



PRIVACY NOTICE

2022



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About us

This privacy notice applies to all information we collect, use and process about you or your business when you purchase goods or products from us or use our online or other services.

Element Materials Technology Group Limited is the ultimate parent company of a group comprising multiple legal entities acting as separate data controllers, responsible for processing personal data in connection with our business. Please see our 'Element Legal Entities Processing Personal Data' PDF for further details on the companies within the group processing personal data.

In this notice, references to “we”, “us” or “our” are references to Element Materials Technology Group Limited (“Element”).

Element Materials Technology Group Limited is headquartered at 3rd Floor Davidson Building, 5 Southampton Street, London, United Kingdom, WC2E 7HA.

Contact us

If you would like to contact us, you can do so by post or email using the details below. For general contact please visit the '[contact us](#)' section of our website.

Postal address:

FAO Group Privacy Manager
Element Materials Technology
Rosewell House
2A (1F) Harvest Drive
Newbridge
Midlothian
EH28 8QJ

Email: privacy@element.com

Contact us – United States

If you are based in the United States and would like to speak to us you can do so by email or phone, using the details below:

Email: privacy@element.com

Toll-free call: 1-866-843-1820

Contact us - Germany

If you are based in Germany and would like to speak to our German Data Protection Officer, you can do so by post, email, phone, web, and video conferencing, using the details below. The German version of Element's privacy statement can be found [here](#).

Postal address:

Datenbeschützerin Regina Stoiber GmbH
Unterer Sand 9
94209 Regen
Germany

Email: regina@datenbeschuetzerin.de

Phone: +49 9921 9062719

Web: www.datenbeschuetzerin.de

Video call: conf.datenbeschuetzerin.de

How we collect your information

Most of the personal information we process is provided to us directly by you for one of the following reasons:

- You enquired about or purchased products or services from us.
- You requested information or assistance from us.
- You used any other features of our website, client portal or other services that may be offered from time to time, if your personal information is needed to use these services.
- You are representing your organisation.
- You have applied for a job with us.
- You have made an information request to us.
- You requested white papers or Element updates.
- You wish to attend, or have attended, an event.
- You requested marketing material.

We may also collect information indirectly, in the following scenarios:

- We are provided with your details from third parties such as industry or trade bodies.
- We are provided with your contact details due to your role in your organisation.
- We are provided with your contact details as you are an emergency contact or a referee for one of our employees.
- Where your contact information is publicly available via sources such as your organisation's website, the press, the electoral register, company registers and online search engines.
- Where your information is publicly available on social media sites such as LinkedIn, Facebook, Twitter.

If it is not disproportionate or detrimental, we'll contact you to let you know we are processing your personal information.

The information we process

We may collect and process your personal information in connection with our products or services at the start of, and for the duration of, your relationship with us and beyond. We will limit the collection and processing to information necessary to achieve one or more legitimate purposes, as identified in this notice.

Personal information may include:

- **Basic personal information about you** including your name and address, telephone number, email address and the fact you are our customer.
- **Information about your business** including your company name, company contact details and business sector.
- **Financial information** including payment amounts and credit or debit card details.
- **Visual images and personal appearance** including copies of passports or CCTV images.
- **Online profile and social media information and activity**, based on your interaction with us and our websites including Internet Protocol (IP) address, smart device information, location coordinates, searches and site visits.
- **Information that we gather through cookies or similar tracking tools** (e.g. pixels) when you use our websites. Advertising, targeting cookies or similar technologies may also be used to track your responses to particular adverts, messages or forms, which helps us to ensure we present you with the most relevant content in the future. When running email campaigns, we also track delivery and log when emails are opened. For example, when you open the email a small image file may be downloaded to your web browser or email programme. You can restrict or block this type of technology through your web browser or email programme settings by preventing automatic downloading. Cookies may also be set if you click on a link within the email.
- **Information that we gather from the technology which you use to access our services** (for example device data location data from your device, or an IP address or telephone number) and how you use it (for example pattern recognition).

Special category data

We may process certain special categories of information for specific and limited purposes. Special category data is personal data revealing:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data;
- Biometric data for the purpose of uniquely identifying a natural person;
- Information concerning health; or
- Data concerning a natural person's sex life or sexual orientation.

We will only process special categories of information where we've obtained your explicit consent or are otherwise lawfully permitted to do so. Where you have provided consent for us to process your special category personal data, you can withdraw that consent at any time by contacting us.

Criminal offence data

We may collect and process information about criminal convictions where such processing is necessary to act in accordance with regulatory or other legal obligations or where the processing is necessary to protect the interests of our customers or the public.

Sharing your information

We will not share your information with any third parties for the purposes of direct marketing and Element does not sell personal information.

