



OP-2215

PRIVACY POLICY

NUMBER: OP-2215

ISSUE DATE: 23/10/2019

REVISION NO: 1

REVISION DATE: 09/06/2020

1. Introduction

- 1.1** The protection of your personal data is a priority for QMSCERT. QMSCERT gathers, uses and shares personal data with confidentiality and in accordance with the General Data Protection Regulation - GDPR (EU 2016/679), any other data protection legislation applicable and our Privacy Policy.
- 1.2.** Our Privacy Policy aims to provide information about a) the kind of personal data we gather, use and share; b) why and how we gather, use and share your personal data; c) which are your privacy rights. QMSCERT commits to keep this Privacy Policy under regular review to ensure it is up-to-date and accurate.
- 1.3** According to Article 4(1) of the GDPR ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- 1.4** According to Article 4(2) of the GDPR ‘processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- When ‘processing’ your data QMSCERT will engage in collection, recording, organizing, structuring, storage, retrieval, use, erasure or destruction of personal data.
- 1.5** The “controller” of your personal data, as defined in Article 4 (7) of the General Data Protection Regulation is:
- QMSCERT Ltd, 26th October Str. 90, 54627, Thessaloniki, Greece
Administration and Records Office at QMSCERT Ltd, Vlasiou Gavriilidi Str. 28, 54655, Thessaloniki, Greece
- 1.6** Our Data Protection Officer (**DPO**) ensures that QMSCERT processes your personal data in compliance with the applicable data protection rules. Our DPO can be reached at: privacy@qmscert.com

2. Data Processing

2.1 We may gather and use personal data in the following circumstances:

(a) **Business Contacts:** We may gather and use personal data such as names, job positions, employer information and professional contact details through verbal or written correspondence for purposes connected to the daily operation of QMSCERT such as communicating with suppliers and promoting our services.

E-mail addresses shared with QMSCERT can also be used to disseminate our newsletter (e-newsletter) provided that the recipient is given a clear and unambiguous choice to object easily and for free under each message.

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a) and/or the *legitimate interests* pursued by QMSCERT in accordance with Article 6 (1) (f) of the GDPR.

(b) **Certification and Auditing:** While most of our clients are corporate entities, we may gather from them personal data such as names, contact details and job positions of individuals that work for our clients while we are conducting audits and processing certifications. We may use these information in accordance with obligations set by laws and regulations regulating how certification services are to be conducted.

More specifically:

To perform the audit, QMSCERT will request contact details of the company's *contact person or representative* such as name, business phone and business email address

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a) and/or the *legitimate interests* pursued by QMSCERT in accordance with Article 6 (1) (f) of the GDPR.

During the audit QMSCERT will request the establishment plan; organizational charts and job descriptions; evidence of professional competence of the company's employees (e.g. degrees, training certificates, approval documents); (when required e.g. steam boiler operator "stoker"; health data, such as health certificates for the assessment of your employees' ability to work in accordance with existing legal requirements criminal records (when required e.g. ISO 37001); financial information of the employees (when required e.g. social compliance audits; work accident management plans (when required e.g. ISO 45001). When required QMSCERT will request harvest / production data (product, quantity, location etc.) and producer data (name, email address, VAT etc.) Data may also be produced through interviews with company members. Stakeholder data (customers, suppliers, subcontractors, authorities, etc.) that may affect the outcome of the audit may also be produced.

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a) and/or the *legitimate interests* pursued by QMSCERT in accordance with Article 6 (1) (f) of the GDPR. Health data are processed based on Article 9 (2) (a) of the GDPR. Criminal records are processed according to Article 10 of the GDPR.

Scheme owner contracts based in other countries (BRC, IFS, GLOBALGAP, FSSC 22000 and others) have different sets of requirements with regard to personal data retrieval, documentation, and use. QMSCERT shall conform to these requirements and their revisions thereof. These requirements are always equally or better protective than the GDPR rules

QMSCERT will retain the collected personal data for a period of 10 years or as long as it is required by law or the certification standard or scheme, or QMSCERT's required retention time, depending on the purpose and type of processing. QMSCERT will maintain the data to the longest period prescribed of all requirements above.

