



PRIVACY NOTICE

Information About Us:

In this privacy notice, "**we**", "**us**" and "**our**" mean CineMedics UK Limited, a company incorporated under the laws of England and Wales with company number 13658787.

CineMedics UK Limited is a data controller for the purposes of the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and is responsible for your personal data.

Our full contact details are:

CineMedics UK Limited
c/o CLINTONS
55 Drury Lane
London WC2B 5RZ
United Kingdom
Email address: GDPR@cinemedics.us

Data Protection Officer - Mark Helmer

What this Privacy Notice Covers:

This privacy notice provides information on how we collect and process your personal data and applies to anyone who interacts with us about our products and services ("**you**", "**your**") in any way (for example, by email, by phone or in person).

The Data We Collect about You:

To perform our services, we may collect, use, store and transfer different kinds of personal data about you as follows:

- Standard personal information (for example, information we use to contact you, identify you or manage our relationship with you); and
- Special categories of information (for example, health information and information about your race and ethnic origin).



The standard personal Information we process about you may include:

- Contact details, such as your name, address, email address, phone number(s) and company details;
- Identity data such as your gender, date of birth and national identifiers (such as your National Insurance number and/or passport number);
- Payment information –your billing information and your transaction, payments and bank details;
- Information about how you use our products, services, website and communication and other systems; and
- Details of any contact we have had with you, such as any complaints or incidents.

The special category personal Information we process about you may include:

- Information about your physical health, medical and vaccination histories;
- Genetic information and/or biometric information (we may get this information from forms you have filled in, from notes and reports about your health or it may be recorded in details of contact we have had with you). In addition, testing for COVID-19 involves taking swabs of a person's mouth/nasal passage and the sample will contain genetic data. The sample will be used for testing but the results of the test may also be used by governmental agencies and public health bodies for tracing purposes; and
- Information about your ethnic origin.

We collect and use this personal data to provide services to you. If you do not provide the personal data we ask for, it may delay or prevent us from providing services to you.

How We Collect Information about You:

We collect personal information from you through your contact with us, including:

- by phone (we may record or monitor phone calls to make sure we are keeping to legal rules, codes of practice and internal policies, and for quality assurance purposes);
- by email;
- by post;
- by filling in application or other forms that are either required by law or necessary to process applications or other requests for our services; or
- face-to-face (for example, in testing and diagnosis).



We may also collect personal information from third parties, for example:

- Your employer, if you are covered by a contract for services your employer has taken out and/or if we are testing for COVID-19 as part of the provision of occupational health services;
- Where relevant as part of COVID-19 swab testing as required by current best practice guidelines on set and/or by the UK Health Security Agency;
- Doctors, other clinicians and health-care professionals, hospitals, clinics and other health-care providers;
- Sources which are available to the public, such as the edited electoral register, social media, Companies House or HM Land Registry; and/or
- Test results processed by a joint venture partner of CineMedics UK Limited or by another company in the same corporate group as CineMedics UK Limited.

Where you provide us with information about other people, you must make sure that they have seen a copy of this privacy notice and are comfortable with you giving us their information.

Legal Basis for Processing Your Information:

We must have a lawful reason for processing your information. Under data protection legislation, the main grounds that we rely upon in order to process your personal information are the following:

Necessary for entering into, or performing, a contract

- We will process your data to perform contractual obligations and take steps at your request in providing products or services to you.

Necessary for compliance with a legal obligation

- We may be required to process your personal data for purposes including the following:
 - Complying with legal, professional and regulatory obligations that apply to our business (e.g. under health and safety law);
 - Assisting with an enquiry or investigation by a regulatory body or law enforcement agency;
 - Gathering and providing information required by, or relating to, audits or for the purposes of submitting statutory returns; and
 - Preventing unauthorised access and modifications to systems to prevent and detect criminal activity that could be damaging to you and/or us.



Necessary for the purposes of legitimate interests

- We, or a third party, will need to process your personal data for the purposes of our (or their) legitimate interests, provided we have established that those interests are not overridden by your rights and freedoms, including your right to have your personal data protected.
- Legitimate interests which allow us to process your personal information include:
 - Providing products and services to you and managing all aspects of our relationship with you, including responding to requests and enquiries from you or a third party;
 - Checking to verify the identity of our customers and updating and enhancing customer records;
 - Operational reasons, such as improving efficiency, training and quality control;
 - Helping us manage our business and monitoring how well we are meeting our clinical and non-clinical performance expectations;
 - Ensuring business policies are adhered to and making sure we are following our own internal procedures and delivering the best service to you;
 - Statistical research and analysis so that we can monitor and improve our products and services and develop new ones;
 - Developing and carrying out marketing activities as allowed by law to inform our customers about, and to provide them with, our products and services; and
 - Exercising our rights, enforcing or applying our terms and conditions or other contractual provisions, handling complaints, defending ourselves from claims, preventing fraud and protecting our (or our customers' or other people's) rights, property or safety.

