

## Data Protection Policy

### 1. Purpose

- 1.1. The purpose of this policy and procedure is to ensure compliance with the requirements of the General Data Protection Regulation (GDPR), as implemented into UK law.
- 1.2. This Data Protection Policy applies to all staff. You must read, understand and comply with this Data Protection Policy when processing personal data on our behalf and attend training on its requirements. This Data Protection Policy sets out what we expect from you for us to comply with applicable law. Your compliance with this Data Protection Policy is mandatory. Any breach of this Data Protection Policy may result in disciplinary action.
- 1.3. This Data Protection Policy is an internal document and cannot be shared with third parties, clients or regulators without prior authorisation from your manager.
- 1.4. Definitions:
  - 1.4.1. **Automated Decision-Making (ADM):** when a decision is made which is based solely on Automated Processing (including profiling) which produces legal effects or significantly affects an individual. The GDPR prohibits Automated Decision-Making (unless certain conditions are met) but not Automated Processing.
  - 1.4.2. **Automated Processing:** any form of automated processing of Personal Data consisting of the use of Personal Data to evaluate certain personal aspects relating to an individual, in particular to analyse or predict aspects concerning that individual's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements. Profiling is an example of Automated Processing.
  - 1.4.3. **Data Subject:** a living, identified or identifiable individual about whom we hold Personal Data. Data Subjects may be nationals or residents of any country and may have legal rights regarding their Personal Data.
  - 1.4.4. **Data Privacy Impact Assessment (DPIA):** tools and assessments used to identify and reduce risks of a data processing activity. DPIA can be carried out as part of Privacy by Design and should be conducted for all major system or business change programmes involving the Processing of Personal Data.
  - 1.4.5. **Personal Data:** any information identifying a Data Subject or information relating to a Data Subject that we can identify (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes Special Categories of Personal Data and Pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal Data can be factual (for

example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

- 1.4.6. **Processing or Process:** any activity that involves the use of Personal 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 destroying it. Processing also includes transmitting or transferring Personal Data to third parties.
- 1.4.7. **Privacy by Design:** implementing appropriate technical and organisation measures in an effective manner to ensure compliance with the GDPR.
- 1.4.8. **Pseudonymisation or Pseudonymised:** replacing information that directly or indirectly identifies an individual with one or more artificial identifiers or pseudonyms so that the person, to whom the data relates, cannot be identified without the use of additional information which is meant to be kept separately and secure.
- 1.4.9. **Special Categories of Personal Data:** information revealing racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data.

## 2. **Data Controller**

- 2.1. TWT Logistics Limited is the Data Controller under GDPR and is responsible for complying with rules about how it collects and uses Personal Data.

## 3. **Policy Statement**

- 3.1. We are required to comply with GDPR in relation to the processing, handling, storage and disposal of Personal Data which we obtain from staff and customers. This policy covers all Personal Data whether it is collected or stored on paper, electronically or any other media.
- 3.2. Any Personal Data gathered will only be used in the context of relevant lawful purposes and all Special Categories of Personal Data collected is done so with

consent in advance. We will Process all the information we obtain to enable us to fulfil our contractual and organisational obligations.

#### 4. **Data Protection Principles**

4.1. We regard the lawful and correct treatment of personal information as essential and as such, will adhere to the Data Protection principles which require that Personal Data:

4.1.1. is processed fairly, lawfully and in a transparent manner;

4.1.2. is obtained only for lawful purposes and only used and processed for its original purpose;

4.1.3. is accurate and, where necessary, kept up to date;

4.1.4. is adequate, relevant and not excessive in relation to the purposes for which it is processed;

4.1.5. is not kept for longer than is necessary;

4.1.6. is 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;

4.1.7. is made available to Data Subjects and Data Subjects are allowed to exercise certain rights in relation to their Personal Data; and

4.1.8. is not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the Personal Data.

4.2. We will, through appropriate management and application of processes and controls:

4.2.1. observe fully conditions regarding the fair collection and use of information;

4.2.2. meet our legal obligations to specify the purposes for which information is used;

4.2.3. collect and Process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements; and

4.2.4. ensure the quality of information used.

#### 5. **Lawfulness and fairness**

5.1. You may only collect, Process and share Personal Data fairly and lawfully and for specified purposes. The GDPR restricts our actions regarding Personal Data to specified lawful purposes. These restrictions are not intended to

prevent Processing, but ensure that we process Personal Data fairly and without adversely affecting the Data Subject.