- (c) **Training:** We will process personal data such as name, job position, contact details, employer information and training performance of individuals taking part in training courses facilitated by QMSCERT for the interests of the training agreed with the individual or the corporate entity the individual is an employee of. Personal data will be gathered directly from the individual that has signed up to attend one of our training courses.

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a). We retain your personal data for a period of 10 years or as long as provided by law, depending on the purpose and type of processing.

- (d) **Contract auditor:** We will gather personal data such as name, contact details, CV and payment information directly from the individual or from third party references and use them to determine whether or not to enter into a contract with the particular individual and for the purposes of signing and executing the contract.

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a) and/or the *legitimate interests* pursued by QMSCERT in accordance with Article 6 (1) (f) of the GDPR. We retain your personal data for the period of collaboration or as long as provided by law, depending on the purpose and type of processing.

(e) **Referring Individual or Legal Entity:** We will gather directly from an individual or legal entity referring sales opportunities to QMSCERT personal data such as name, contact details, and personal data involved in the work you refer to us for sales referral purposes.

The legal basis for such processing is the data subject's *consent* in accordance with Article 6 (1) (a).

(f) **Job Applicants:** We will gather personal data such as the name, contact details, CV and references provided directly by the applicant as part of the job application and interview process. We will use at least these information, to determine whether or not to enter into a contract with the particular individual and for the purposes of signing and performing the contract.

The legal basis for such processing is the data subject's consent in accordance with Article 6 (1) (a). In case you are rejected for the particular position we may ask you if you would like us to keep your information. If you agree, we will contact you should other suitable vacancies occur, otherwise your data will be deleted. In the event of recruitment, we will retain your personal data, depending on the purpose and type of processing.

2.2 Gathering and using the above personal data is essential for QMSCERT. Without them we may not be able to provide our services or complete our contractual obligations.

3. Duration of Data Storage

3.1 Personal data are generally retained for as long as they remain necessary for the purpose they were initially gathered for.

3.2 Personal data may also be retained for as long as it is required by relevant laws and regulations or requested by a relevant accreditation body.

3.3 When a contract is in force, personal data are retained for the duration of the contract and for two certification cycles, usually six years, after the contract ends. Industrial product data related to legal requirements may be kept for ten years or more. Such information is required for a legal claim that may emerge, i.e. accident investigation.

3.4 Personal data of unsuccessful job applicants may be retained for a period of 12 months after the position has been covered. These information are usually kept in an e-mail format for fast reference or in QMSCERT's server.

3.5 Personal data of our newsletter recipients will be retained until they choose to opt-out or unsubscribe.

In each newsletter there is a link for this purpose.

4. Sharing Data with Third Parties

4.1 We share personal data with third parties:

- (a) when necessary for fulfilling the purposes under paragraph 2;
- (b) when there is a legal or contractual obligation to do so;

4.2 Personal data may be shared with the following third parties:

- (a) **Suppliers:** We may need to share your personal data with our suppliers so they can process these information on our behalf. We take measures to ensure that these suppliers protect your personal data according to data protection laws; Such suppliers are QMSCERT's Accounting Office, Web Page Designers, Software Support for Accounting Software, or other Software, Subcontracted Auditors.
- (b) **Accreditation Bodies:** We may be required to share your personal data with accreditation bodies monitoring our certification and audit services;
- (c) **Government bodies:** We may be under a legal obligation to share your personal data with government bodies.
- (d) **Scheme Owners:** We may be under a contractual obligation to share your personal data with certification scheme owners.

5. Privacy Rights

5.1 When QMSCERT processes personal data, the data subject has following rights vis-à-vis QMSCERT:

- (a) **Information:** The data subject can request from QMSCERT, and not limited to, the following information:
 - i. the purposes for which the personal data are being processed as well as the legal or contractual basis for the processing;
 - ii. where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by QMSCERT;
 - iii. the recipients or categories of recipients of your personal data;
 - iv. the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;

- v. the existence of the right to request from the controller access to and rectification or erasure of personal data, a right of restriction of processing or a right to object to processing as well as the right to data portability;
- vi. where the processing is based on consent the existence of the right to withdraw consent at any time;
- vii. the existence of a right to lodge a complaint with a supervisory authority;
- viii. the existence of automated decision-making, including profiling;
- ix. when the personal data are not collected from the data subject, the data subject can also request information regarding the source the personal data originate from, and if applicable, whether it came from publicly accessible sources;

