



## PRIVACY NOTICE CUSTOMERS AND SUPPLIERS

Grace Foods UK Limited (**we, us** or **our**) respects your privacy and is committed to protecting your personal data. This privacy notice will provide you with information about how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice aims to give you information on how we collect and process your personal data, including any data you may provide when you contact us, when you purchase our products or when we purchase your products or services.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your personal data. This privacy notice supplements those other notices and is not intended to override them.

For the purpose of data protection laws in the UK, Grace Foods UK Limited is the data controller and is therefore responsible for your personal data.

### 1. The personal data we collect

Personal data 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 grouped together as follows:

- **Identity Data** includes first name, middle name, last name, title, date of birth, gender and employer.
- **Contact Data** includes address (business, postal or other physical address), email address, telephone numbers and fax numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products or services you have purchased from us or which we have purchased from you.
- **Profile Data** includes, in relation to any account you have with us your account name and other details including any password, details of any purchases or orders made by you, details of any purchases or orders which we have placed with you, your interests, preferences, feedback and survey responses.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Personal data does not include data where your identity has been removed or which not associated with or linked to your personal data (anonymous data).

Please note that where we need to collect personal data by law, or under the terms of a contract we have with you 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 (for example, to provide you with products that you request or to make payment to you for products or services which you have supplied to us). In this case, we may not be able to accept your order or proceed with our agreement however we will notify you if this is the case at the time.

## 2. How we collect personal data

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms, by corresponding with us by post, phone, email, via our website or otherwise, or when you enter into a contract with us wither for the provision of our goods or for the provision to us of your goods or services.
- **Information from Employers.** Your employer may give us your Identity and Contact data so that we can contact you in relation to any order which your employer has placed with us or that we have placed with you.

## 3. The purposes for which we use personal data

We will only use your personal data when the law allows us to. We may collect and process the personal data about you for the following purposes:

- **Contacting us** - when you contact us with an enquiry or to request information about our products, we will use your Identity and Contact Data to respond to you in accordance with our legitimate interest of maintaining our goodwill and reputation as well as ensuring good customer relations,.
- **Maintenance of your account** - when you sign up for an account, we will need your Identity and Contact Data so that we can identify you as an account holder. You may also be asked to create Profile Data including a username and password. Your account will hold details of previous purchases or orders made by you (Transaction Data), and any preferences that you set for your account (Marketing and Communications Data). This information is necessary for the performance of our contract with you and is in accordance with our legitimate interest of maintaining good customer relations and ensuring the smooth running and operation of our business.
- **Ordering our products and services** - we will use your Identity, Contact, Financial and Transaction Data in order to register you as a customer and to process and deliver products to you, including the management of payments, fees and charges. This is necessary for the purpose of performing our contract with you.
- **Ordering products and services from you** – we will use your Identity, Contact, Financial and Transaction Data in order to place orders with you for your products or services and in order to ensure that those orders are fulfilled. This is necessary for the purpose of performing our contract with you
- **Advertising, marketing and public relations** - we may use the Identity and Contact, Data of our customers to form a view on what we think our customers may want or need, or what may be of interest to them and in doing so we will only send information that is deemed relevant to them. This is necessary for our legitimate interests in growing and developing our business including our products and services. Customers will receive marketing communications from us in relation to similar products to those which they have previously purchased and where they have not opted out of receiving that marketing. You may also receive such advertising, marketing and public relations communications where you have expressly opted in to receiving those communications. We will always ask for express consent before we share personal data with any third party for marketing purposes. You can ask us to stop sending marketing communications at any time by contacting us.

- **Surveys** – If you choose to complete a survey that we use for research purposes we will retain the information that you provide in response to that survey. This is necessary for our legitimate interest in understanding our customers and developing our business and to informing our marketing strategy.