- 5.2. The GDPR allows Processing for specific purposes, some of which are set out below:
  - 5.2.1. the Data Subject has given his or her consent;
  - 5.2.2. the Processing is necessary for the performance of a contract with the Data Subject;
  - 5.2.3. to meet our legal compliance obligations;
  - 5.2.4. to protect the Data Subject's vital interests;
  - 5.2.5. to pursue our legitimate interests for purposes where they are not overridden because the Processing prejudices the interests or fundamental rights and freedoms of Data Subjects. The purposes for which we process Personal Data for legitimate interests need to be set out in applicable privacy notices.
- 5.3. You must identify and document the legal ground being relied on for each Processing activity.

## 6. **Consent**

- 6.1. The Data Controller must only process Personal Data on the basis of one or more of the lawful bases set out in the GDPR, which include consent.
- 6.2. A Data Subject consents to Processing of their Personal Data if they indicate agreement clearly either by a statement or positive action to the Processing. Consent requires affirmative action so silence, pre-ticked boxes or inactivity are unlikely to be sufficient. If consent is given in a document which deals with other matters, then the consent must be kept separate from those other matters.
- 6.3. Data Subjects must be easily able to withdraw consent to Processing at any time and withdrawal must be promptly honoured. Consent may need to be refreshed if you intend to Process Personal Data for a different and incompatible purpose which was not disclosed when the Data Subject first consented.
- 6.4. When processing Special Category Data or criminal convictions data, we will usually rely on a legal basis for processing other than explicit consent or consent if possible. Where explicit consent is relied on, you must issue a privacy notice to the Data Subject to capture explicit consent.
- 6.5. You will need to evidence consent captured and keep records of all consents so that we can demonstrate compliance with consent requirements.

## 7. **Transparency (notifying Data Subjects)**

- 7.1. The GDPR requires data controllers to provide detailed, specific information to Data Subjects depending on whether the information was collected directly from Data Subjects or from elsewhere. The information must be provided through appropriate privacy notices which must be concise, transparent,

intelligible, easily accessible, and in clear and plain language so that a Data Subject can easily understand them.

- 7.2. Whenever we collect Personal Data directly from Data Subjects, including for human resources or employment purposes, we must provide the Data Subject with all the information required by the GDPR including the identity of the controller and data protection officer (if applicable), how and why we will use, Process, disclose, protect and retain that Personal Data through a privacy notice which must be presented when the Data Subject first provides the Personal Data.
- 7.3. When Personal Data is collected indirectly (for example, from a third party or publicly available source), we must provide the Data Subject with all the information required by the GDPR as soon as possible after collecting or receiving the data. We must also check that the Personal Data was collected by the third party in accordance with the GDPR and on a basis which contemplates our proposed Processing of that Personal Data.
- 7.4. If you are collecting Personal Data from Data Subjects, directly or indirectly, then you must provide Data Subjects with a privacy notice.

## 8. **Purpose limitation**

- 8.1. Personal Data must be collected only for specified, explicit and legitimate purposes. It must not be further Processed in any manner incompatible with those purposes.
- 8.2. You cannot use Personal Data for new, different or incompatible purposes from that disclosed when it was first obtained unless you have informed the Data Subject of the new purposes and they have consented where necessary.

## 9. **Data minimisation**

- 9.1. Personal Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed.
- 9.2. You may only Process Personal Data when performing your job duties requires it. You cannot Process Personal Data for any reason unrelated to your job duties.
- 9.3. You may only collect Personal Data that you require for your job duties: do not collect excessive data. Ensure any Personal Data collected is adequate and relevant for the intended purposes.
- 9.4. You must ensure that when Personal Data is no longer needed for specified purposes, it is deleted or anonymised in accordance with our data retention guidelines.

## 10. **Accuracy**

- 10.1. Personal Data must be accurate and, where necessary, kept up to date. It must be corrected or deleted without delay when inaccurate.
- 10.2. 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 destroy or amend inaccurate or out-of-date Personal Data.

11. **Storage Limitation**

- 11.1. Personal Data must not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.
- 11.2. We will maintain retention policies and procedures to ensure Personal Data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires that data to be kept for a minimum time.
- 11.3. You must not keep Personal Data in a form which permits the identification of the Data Subject for longer than needed for the legitimate business purpose or purposes for which we originally collected it including for the purpose of satisfying any legal, accounting or reporting requirements.
- 11.4. You will take all reasonable steps to destroy or erase from our systems all Personal Data that we no longer require in accordance with all our applicable records retention schedules and policies. This includes requiring third parties to delete that data where applicable.
- 11.5. You will ensure Data Subjects are informed of the period for which data is stored and how that period is determined in any applicable privacy notice.