Consent

In some circumstances, we may ask for your consent to process your personal data in a particular way. As is best practice, we will only ask you for permission to process your personal information if there is no other legal reason to process it. If we need to ask for your permission, we will make it clear that this is what we are asking for and ask you to confirm your choice to give us that permission. If we cannot provide a product or service without your permission, we will make this clear when we ask for your permission. If you later withdraw your permission, we will no longer be able to provide you with a product or service that relies on having your permission.



Special category information

- We process special category information about you because:
 - It is necessary for the purposes of preventive or occupational medicine, to provide a medical diagnosis in respect of COVID-19, to assess whether you are required to self-isolate and/or to assess whether you are able to work;
 - It is in the public interest, in line with any laws that apply;
 - It is important to our monitoring whether we are complying with our clinical and non-clinical performance benchmarks and criteria; or
 - It is information that you have made public.

Sharing Information:

We sometimes need to share your information with other people or organisations for the purposes set out in this privacy notice. The exact information we share depends on the reason we are sharing it.

Routine data sharing for administrative purposes

- We may share your personal information with other parties to allow us to provide our services to you. For example, we use third parties to host our website, manage our databases, and assist in our marketing and advertising activities and to process payments for the purpose of delivering our products and services.
- Wherever possible, personal information that we share with these third parties will be in an anonymised and aggregated format from which individuals cannot be identified.

Routine data sharing with specific business entities

- COVID-19 test results will be shared with your employer (where your employer is our third-party client requiring your test).
- Although we make every reasonable effort to ensure that the information governance practices of businesses with whom we share data are as rigorous as our own, we cannot be held responsible for the breach or misuse of data once it is under the control of a third party.

Sharing of aggregate data for research or marketing

- On occasion, we may display statistics based on aggregated, anonymised data on our websites for the purpose of research and marketing. Individuals will not be identifiable from this data.



Exceptional circumstances

- We may share your personal information with other parties in the following exceptional circumstances:
 - We may be required to communicate special categories of information, such as medical details with other third parties we work with to provide our products and services, including our parent and affiliate companies in the United States, our contractors or joint venture partners, medical product or service providers (such as doctors, clinicians, hospitals and pharmacies) to verify your medical information is accurate, to determine the type of treatment you need and/or to obtain or purchase any type of medical supplies, devices, medications or insurance you need.
 - COVID-19 is a notifiable infectious disease meaning that positive test results and associated personal information must be notified to the UK Health Security Agency under The Health Protection (Notification) Regulations 2010, as amended by the Health Protection (Notification) (Amendment) (Coronavirus) Regulations 2020.
 - We may disclose your personal information without your consent if required to do so by applicable law, regulation, under a court order or as part of another legal process. For example, following a request from the police, a fraud-detection agency, regulator, data-protection supervisory authority or any other governmental body or law-enforcement agency to help them perform their duties.
 - We may share anonymised and aggregated data, which includes laboratory analyses and personal information, with third parties such as research companies or other healthcare companies. Individuals would not be identifiable from this information.
 - If CineMedics UK Limited were to merge with or be acquired by another business or company in the future, we would share your personal information with the new owners of the business and their advisors. If this happened, we would notify users and visitors of our website of such an event.

Your Rights:

You have the following rights (certain exceptions apply):



Access

You have the right at any time to ask us for details of your personal information and a copy of that personal information. Where we have good reason, and if data protection legislation permits, we may refuse your request (or certain elements of your request). If we refuse your request or any element of it, we will provide you with our reasons for doing so.

Rectification

If personal information we hold about you is inaccurate, out of date or incomplete, you have a right to have the data rectified, updated, completed or removed.

Erasure (AKA 'right to be forgotten')

In certain circumstances, you have the right to request that personal information we hold about you be deleted from our records. For example, you might request erasure of information that is no longer necessary for the purposes for which it was collected or processed or information that is being processed relying solely on your consent.

Restriction of processing

You have the right to ask us to use your personal information for restricted purposes only or to temporarily restrict our use of your personal information (e.g. during a period where we are verifying the accuracy of information after you have challenged it).

Data portability

In certain instances, you have a right to receive any personal information that we hold about you in a structured, commonly used and machine-readable format. You can ask us to transmit that information to you or directly to a third party organisation but we are not able to guarantee technical compatibility with a third party organisation's systems.

The data portability right exists only in respect of personal information that you have provided to us previously and is processed by us using automated means. We are also unable to comply with data portability requests that relate to personal information of others without their consent.

Object to processing

In certain circumstances, you have the right to object to our processing of your personal information. For example, if we are processing your information on the basis of our legitimate interests but these do not override your rights and interests. You can also object to us using your information for direct marketing and profiling purposes in relation to direct marketing.