To help us provide our products and services to you and to run our website we may share your information where it is necessary for us to lawfully carry out our business activities. We may share your information with:

- **Other group companies** where it is necessary to do so, and where we have a legal basis to share the information.
- **Our third-party service providers and advisors** who process information on our behalf to provide our Services or to run some of our internal business operations including email distribution, IT services, business support and customer services.
- **Independent debt recovery agencies, service providers, solicitors, or other agents** in the event of non-payment for Products or Services and where a debt remains outstanding after a specified timeframe for payment, no payment plan is in place or an agreed payment plan is not being adhered to, we may initiate formal proceedings to recover the full amount of the unpaid debt. We may share your information with litigation and recovery specialists to undertake recovery action through the courts.
- **Law enforcement and regulatory bodies** as in some circumstances we are legally obliged to share information with law enforcement bodies, for example to comply with a court order or legal obligation. We will satisfy ourselves that we have a lawful basis on which to share the information and document our decision making.

If we share your information with a third party acting on our behalf as a data processor, we will put contracts in place setting out how your personal data is to be processed.

Data Processors we use:

- Will not process your personal data in any way other than what's set out in the contract, unless instructed by us.
- Will not share your personal information with any other organisation, unless instructed by us, or there is a legal obligation to share the information.
- Will store personal data securely
- Will retain personal data for the period instruct.

Sharing your information internationally

We may need to transfer personal information across the Element group of companies to help operate our business efficiently and to provide you with our products and services. We may allow third party service providers to process personal information where this is needed in connection with a service they provide to us. These arrangements may involve your personal information being located in various countries around the world such as Canada, US and Australia where privacy laws differ. We only make these arrangements or transfers where we are satisfied that adequate levels of protection are in place to protect your information.

Links to other websites

Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We do not control the content, the security or the use of your personal data by any third-party websites. We accept no responsibility or liability for other websites not under our control. No links are intended to be, nor should be construed as, an endorsement of any kind by us of that other website. We encourage you to read the privacy notices on the other websites you visit.

You may not create a link to this Website from another website or document without our prior written permission.

Your right to complain

If you would like to complain about how we have handled your personal information you may contact us at privacy@element.com and we will investigate your concerns.

If you are unhappy with the outcome of our investigation you have the right to lodge a complaint with the relevant data protection supervisory authority.

In the UK the supervisory authority is The Information Commissioners Office (ICO). To raise a complaint please visit their website <https://ico.org.uk/make-a-complaint/>.

For full details of the EU national data protection authorities please visit the European Data Protection Board website https://edpb.europa.eu/about-edpb/about-edpb/members_en.

In the United States the Federal Trade Commission (FTC) has authority to enforce privacy laws and take actions to protect consumers. You can report fraud, scams, and bad business practice on the federal government's website at <https://reportfraud.ftc.gov/>. Many US states also have their own data privacy and security laws, and state attorney general offices are responsible for overseeing these laws. State attorney general office contact details can be found at <https://www.usa.gov/state-attorney-general>.

Changes to this privacy notice

We keep our privacy notice under regular review to make sure it is up to date and accurate. Please refer to this privacy notice regularly to review any amendments. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Children's information

We do not provide our products or services directly to children or proactively collect their personal information.

Marketing

From time to time, we may send you information about our products and services that we believe may be of interest to you or your business. You may receive this information by letter, telephone, or email.

If you no longer wish to receive these updates, please let us know by contacting us at tactical.marketing@element.com or by following the unsubscribe link provided in every marketing email.

Visits to our website

Our website uses cookies to distinguish you from other users and which may remember your preferences when you visit our website. Our [Cookies policy](#) provides you with further detail about the cookies we use and the purposes for using these cookies. This policy also provides details on how you can change your settings to block or delete cookies, although some features of our website may not function as a result. Please note our websites does not recognise 'Do Not Track' signals sent by your browser. You can personalise your cookies preferences using on-site tools.

Visits to our offices or laboratories

We meet visitors at our offices and laboratories, including:

- Customers;

- Suppliers and tradespeople;
- External training providers; and
- Job applicants.

If your visit our office, your information may be shared with employees within the group involved in your visit. We may contact you to confirm your visit prior to the day you are due to attend one of our sites. If you are a visitor, you may be required to sign in and out at reception and show a form of ID. The ID is for verification purposes only, we don't record this information.

CCTV

Closed-circuit television (CCTV) may be used for security purposes to monitor the exterior of our buildings, both the main entrance and secondary exits at certain sites. CCTV signs are prominently displayed at the entrance of the surveillance zone to alert individuals that their image may be recorded. We ensure that live feeds from cameras and recorded images are only viewed by approved Element employees whose role requires them to have access to such data. Data recorded by the CCTV system will be stored. Data from CCTV cameras will not be retained indefinitely but will be permanently deleted once there is no reason to retain the recorded information. CCTV footage will normally be erased after 3 months unless required for longer periods for crime prevention or other reasons. At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste. Some of our CCTV operations are not operated by us, so we are not the controller. It will be under the control of the relevant building landlord.

Retention of your personal information

Your information will be kept for an appropriate length of time. Or retention periods are driven by legislation and/or business need. If there is no legally defined retention period for personal data, we will determine an appropriate retention period. We will take reasonable steps to destroy personal information we hold if it is no longer needed for these reasons.

Security

Element places great importance on the security of all information associated with our customers. We invest appropriate resources to protect your personal information, from loss, misuse, unauthorized access, modification, or disclosure. Our security and privacy policies are periodically reviewed and enhanced as necessary and only authorized personnel have access to your information.