12. **Protecting personal data**

- 12.1. You are responsible for protecting the Personal Data we hold. You must implement reasonable and appropriate security measures against unlawful or unauthorised Processing of Personal Data and against the accidental loss of, or damage to, Personal Data. You must exercise particular care in protecting Special Categories of Personal Data and criminal convictions data from loss and unauthorised access, use or disclosure.
- 12.2. 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. You may only transfer Personal Data to third-party service

providers who agree to comply with the required policies and procedures and who agree to put adequate measures in place, as requested.

12.3. You must maintain data security by protecting the confidentiality, integrity and availability of the Personal Data, defined as follows:

12.3.1. Confidentiality means that only people who have a need to know and are authorised to use the Personal Data can access it;

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

12.3.3. Availability means that authorised users are able to access the Personal Data when they need it for authorised purposes.

12.4. You must comply with and not attempt to circumvent the administrative, physical and technical safeguards we implement and maintain in accordance with the GDPR and relevant standards to protect Personal Data.

### 13. **Reporting a personal data breach**

13.1. The GDPR requires controllers to notify any personal data breach to the applicable regulator and, in certain instances, the Data Subject.

13.2. We have put in place procedures to deal with any suspected personal data breach and will notify Data Subjects or any applicable regulator where we are legally required to do so.

13.3. If you know or suspect that a personal data breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the person or team designated as the key point of contact for personal data breaches. You should preserve all evidence relating to the potential personal data breach.

### 14. **Transfer limitation**

14.1. The GDPR restricts data transfers to countries outside the European Economic Area (EEA) to ensure that the level of data protection afforded to individuals by the GDPR is not undermined. You transfer Personal Data originating in one country across borders when you transmit, send, view or access that data in or to a different country.

14.2. You may only transfer Personal Data outside the EEA if one of the following conditions applies:

14.2.1. the European Commission has issued a decision confirming that the country to which we transfer the Personal Data ensures an adequate level of protection for the Data Subject's rights and freedoms;

14.2.2. appropriate safeguards are in place such as binding corporate rules (BCR), standard contractual clauses approved by the European

Commission, an approved code of conduct or a certification mechanism;

14.2.3. the Data Subject has provided explicit consent to the proposed transfer after being informed of any potential risks; or

14.2.4. the transfer is necessary for one of the other reasons set out in the GDPR including the performance of a contract between us and the Data Subject, reasons of public interest, to establish, exercise or defend legal claims or to protect the vital interests of the Data Subject where the

Data Subject is physically or legally incapable of giving consent and, in some limited cases, for our legitimate interest.

15. **Data subject's rights and requests**

15.1. Data Subjects have rights when it comes to how we handle their Personal Data. These include rights to:

15.1.1. withdraw consent to Processing at any time;

15.1.2. receive certain information about the Data Controller's Processing activities;

15.1.3. request access to their Personal Data that we hold;

15.1.4. prevent our use of their Personal Data for direct marketing purposes;

15.1.5. ask us to erase Personal Data if it is no longer necessary in relation to the purposes for which it was collected or Processed or to rectify inaccurate data or to complete incomplete data;

15.1.6. restrict Processing in specific circumstances;

15.1.7. challenge Processing which has been justified on the basis of our legitimate interests or in the public interest;

15.1.8. request a copy of an agreement under which Personal Data is transferred outside of the EEA;

15.1.9. object to decisions based solely on automated processing, including profiling (ADM);

15.1.10. prevent processing that is likely to cause damage or distress to the Data Subject or anyone else;

15.1.11. be notified of a personal data breach which is likely to result in high risk to their rights and freedoms;

15.1.12. make a complaint to the supervisory authority; and

15.1.13. in limited circumstances, receive or ask for their Personal Data to be transferred to a third party in a structured, commonly used and machine-readable format.

15.2. You must verify the identity of an individual requesting data under any of the rights listed above (do not allow third parties to persuade you into disclosing Personal Data without proper authorisation).

15.3. You must immediately forward any Data Subject request you receive to your supervisor.

16. **Accountability**

16.1. We must implement appropriate technical and organisational measures in an effective manner, to ensure compliance with data protection principles. We are responsible for, and must be able to demonstrate, compliance with the data

protection principles. By acting in accordance with the following guidelines, we will demonstrate accountability.

17. **Record keeping**

- 17.1. You must keep and maintain accurate corporate records reflecting our processing of Personal Data including records of Data Subjects' consents and procedures for obtaining consents.
- 17.2. These records should include, at a minimum clear descriptions of the Personal Data types, Data Subject types, processing activities, processing purposes, third-party recipients of the Personal Data, Personal Data storage locations, Personal Data transfers, the Personal Data's retention period and a description of the security measures in place in order to create such records.

