

## **Privacy Notice**

At Surgical Specialties Corporation and Pearsalls Ltd. we take privacy seriously and we are committed to protecting it.

This policy explains when and why we collect personal information about individuals, how this information is used, and the conditions under which it may be disclosed to others and how it is kept secure.

The company collects and processes personal information, or personal data, related to its employees, workers, customers and contractors to manage the relationship. This personal information may be held by the company on paper or in electronic format.

The company is committed to being transparent about how it handles and uses your personal information to protect the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. The purpose of this Privacy Notice is to make you aware of how and why we collect and use your personal information both during and after your working relationship with the company. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all current and former employees, workers, customers and contractors. It is non-contractual and does not form part of any employment contract, casual worker agreement, consultancy agreement or any other contract for services.

## **Data Protection Principles**

Under the GDPR, there are six data protection principles that the Company must comply with. These provide that the personal information we hold about you must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to those purposes.
- Accurate and, where necessary, kept up to date.
- Kept in a form which permits your identification for no longer than is necessary for those purposes.
- Processed in a way that ensures appropriate security of the data.

The Company is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

## **What Information Does The Company Collect?**

The company collects and processes a range of information about you. Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymized data, i.e. where all identifying particulars have been removed

**Personal information you give to us** We collect information about you that you give to us by corresponding with us by phone, email or otherwise and is provided entirely voluntarily. This includes your contact information, identification information and banking/billing information.

**Personal information we collect about you** We may collect the information about your visits to our website, including the Internet protocol (IP) address used to connect your computer or device to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform. We may also collect any personal information which you allow to be shared that is part of your public profile or third party social network.

We may **receive information about you from third parties** in connection with our services. For example, we may:

- collect information about you from a third party such as an overseas agent or other professional in order for us to contact you about our services;
- collect information from publically available or other sources to verify your identity in connection with our anti-money laundering procedures.

## **How Do We Use Your Personal Information?**

The purposes for which we use your information and the legal basis under data protection laws on which we rely to do this are explained below.

### **Where it is required to complete a contract or agreement:**

We may use and process your personal information where we have supplied you (or continue to supply you) with any services, where we have arranged for the supply of another company's products or services to you, or where you are in discussions with us about any new product or service. We will use this information in connection with the contract for the supply of services when it is needed to carry out that contract or for you to enter into it.

### **Where you have given consent:**

We may use and process your personal information where you have **consented** for us to do so for direct marketing purposes. You may withdraw your consent for us to use your information in any of these ways at any time.

### **Where it is required legally:**

We will use your personal information (including your identification information) to comply with our legal obligations: (i) to carry out any anti-money laundering checks as required by the Money Laundering Regulations 2017 or other public authority or criminal investigation body; (ii) to identify you when you contact us; and/or (iii) to verify the accuracy of data we hold about you.

We may use information about to which we collect from publically available or other sources to verify the information that you give to us for this purpose.

### **Where there is a legitimate interest:**

We may use and process your personal information where it is necessary for us to pursue our **legitimate interests** as a business, or that of a third party, for the following purposes:

- for marketing activities (other than where we rely on your consent to contact you by email or text as explained in the Marketing section below);
- to correspond or communicate with you;
- to verify the accuracy of data that we hold about you and create a better understanding of you as a client;
- for network and information security in order for us to take steps to protect your information against loss or damage, theft or unauthorized access;
- for analysis to inform our marketing strategy, and to enhance and personalize your client experience (including to improve the recommendations we make to you on our website);
- for prevention of fraud and other criminal activities;
- to comply with a request from you in connection with the exercise of your rights (for example where you have asked us not to contact you for marketing purposes, we will keep a record of this on our suppression lists in order to be able to comply with your request);
- for the management of queries, complaints, or claims; and
- for the establishment and defense of our legal rights.

## Who Has Access To This Data?

We may share your personal information internally, if access to the data is necessary for our working relationship.

We may share your personal information with third parties where it is necessary to administer the contract we have entered into with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party). When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service and we have

a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions or for a specified purpose

The Company may also share your personal information with other third parties in the context of a potential sale or restructuring of some or all of its business. In those circumstances, your personal information will be subject to confidentiality undertakings.

We may also need to share your personal information with a regulator or to otherwise comply with the law.

### Credit/debit card payment processors

Where you elect to pay an invoice by way of bank transfer, your credit/debit card payment is processed by a third party payment processor, who specializes in the secure online capture and processing of credit/debit card transactions. If you have any questions regarding secure transactions, please contact us using the details at the end of this policy.

### Other ways we may share your personal information

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganization. We may also transfer your personal information if we're under a duty to disclose or share it in order to comply with any legal obligation, to detect or report a crime, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our visitors and customers. We will always take steps with the aim of ensuring that your privacy rights continue to be protected.

## How Long Is Your Data Kept For?

If we collect your personal information, the length of time we retain it is determined by a number of factors including the purpose for which we use that information and our obligations under other laws. We do not retain personal information in an identifiable format for longer than is necessary.