To the extent that we are processing your personal information based on your consent, you have the right to withdraw your consent at any time. If you withdraw your consent, this will not affect the lawfulness of how we used your personal information before your consent was withdrawn and we will let you know if we will no longer be able to provide you with your chosen product or service.

Not to be subject to automated individual decision-making

You have the right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or significantly affects you, unless this is necessary for entering into a contract with you, it is authorised by law or you have given your permission for this. We will let you know if we make automated decisions, our legal reasons for doing this and the rights you have.

Please note: Other than your right to object to us using your information for direct marketing (and profiling for the purposes of direct marketing), your rights are not absolute - certain limitations and exceptions apply.

If you make a request concerning your rights, we will ask you to confirm your identity if we need to, and to provide information that helps us to understand your request better. We have 21 days to respond to requests relating to automated decisions. For all other requests, we have one month from receiving your request to tell you what action we have taken. We will provide reasons if we are unable to comply with any request.

You can exercise any of the above rights by contacting us at mark@CineMedics.us.

Keeping Your Personal Data Secure:

We have appropriate security measures to prevent personal data from being accidentally lost or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

Where possible, our data is anonymised before any transmission, such as through the use of bar codes and data anonymising precautions. All patient data obtained in the carrying out of



testing is retained securely and confidentially in accordance with applicable data protection legislation.

How Long Your Personal Data will be Kept:

In line with UK Department of Health advice, we will keep health-related information (e.g. test results and medical records) for at least 8 years. We will retain other personal information for as long as you continue to use our services.

Thereafter, we will keep your personal data for as long as is necessary:

- To respond to any questions, complaints or claims made by you or on your behalf;
- To show that we treated you fairly;
- To keep records for periods which are set by law or recommended by regulators, professional bodies or associations; and
- For any time limits for making a claim or the duration any relevant proceedings.

Transferring Your Personal Data Out of the UK:

To deliver services to you, it is sometimes necessary for us to share your personal data from within the UK to outside the UK, and from within the EEA (the EU member states plus Norway, Liechtenstein and Iceland) to outside the EEA. For example, we may need to transfer your data in this way:

- To our affiliate companies or parent company, based in the United States;
- Where there is a European and/or international dimension to the services we are providing to you;
- With your and our service providers located outside the UK; and/or
- If you are based outside the UK.

We take steps to make sure that when we transfer your personal information to another country, appropriate protection is in place, in line with global data-protection laws and/or under our contract with the organisation receiving the relevant information.

Under data protection law, we can only transfer your personal data to a country outside the UK where:

- The UK government has decided that data-protection laws in place in that country provide an adequate level of protection of personal data (known as an 'adequacy decision');



- There are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
- A specific exception applies under data protection law.

Adequacy decision

Countries to which an adequacy decision apply include the member states of the European Union, plus Iceland, Liechtenstein and Norway (collectively known as the 'EEA').

The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

Other countries we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.

Transfers with appropriate safeguards

Where there is no adequacy decision, we may transfer your personal data to another country if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects. The safeguards will usually include using legally-approved standard data protection contract clauses.

Transfers under an exception

In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country where an exception applies under relevant data protection law. For example:

- You have explicitly consented to the proposed transfer after having been informed of the possible risks;
- The transfer is necessary for the performance of a contract between us or to take pre-contractual measures at your request;
- The transfer is necessary for a contract in your interests, between us and another person; or
- The transfer is necessary to establish, exercise or defend legal claims.

We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on the basis of an exception.



How to Access Your Personal Information:

You may make a request for personal data that we hold about you and about your other data protection rights. Requests may be made in writing (including by email) or by speaking to us. You may need to provide information to verify your identity and enable us to locate the information including your full name, address, date of birth, phone number and date of care (if applicable) and an indication of what information you are requesting.

How to Complain:

Please contact us if you have any questions about this privacy notice or the information we hold about you, to exercise a right under data protection law, to make a complaint or to raise any query or concern about our use of your information. We hope we will be able to resolve any issues you may have. You are also entitled to lodge a complaint with the UK Information Commissioner's Office using any of the following contact methods:

Telephone: 0303 123 11113

Website: <https://ico.org.uk/concerns/>

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

How to Contact Us:

If you have any queries about this privacy notice or about how CineMedics UK Limited processes your personal data, please contact our data protection officer as follows:

Mark Helmer, Data Protection Officer

CineMedics UK Limited
c/o CLINTONS
attn: GDPR DPO
55 Drury Lane
London WC2B 5RZ
United Kingdom

Email: mark@CineMedics.us

Phone: 00 1 315 378 8880



When you contact us, we will ask you to verify your identity.

Changes to this Privacy Notice:

We may change this privacy notice from time to time. If changes are made, they will be posted on this page so that you will be aware of how we use your information.