



# SMART

Global Solutions




## IS Data Security – Data Privacy Policy

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## Revision History

Ver	Details	Date	Name Signature
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01.01	Document conforms to new QMS format	21/05/2021	Darren Edwards 
01.02	Include information as required by Data Protection Act 2018 4.3.2 HCOMS Platform 4.6 Data encryption	24/11/2021	Darren Edwards 
01.03	Update company contact information 4.1.3 Contact Details	03/10/2022	Darren Edwards 

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## 1 Purpose

The purpose of this document is to set out rules and procedures for the protected use of personal data held within SMART Global Solution systems. This policy is to help ensure sensitive data is used in a responsible and secure way. And thus, minimize the potential for damages to SMART global solutions and its clients.

## 2 Scope

SMART Global Solutions is committed to respecting and protecting your privacy.

This data protection policy sets out how we look after your personal information, how we will use personal data generally and tells you about your privacy rights and how the law protects you.

## 3 Definitions

Keyword	Definition
Personal Data	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.
Controller	the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
User Profile	an online area where personal data for an individual can be viewed and updated.
Product	Licensed software provided by SMART Global Solutions
Service	Technical assistance/support provided by SMART Global Solutions in relation to Products sold.
Processing	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.
Client	Group, organisation, professional body or individuals utilising a Product and/or Service supplied by SMART Global Solutions.

Consent	any freely given, specific, informed and unambiguous indication of the data subject’s wishes by way of statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to individuals affiliated with the Client.
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## 4 Policy

### 4.1 Important Information And Who We Are

#### 4.1.1 Purpose of this privacy notice

This privacy notice aims to give you information on how SMART Global Solutions collects and processes personal data through:

1. your use of our website and software platform and
2. more generally, including any data you may provide when you sign up to use our software platform.

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 data. This privacy notice supplements the other notices and is not intended to override them.

#### 4.1.2 Controller

SMART Global Solutions Limited is the controller and responsible for processing personal data (collectively referred to as “SMART Global Solutions”, “we”, “us” or “our” in this privacy notice).

We have appointed Luke Sadler as our data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact him using the details set out below.

#### 4.1.3 Contact details

Our full details are:

Full name of legal entity	SMART Global Solutions Limited
Responsibility of Data Privacy	Office Manager
Email address	office@smartgs.com
Postal address	Stubbings House, Stubbings Lane, Maidenhead, Berkshire, SL6 6QL
Telephone number	+44(0) 208 619 0600

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.

#### 4.1.4 Changes to the privacy notice and your duty to inform us of changes

We reserve the right to amend this privacy notice and will notify you by updating this notice, so please check it from time to time, especially if you have ongoing dealings with us. 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.

## 4.2 The Data We Collect About You

All information we collect about you can be viewed by yourself on your user profile. You can update and modify the information on there.

This information includes:

- Account Username
- Date of Birth (Optional)
- Country
- Photo ID (Optional)
- Email
- Job Title (Optional)
- Competency Certificates – Any certificates uploaded to the user account by the user or their employer.

### 4.2.1 If you fail to provide personal data

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 our services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## 4.3 How Is Personal Data Collected?

### 4.3.1 General User Information

For all software installations, personal data is collected at the user registration stage of our service process through the user registration form. And can be updated and modified through the user account page once the account has been activated.

### 4.3.2 HCOMS Platform

In addition to the personal information collected as detailed in Clause 4.3.1, training records and passenger manifest information is collected via automated feeds from the Offshore POB system Vantage.

## 4.4 How We Use Personal Data

We will only use personal data when the law allows us to. Most commonly, we will use personal data in the following circumstances:

- Providing our contracted services.

### 4.4.1 Purposes for which we will use your personal data

We have set out below, in a table format, a description of the ways we plan to use personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register users to our software platform	(a) Identity (b) Contact	Performance of a contract with you, your employer or another party
To process and deliver services and/or perform contractual obligations for you or another party	(a) Identity (b) Contact	Performance of a contract with you
To manage our relationship with you or another party which will include:  (a) Notifying you about changes to our terms or privacy policy  (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact  (c) Profile  (d) Usage	(a) Performance of a contract with you or another party  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how our customers/users use our products/services)
To administer and protect our business and this software platform (including troubleshooting, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact	(a) Necessary for our legitimate interests (for example, running our business, provision of administration and IT support services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact  (c) Usage  (d) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

#### 4.4.2 Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

#### 4.4.3 Opting out

You can ask us to stop sending you marketing messages at any time 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 product/service purchase, product/service experience or other transactions.

#### 4.4.4 Change of purpose

We will only use 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 we need to use 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 personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### 4.5 Disclosures Of Your Personal Data

We may have to share personal data with the parties set out below for the purposes set out in the table in paragraph 4 above and as follows:

1. Third party sub-contractors who provide services for us and/or help to provide services to you. In the event that we use sub-contractors who have access to your personal data, we ensure that there are strict contractual terms in place to ensure that they only process personal data to the extent that we instruct them to do so in writing and there are suitably worded confidentiality and data protection clauses in all such contracts.
2. Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties 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.

#### 4.6 Data Security

We have put in place appropriate security measures to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process personal data on our instructions and they are subject to a duty of confidentiality.

All personal data is encrypted at the field level, meaning in the unlikely event data is extracted from the data storage, it would be rendered unreadable and unusable.

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.

#### 4.7 Data Retention

##### 4.7.1 How long will you use personal data for?

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

Once your personal data is no longer required for example if you stop using our system. Then we will archive your data, moving it out of our active processes and into an inactive state and a separate storage system. Of which only authorised employees of SMART Global Solutions have access to. All of which are under contractual obligations to protect this data.



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 personal data, the purposes for which we process personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Generally, we will archive personal information where a user has been deactivated on our system, has not been active on our software platform for 24 months or reports from our software platform have not been accessed within 36 months (whichever is later).

In some circumstances you can ask us to delete your data: see the section below entitled “Your Legal Rights” for further information.

We may also anonymise 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.

#### 4.8 Your Legal Rights

Under certain circumstances, you have the following rights under data protection laws in relation to personal data:

**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 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 we hold about you corrected, though we may need to verify the accuracy of the new data 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 information unlawfully or where we are required to erase your personal data to comply with local law. 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 information 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.

If you wish to exercise any of the rights set out above, please contact us [office@smartgs.com](mailto:office@smartgs.com)

#### 4.8.1 No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the 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.

#### 4.8.2 What we may need from you

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.

#### 4.8.3 Time limit to respond

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.

### 4.9 Definitions

#### 4.9.1 Lawful basis

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product 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 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](#).

**Performance of Contract** means processing personal data where it is necessary for the performance of a contract for you or a third party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

#### 4.9.2 Third parties

**Commercial in Confidence**

We work with various technical organisations to deliver high-quality solutions to various industries. All potential partners must demonstrate a comprehensive GDPR policy and privacy policy.

SMART Global Solutions has association with the following companies:

**UKFast** – Cloud hosting provider and infrastructure services.

**Rig Net** – Provider of digitised weather data.

**Collabro** – Provider of offshore operational data (**Vantage**) for the Oil & Gas industry.

**Schlumberger** – Infrastructure provider for the Vantage system.