18. **Training and audit**

- 18.1. We are required to ensure all employees have undergone adequate training to enable them to comply with data privacy laws. We must also regularly test our systems and processes to assess compliance.
- 18.2. You must undergo all mandatory data privacy related training and ensure your team undergo similar mandatory training.
- 18.3. You must regularly review all the systems and processes under your control to ensure they comply with this data protection policy and check that adequate governance controls and resources are in place to ensure proper use and protection of personal data.

19. **Privacy by design and data protection impact assessment (DPIA)**

- 19.1. We are required to implement Privacy by Design measures when Processing Personal Data by implementing appropriate technical and organisational

measures (like Pseudonymisation) in an effective manner, to ensure compliance with data privacy principles.

19.2. You must assess what Privacy by Design measures can be implemented on all programmes, system or processes that Process Personal Data by taking into account the following:

19.2.1. the state of the art;

19.2.2. the cost of implementation;

19.2.3. the nature, scope, context and purposes of Processing; and

19.2.4. the risks of varying likelihood and severity for rights and freedoms of Data Subjects posed by the Processing.

19.3. Data controllers must also conduct DPIAs in respect of high-risk Processing.

19.4. You should conduct a DPIA (and discuss your findings with the DPO) when implementing major system or business change programs involving the Processing of Personal Data including:

19.4.1. use of new technologies (programs, systems or processes), or changing technologies (programs, systems or processes);

19.4.2. automated Processing including profiling and ADM;

19.4.3. large-scale Processing of Special Categories of Personal Data or criminal convictions data; and

19.4.4. large-scale, systematic monitoring of a publicly accessible area.

19.5. A DPIA must include:

19.5.1. a description of the Processing, its purposes and the Data Controller's legitimate interests if appropriate;

19.5.2. an assessment of the necessity and proportionality of the Processing in relation to its purpose;

19.5.3. an assessment of the risk to individuals; and

19.5.4. the risk mitigation measures in place and demonstration of compliance.

20. **Automated processing (including profiling) and automated decision-making**

20.1. Generally, any system decision which is made purely on the automated processing of data is prohibited unless:

20.1.1. a Data Subject has explicitly consented;

20.1.2. the Processing is authorised by law; or

20.1.3. the Processing is necessary for the performance of or entering into a contract.

- 20.2. If certain types of Special Categories of Personal Data are being processed, then grounds (b) or (c) will not be allowed but that Special Categories of Personal Data can be Processed where it is necessary (unless less intrusive means can be used) for substantial public interest like fraud prevention.
- 20.3. If a decision is to be based solely on automated processing (including profiling), then individuals must be informed when you first communicate with them of their right to object. We must also inform the individual of the logic involved in the decision making or profiling, the significance and envisaged consequences and give the individual the right to request human intervention, express their point of view or challenge the decision.
- 20.4. A DPIA must be carried out before any automated Processing (including profiling) or ADM activities are undertaken.

21. **Direct marketing**

- 21.1. We are subject to certain rules and privacy laws when marketing to our customers.
- 21.2. For example, an individual's prior consent is required for electronic direct marketing (for example, by email, text or automated calls). The limited exception for existing customers known as "soft opt in" allows organisations to send marketing texts or emails if they have obtained contact details in the course of a sale to that person, they are marketing similar products or services, and they gave the person an opportunity to opt out of marketing when first collecting the details and in every subsequent message.
- 21.3. The right to object to direct marketing must be explicitly offered in an intelligible manner so that it is clearly distinguishable from other information.
- 21.4. A Data Subject's objection to direct marketing must be promptly honoured. If a customer opts out at any time, their details should be suppressed as soon as possible. Suppression involves retaining just enough information to ensure that marketing preferences are respected in the future.

22. **Sharing Personal Data**

- 22.1. Generally we are not allowed to share personal data with third parties unless certain safeguards and contractual arrangements have been put in place.
- 22.2. You may only share the Personal Data we hold with another employee, agent or representative of our group (which includes our subsidiaries and our ultimate holding company along with its subsidiaries) if the recipient has a job-related

need to know the information and the transfer complies with any applicable cross-border transfer restrictions.

22.3. You may only share the Personal Data we hold with third parties, such as our service providers if:

22.3.1. they have a need to know the information for the purposes of providing the contracted services;

22.3.2. sharing the personal data complies with the privacy notice provided to the data subject and, if required, their consent has been obtained;

22.3.3. the third party has agreed to comply with the required data security standards, policies and procedures and put adequate security measures in place; and

22.3.4. the transfer complies with any applicable cross border transfer restrictions.