We may need your personal information to establish, bring or defend legal claims. For this purpose, we will always retain your personal information for 7 years after the date it is no longer needed by us for any of the purposes listed under how we use your personal information above. The only exceptions to this are where:

- the law requires us to hold your personal information for a longer period, or delete it sooner;
- you exercise your right to have the information erased (where it applies) and we do not need to hold it in connection with any of the reasons permitted or required under the law (see further Erasing your personal information or restricting its processing below); or
- in limited cases, the law permits us to keep your personal information indefinitely provided we put certain protections in place.

## How Do We Handle Internet Security?

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your information transmitted to our website and any transmission is at your own risk. Once we have received your personal information, we put in place reasonable and appropriate controls to ensure that it remains secure against accidental or unlawful destruction, loss, alteration, or unauthorized access.

Where we collect any sensitive personal information we will apply additional security controls to protect that data.

Our website may contain links to other websites run by other organizations. This policy does not apply to those other websites, so we encourage you to read their privacy statements. We cannot be responsible for the privacy policies and practices of other websites even if you access those using links that we provide. In addition, if you linked to our website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

## MARKETING

We may collect your preferences to receive marketing information directly from us by email, SMS, phone or post if you subscribe to our newsletter.

We may contact you with marketing information by post or by telephone or with targeted advertising delivered online through social media and platforms operated by other companies by using your personal information, or use your personal information to tailor marketing to improve its relevance to you, unless you object.

We may also contact you with marketing information by text or email. However, where you deal with us in your capacity as an individual (rather than through your company or organization), we will only contact you by email or text with direct marketing material if:

- you make an enquiry engage with us in respect of our services, unless and until you indicate you would prefer not to hear from us; or
- you have consented to receive such marketing information directly from us.

We will only share your information with our third party partners or marketing agents in order for them to send marketing materials on our behalf or capture any requests to unsubscribe from our newsletter. From time to time, we may ask you to refresh your marketing preferences by asking you to confirm that you consent to continue receiving marketing information from us.

You have the right to opt-out of our use of your personal information to provide marketing to you in any of the ways mentioned above. Please see [Withdrawing your Consent and Objecting to our use of your personal information and automated decisions made about you](#) below for further details on how you can do this.

## What Are My Rights Under The New GDPR?

**Accessing your personal information:** You have the right to ask for a copy of the information that we hold about you by emailing or writing to us at the address at the end of this policy. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

**Correcting and updating your personal information:** The accuracy of your information is important to us and we are working on ways to make it easier for you to review and correct the information that we hold about you. In the meantime, if you change your name or address/email address, or you discover that any of the other information we hold is inaccurate or out of date, please let us know by contacting us in any of the details described at the end of this policy.

**Withdrawing your consent:** Where we rely on your consent as the legal basis for processing your personal information, as set out under how we use your personal information, you may withdraw your consent at any time by contacting us using the details at the end of this policy. If you would like to withdraw your consent to receiving any direct marketing to which you previously opted-in, you can do so using our unsubscribe tool. If you withdraw your consent, our use of your personal information before you withdraw is still lawful.

**Objecting to our use of your personal information:** Where we rely on your legitimate business interests as the legal basis for processing your personal information for any purpose(s), as out under how we use your personal information, you may object to us using your personal information for these

purposes by emailing or writing to us at the address at the end of this policy. Except for the purposes for which we are sure we can continue to process your personal information, we will temporarily stop processing your personal information in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights under data protection laws, we will permanently stop using your data for those purposes. Otherwise we will provide you with our justification as to why we need to continue using your data.

You may object to us using your personal information for direct marketing purposes and we will automatically comply with your request. If you would like to do so, please use our unsubscribe tool.

**Erasing your personal information or restricting its processing:** In certain circumstances, you may ask for your personal information to be removed from our systems by emailing or writing to us at the address at the end of this policy. Unless there is a reason that the law allows us to use your personal information for longer, we will make reasonable efforts to comply with your request.

You may also ask us to restrict processing your personal information where you believe it is unlawful for us to do so, you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings. In these situations we may only process your personal information whilst its processing is restricted if we have your consent or are legally permitted to do so, for example for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

**Transferring your personal information in a structured data file:** Where we rely on your consent as the legal basis for processing your personal information or need to process it in connection with your contract, as set out under How we use your personal information, you may ask us to provide you with a copy of that information in a structured data file. We will provide this to you electronically in a structured, commonly used and machine readable form, such as a CSV file. You can ask us to send your personal information directly to another provider, and we will do so if this is technically possible. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

**Complaining to the UK data protection regulator:** You have the right to complain to the Information Commissioners Office (ICO) if you are concerned about the way we have processed your personal information. Please visit the ICO's website for further details.

### **Will there be further changes to this Privacy Policy?**

We may review this policy from time to time and any changes will be notified to you by posting an updated version on our website. Any changes will take effect 7 days after the date of our email or the date on which we post the modified terms on our website, whichever is the earlier. We recommend you regularly check for changes and review this policy whenever you visit our website. If you do not agree with any aspect of the updated policy you must immediately notify us and cease using our services.

### **Contact Information:**

Please direct any queries about this policy or about the way we process your personal information to our Compliance Committee using our contact details below.

If you wish to write to us, please write to the following address:

Surgical Specialties Corporation  
247 Station Drive, Suite NE1  
Westwood, MA, USA 02090  
Attn: Legal

Our email address for data protection queries is [compliance@surgicalspecialties.com](mailto:compliance@surgicalspecialties.com)