assess whether we are holding the right amount of personal data, we demonstrate clearly why we need it, before any data processing activities take place.

7.3 For special category data or criminal offence data, we understand the importance of collecting and retaining only the minimum amount of information.

7.4 Scan Film or Store Limited undertakes an annual data protection audit with an external certified data protection service provider, to review our processing and to check that the personal data we hold is still relevant and adequate for the stated purposes.

8.0 Accuracy

8.1 Scan Film or Store Limited will take all reasonable steps to ensure the personal data we hold is accurate and up to date.

8.2 Scan Film or Store Limited will take reasonable steps to ensure that personal data we hold is not incorrect. This may involve contacting you via our official communication channels, to ensure all personal data held is accurate.

8.3 Scan Film or Store Limited will always record the source of where personal data came from and ensure the source is compliant with UK privacy laws, including the UK GDPR.

8.4 If we need to keep a record of a mistake, we clearly identify it as a mistake, and add this to our records of processing for audit purposes, and continuous improvement.

8.5 All of Scan Film or Store Limited's records clearly identify any matters of opinion, and where appropriate whose opinion it is and any relevant changes to the underlying facts.

8.6 Scan Film or Store Limited will comply with the individual's right to rectification, and carefully consider any challenges to the accuracy of the personal data.

8.7 As a matter of good practice, we keep records of processing of any challenges to the accuracy of the personal data.

9.0 Storage Limitation and Deletion

9.1 Scan Film or Store Limited will not keep personal data for any longer than is necessary to fulfil the original stated purpose for the processing of such personal data.

9.2 Scan Film or Store Limited will only keep personal data for the period outlined to meet the requirements of the contract, legal obligation, or legitimate interest identified.

9.3 Any retention of personal data will be carried out in compliance with legal, professional body and regulatory obligations. These data retention periods are subject to change, due to any revisions of associated legislation, regulations, or requirements.

9.4 Scan Film or Store Limited acknowledges that UK privacy legislation does not determine how long personal data needs to be kept. This is up to the data controller to determine and document accordingly at the earliest possible opportunity.

9.5 Scan Film or Store Limited has a personal data retention policy in place, which documents the types of record or information we hold, what we use it for, and how long we intend to keep it.

9.6 Scan Film or Store Limited periodically reviews the personal data we hold, and erases or anonymises it, when we no longer need to process it for the original purpose.

9.7 Scan Film or Store Limited also considers any challenges to the retention of personal data. We understand that individuals have a right to erasure if we no longer need the personal data.

9.8 Scan Film or Store Limited acknowledges there are exceptions to retention periods. Here we can keep personal data for longer if we are only keeping it for public interest archiving, scientific or historical research, or statistical purposes. We would always inform you if this was the case, along with our lawful basis for retention.

9.9 Any personal or special category data held by Scan Film or Store Limited is not the property of the relevant data subject, therefore the data subject does not have the right to be forgotten under the Data Protection Act (2018). Where a data subject has objections to the retention of their personal data, they should discuss this matter directly with the data controller, when the data controller is not Scan Film or Store Limited, and it is their decision when the personal data is destroyed.

9.10 When Scan Film or Store Limited is provided with an instruction to destroy data it must be destroyed irretrievably either in paper or electronic formats. Paper records will be destroyed by an approved contractor who can provide evidence of destruction and a certificate of destruction. Scan Film or Store Limited will retain this certificate.

9.11 Scan Film or Store Limited also has secure destruction procedures and processes for any of the devices it has used for the storage of personal data. Scan Film or Store Limited will retain evidence of any equipment destruction and confirms that the destruction is beyond any prospect of retrieving data stored within the device.

10.0 Data Transfer and Confidentiality (Security)

10.1 Scan Film or Store Limited will undertake an analysis of the risks presented by our personal data processing and use this to assess the appropriate level of security we need to put in place. We review our Business Continuity Plan (BCP) annually.

10.2 We have an information security policy and take steps to make sure the policy is implemented. For example, we undertake an annual information security review with an accredited external provider. We make sure that we regularly review our information security policies and measures and, where necessary, improve them.

10.3 Scan Film or Store Limited make sure that we can restore access to personal data in the event of any incidents, such as by establishing an appropriate backup process.

10.4 Scan Film or Store Limited conduct regular testing and reviews of our measures to ensure they remain effective, and act upon the results of those tests where they highlight areas for improvement.

10.5 Where appropriate, we implement measures that adhere to an approved code of conduct or certification mechanism, such as ISO:9001 quality standards.

10.6 We ensure that any data processor we use also implements appropriate technical and organisational measures.

10.7 Scan Film or Store Limited does not use tracking cookies on our website to track user behaviour and/or improve site experience. The UK GDPR and PECR interprets data collected by cookies as personal. It prohibits the collection of personal data without consent, which means a website is only allowed to collect information that the user voluntarily inputs. This includes name, email address, phone number, or any other information that the user shares with the website. The cookie consent must be freely given, specific, informed, and unambiguous.

11.0 Accountability

11.1 Accountability is one of the UK GDPR data processing principles. Scan Film or Store Limited takes our responsibility for complying with the UK GDPR very seriously, as documented by this privacy notice.

11.2 Scan Film or Store Limited has put in place several measures that we can, and in some cases must take, including:

- adopting and implementing data protection policies;
- taking a 'data protection by design and default' approach;
- putting written contracts in place with those whose personal data we control and process;
- maintaining documentation of our processing activities;
- implementing appropriate security measures;
- recording and, where necessary, reporting personal data breaches;
- carrying out data protection impact assessments for uses of personal data that are likely to result in high risk to individual's interests;
- ensuring all Scan Film or Store Limited employees receive annual UK privacy legislation training;
- appointing a data protection officer; and
- adhering to relevant codes of conduct and signing up to certification schemes.

11.3 Scan Film or Store Limited understand that accountability obligations are ongoing. We review and, where necessary, update the measures we have put in place. For example, we continually enhance our privacy management framework, as this can help embed our accountability measures and create a culture of privacy across our organisation.

11.4 Scan Film or Store Limited understand that being accountable can help build trust with individuals and may help mitigate any gaps in compliance, and thus any potential regulatory enforcement action.

11.5 If you have any questions or concerns about how we process and protect your personal data not covered in this privacy notice please contact Scan Film or Store Limited by telephone on 01278 450500 or via email at info@scan-film-store.co.uk.