We may also use personal data which you provide to us, where the law allows us to do so, as follows:

- To deal with and/or respond to any enquiry or request made by you prior to entering into any contract or agreement with us or as a result of such contract or agreement.
- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where we need to comply with a legal or regulatory obligation, including the prevention of crime.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Generally we do not rely on consent as a legal basis for processing your personal data other than when sending direct marketing to you by email or text message when you have not previously purchased similar products from us or in relation to third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by updating your account preferences or by contacting us.

Where we process personal data on the basis of a legitimate interest, as set out in this privacy notice, legitimate interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **4. Disclosure of personal data to third parties**

Your personal data will only be disclosed to those of our employees or workers that have a need for such access for the purpose for which it was collected. Your personal data will not be disclosed to any other individuals or other entities except in the following circumstances:

- On occasion, we need to hire other companies to help us to serve you better and in some of these cases we may need to share personal data that is necessary to perform tasks for us, such as courier and delivery companies or companies engaged to run promotions on our behalf.

- Where it is necessary for the performance of our contract with you, including where you have asked us to do so or where we need to take steps to enforce any contract which may be entered into between us.
- To our parent company GraceKennedy Limited as part of the shared support services which they provide and for the proper administration of the group including product development and improvement.
- Where we are under a legal duty to do so in order to comply with any legal obligation.
- In order to protect the rights, property or safety of our business, our employees and workers, customers, suppliers and others. This includes exchanging information with other companies and organisations for the purposes of fraud prevention and credit risk reduction.
- If we or substantially all of our assets are acquired by a third party, in which case personal data that we hold about our customers will be one of the transferred assets.

We require all third parties that process personal data on our behalf to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **5. Security**

We are committed to ensuring that your personal data is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the personal data we collect. In addition, the access to and use of the personal data that we collect is restricted to our employees who need the personal data to perform a specific job role or activity. Where personal data is shared with third parties in line with this privacy notice responsible measures are used to protect your personal data.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **6. International transfers**

Our parent company GraceKennedy Limited is based outside the United Kingdom (“**UK**”) and in certain circumstances it may be necessary for your personal data to be processed by GraceKennedy Limited or by another member of the Grace Kennedy Group of Companies, such as where you have an account with us, make a complaint in respect of a particular product, raise an enquiry with us or where this is necessary for the proper administration of the group including product development and improvement. Their processing of your personal data will involve a transfer of data outside the UK.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the UK Government.
- Where we use send your information to a country which has not been deemed to provide an adequate level of security, we may use specific contracts approved by the UK Government which give personal data the same protection it has in the UK or binding corporate rules which have been approved by the UK Government.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

## 7. Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

For example:

- By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for 7 years after they cease being customers for tax purposes.
- We will retain details of your customer order, including your personal data, for a period of 7 years to enable us to deal with any follow-up communications from you or to ensure that we are in possession of all relevant papers in the event of a legal claim relating to the contract between us.
- We will retain details of any orders which we place with you or of any goods or services which you supply to us for a period of 7 years to enable us to deal with any follow-up communications from you or to ensure that we are in possession of all relevant papers in the event of a legal claim relating to the contract between us.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 8. Your rights

You have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data that we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data that we hold about you corrected, although we may need to verify the accuracy of the new personal data that you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your personal data unlawfully or where we are required to erase your personal data to comply with local law. Please note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are

processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your personal data which override your rights and freedoms.

- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent. You can ask us to stop sending you marketing messages at any time by following the "unsubscribe" (or similar) links on any marketing message sent to you or by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a purchase, product/service experience or other transactions.

If you wish to exercise any of your above rights, please send a written request to us at the address listed at the end of this privacy notice or contact us at [qa@gkco.com](mailto:qa@gkco.com).

You will not have to pay a fee to access your personal data or to exercise any of your other rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 9. Changes to this privacy notice

This version was last updated on 11 March 2022.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 10. Contact Details

Our full contact details are:

Grace Foods UK Limited  
Centra Park  
Bessemer road  
Welwyn Garden city  
AL7 1HW  
Telephone: 01707 322332

Email: [ga@gkco.com](mailto:ga@gkco.com)

## **11. Complaints**

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.