(b) **Access:** The data subject can request access to the personal data processed by QMSCERT along with information about, and not limited to:

- i. the purposes of the processing;
- ii. the categories of personal data concerned;
- iii. the recipients or categories of recipient to whom the personal data have been or will be disclosed;
- iv. the envisaged period for which the personal data will be stored;
- v. the existence of the right to request from QMSCERT rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- vi. the right to lodge a complaint with a supervisory authority;
- vii. where the personal data are not collected from the data subject, any available information as to their source;
- viii. the existence of automated decision-making, including profiling.

QMSCERT shall provide a copy of the personal data undergoing processing.

(c) **Rectification:** The data subject has the right to obtain from QMSCERT the modification of inaccurate data and the completion of incomplete data, including by means of providing a supplementary statement. The rectification, if any, will be finally notified to the subject.

(d) **Erasure:** The data subject has the right to obtain from QMSCERT the erasure of personal data when, the data are no longer necessary in relation to the purposes for which they were collected or otherwise processed. The data subject withdraws consent on which the processing is based or objects to the processing; or the legal basis for processing them ceases to exist.

- (e) **Restriction:** The data subject has the right to obtain from QMSCERT restriction of processing when the data subject contests the accuracy of the personal data; the processing is unlawful, QMSCERT no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims; or the data subject has objected to processing and the verification of whether the legitimate grounds of QMSCERT override those of the data subject is pending.
- (f) **Portability:** The data subject has the right to receive from QMSCERT in a structured, commonly used and machine-readable format personal data that the data subject has provided to QMSCERT. The data subject has the right to transmit those data to another controller.
- (g) **Object:** The data subject has the right to object QMSCERT processing their personal data on grounds relating to their particular situation, when processing is based on point (e) or (f) of Article 6(1) of GDPR. QMSCERT shall no longer process these personal data unless it can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- (h) **Withdraw Consent:** When consent is required to process personal data, the data subject has the right to withdraw consent at any time.

5.2 To exercise your privacy rights please notify our DPO in writing to privacy@qmscert.com.

5.3 Anyone requesting to exercise their privacy rights may need to verify their identity.

5.4 Requests regarding your privacy rights are not charged in any way and will be processed in accordance with data protection laws.

6. Cookies

6.1 Our business website (www.qmscert.com) uses cookies.

6.2 Cookies are data stored on your computer's hard drive. Cookies help QMSCERT track how the visitor uses the website and find ways to improve the information and services provided through it. The cookies setting can be turned off. However, by deactivating cookies you may not be able to make full use of our site.

6.3 We use the following categories of cookies on our website:

- (a) **Strictly necessary:** These cookies are essential for QMSCERT's website to work properly. They may include anonymous information to enable functionality. They do not retain personal data and they do not require your consent.
- (b) **Web analytics service:** QMSCERT website uses the Google Analytics service. Google Analytics is a web analytics service provided by Google, Inc. ('Google'), to help us see how our website is used. In doing so information about your use of our website may be transmitted to Google and stored on its servers (see [Google's privacy policy](#)). IP addresses, which can be used to identify an individual user, are anonymised by Google Analytics. The data collected by Google Analytics is used to analyse how frequently the same people revisit QMSCERT's website, how the website is found (from advertising or referring websites), and which pages are most frequently viewed. This information is combined with data from thousands of other users to create an overall picture of website use, and is never identified individually or personally and is not linked to any other information we store about you. Your consent is required for these.

7. Contracts

QMSCERT engages and executes three basic contracts with the interested parties where personal is referenced as being kept. These contracts are reviewed and revised regularly.

- 7.1** The typical Employer - Employee contract signed by all fulltime employees for administration purposes provided by the Hellenic Ministry of Labor.
- 7.2** The F-2535 Employer Auditor contract signed by all auditors/inspectors of QMSCERT whether fulltime or subcontracted.
- 7.3** The F-2002 Certification Contract/Terms with the customer referenced as a requirement for all services of QMSCERT. This document explicitly defines that data will be retrieved and information will be maintained as required.