Our website uses secure server software (SSL) to encrypt financial information you input before it is sent to us. Element will do its best to protect your personal information, however we cannot guarantee the security of your data sent over the internet or by email. Element cannot be held responsible for unauthorized or unintended access that is beyond our control.

UK and EU rights

Under data protection law in the UK and EU you have rights in relation to the personal data we process on you. The rights available to you will depend on our reason for processing your information. Please note you are not required to pay any charge for exercising your rights. We have one month to respond to you. Please contact us at privacy@element.com if you wish to make a request.

Your Rights	Description of Rights
Your right of access	<ul style="list-style-type: none">You have the right to ask us for copies of your personal information.This right always applies.There are some exemptions, which means you may not always receive all the information we process.
Your right of rectification	<ul style="list-style-type: none">You have the right to ask us to rectify information you think is inaccurate.This right always applies.You also have the right to ask us to complete information you think is incomplete.
Your right to erasure	<ul style="list-style-type: none">You have the right to ask us to erase your personal information.This right applies in certain circumstances.
Your right to restriction of processing	<ul style="list-style-type: none">You have the right to object to processing if we can process your information because the processing is in our legitimate interests.
Your right to object to processing	<ul style="list-style-type: none">You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you.This right only applies to information you have given us.The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.
Your right to data portability	<ul style="list-style-type: none">You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you.This right only applies to information you have given us.The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

California residents' rights

The California Consumer Privacy Act (CCPA) gives Californian residents rights in relation to the personal information collected about them. Please note you are not required to pay any charge for exercising your rights, we must provide this information to you free of charge. We must respond to your request within 45 calendar days. We can extend that deadline by another 45 days (90 days total) if we notify you.

Please contact us at privacy@element.com if you wish to make a request.

Your Right	Description of rights
Your right to know	<ul style="list-style-type: none"> • You have the right to know about the personal information we collect about you and how it is used and shared. • Specifically, you may request that we disclose: <ul style="list-style-type: none"> ○ The categories of personal information collected ○ Specific pieces of personal information collected ○ The categories of sources from which the business collected personal information ○ The purposes for which the business uses the personal information ○ The categories of third parties with whom the business shares the personal information ○ The categories of information that the business sells or discloses to third parties • We must provide you this information for the 12-month period preceding your request.
Your right to delete	<ul style="list-style-type: none"> • You have the right to request deletion of your personal information which we have collected (with some exceptions). • You may request we delete personal information we collected from you, and we should tell our service providers to do the same. However, there are many exceptions that allow us to keep your personal information.
Your right to opt out	<ul style="list-style-type: none"> • You have the right to opt-out of the sale of your personal information. • Element does not sell personal information.
Your right to non-discrimination	<ul style="list-style-type: none"> • The right to non-discrimination for exercising their CCPA rights. • We cannot deny goods or services, charge you a different price, or provide a different level or quality of goods or services just because you exercised your rights under the CCPA. However, if you refuse to provide your personal information to us or ask us to delete your personal information, and that personal information or sale is necessary for us to provide you with goods or services, we may not be able to complete that transaction. • Please note we sell your personal information and we do not offer you promotions, discounts, and other deals in exchange for collecting or keeping your personal information.

Purpose of processing

We will only use and share your information where it is necessary for us to carry out our lawful business activities. Your information may be shared with and processed by other Element group companies. Element collects and processes information about you for purposes detailed below:

Legal Basis	Description	Purpose
Performance of a contract	Processing is necessary for the performance of a contract to which the	<ul style="list-style-type: none"> • To provide you with information on our products or services requested by you and respond to your queries.

Legal Basis	Description	Purpose
	data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.	<ul style="list-style-type: none"> • To provide our products or services to you. • To review and improve our products and services and to help and support you in using our products and services. • To review and develop your relationship with us. • To inform you about improvements to our website. • To troubleshoot problems with the Website, or to customise your experience on the Website. • In connection with credit cards and credit related services; and • To consider and process any application you may make to us for a job or to provide your services to us.
Legitimate Interests	Processing is necessary for the purposes of the legitimate interests pursued by the controller	<ul style="list-style-type: none"> • To provide our products or services to you. • To review and improve our products and services and to help and support you in using our products and services. • To confirm, update and improve our customer records. • To review and develop your relationship with us. • To inform you about improvements to our website. • To troubleshoot problems with the Website, or to customise your experience on the Website. • In connection with credit cards and credit related services. • To conduct statistical analysis and research. • To keep you informed of other products and services that may be of interest to you. • For other reasons in connection with our business opera.
Legal obligation	Processing is necessary for compliance with a legal obligation to which the controller is subject	<ul style="list-style-type: none"> • To confirm, update and improve our customer records. • To comply with our legal and regulatory obligations, which may require us to share your information, for example to combat fraud or money laundering.
Consent	The data subject has given consent to the processing of his or her personal data for one or more specific purposes.	<ul style="list-style-type: none"> • Any other purpose to which you consent.



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www.element.com