

# Privacy Notice for visitors of our website

Effective Date: 25-May-2018

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## 1. What ESMS does

ESMS Global Ltd provides Emergency Clinical Trial Support to clinical trial participants and healthcare professionals and Medical information for pharmaceutical companies around the world. We provide high quality services to our clients and are committed to handling data securely, efficiently and in compliance with the General Data protection Regulations (GDPR).

If you have any questions about this policy, including requests to exercise your legal rights, please contact our Data Protection Officer at:

ESMS Global  
2nd Floor | Godfree Court | Apex Yard  
29 Long Lane | London | SE1 4PL

[dataprotection@esmsglobal.com](mailto:dataprotection@esmsglobal.com)

## 2. Our commitment to you

Whenever we handle personal data we will ensure that we comply with data protection principles, so that your personal data is:

- processed fairly, lawfully and transparently
- processed for legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and kept up to date where necessary
- kept no longer than necessary for the purpose
- processed securely – we will put in place appropriate technical and organisational measures to safeguard your information

Also:

- where applicable, we will only use your information for marketing in accordance with applicable laws and to market our own products and services. Where necessary we will ask for your consent and respect your request not to receive such information.
- let you know beforehand if we want to use your data for a different purpose

### 3. From whom do we collect personal data

We process personal information of

- individuals who contact us or visit our websites, or use our services, including the services we provide on behalf of our clients
- representatives of our customers, clients, business partners and contractors,
- advisers, consultants and other professional experts
- academics and researchers
- healthcare professionals
- suppliers and service providers
- legal representative
- job applicants
- Patients and trial subjects
- ESMS employees

### 4. Why we process your personal data

We need your personal data to fulfil our contracts with our clients and to report to the regulatory agencies to contribute to medicines, biological medicines and medical devices being safer, effective and of a high quality; answer your queries and continue to monitor and improve our services.

We collect your personal data when you use our website or contact us through other channels.

We may use your information to:

- process general enquiries
- respond to complaints
- improve and promote our services, as agreed
- conduct online surveys and gain feedback to improve our services
- fulfil our contractual obligations

### 5. Types of personal data we process

Personal data refers to any information relating to an identified living individual; or someone who could be identified by the combination of data we hold about them.

We may collect, store, and use the following categories of personal information:

- Information provided by you: for example, when making applications for jobs, corresponding with us by email, phone or another route. This information may include personal contact details, such as your name, title, job title, address(es), telephone numbers, and email address, information about your query, or support a job application, and similar information.

- Information collected automatically when you visit our website, such as IP address and location
- Where we process on behalf of our clients, we will do so as a data processor. Our client acts as the data controller. Such processing will be in accordance with any privacy notice provided by the client, be it directly or through us. The information processed may include more sensitive types of personal information, also known as special category data. These are for example:
  - health status and history;
  - racial or ethnic origin;
  - political opinions, religious or philosophical beliefs;
  - genetic data or biometric data;
  - sexual orientation or sex life;

You are under no obligation to provide this information, but without it we may be unable to provide you with services we provide on behalf of our clients

We may record telephone conversations. When you call us, we will play a short message informing you about call recording, where applicable. You will need to follow the instructions as to whether you consent to having your call recorded or not.

## 6. Lawful basis for processing your personal data

We process personal data where it is necessary for the effective performance of a task carried out in the public interest. There are six legal bases for processing that might apply, depending on the context. These are:

- a contract between you and ESMS Global
- to comply with legal obligations applicable to our activities; for instance, to implement pharmacovigilance procedures
- to protect someone's life
- public task
- our or a third party's legitimate interests, to ensure service provision
- our agreements with and instructions provided by, our clients for whom we act as a data processor

These provisions are set out in Article 6 of the General Data Protection Regulation.

In limited circumstances we may rely on your consent to process your data. Where this the case, you have the right to withdraw your consent, by contacting the Data Protection Officer (see above).

## 7. Your rights

Data Protection law gives you certain rights in relation to your personal data. How they apply depends upon the legal basis for processing your data, and the context. We will honour your wish to exercise your rights, unless compliance is subject to restrictions or there is an overriding lawful reason for not doing so. Where we processed your personal data on behalf of one of our clients, the client is responsible for responding to your request to exercise your rights

Your rights include to:

- be told that we are processing your data and why
- receive a copy of your data (subject access)
- ask for your data to be corrected
- ask us to erase your data
- restrict processing
- data portability
- object to the processing
- be told if we use automated decision making or profiling

If you would like to find out more about your rights, please contact our Data Protection Officer at [dataprotection@esmsglobal.com](mailto:dataprotection@esmsglobal.com)

Where we are processing your data on behalf of our clients we will pass on any requests to the relevant client.

## 8. Subject Access Request

The Data Protection Act allows you to find out what information we hold about you on computer and in some paper records. This is known as a subject access request (SAR).

To find out if we hold your personal data, or to access it please email: [dataprotection@esmsglobal.com](mailto:dataprotection@esmsglobal.com)

We may need evidence of your identity before searching our records; and will respond within one month of receiving this. If we need extra time we will inform you within the month.

As stated above, where we are processing your data on behalf of our clients we will pass on any requests to the relevant client.

## 9. Disclosing your information

We sometimes need to share the personal data we control (and our data processors may also share information) with other organisations. We also need to share data with our clients and third parties as directed by our clients, where

we process personal data as a data processor on their behalf. Where this necessary we are required to comply with all aspects of Data Protection legislation.

Where necessary, required and within the law, we may share information with the following types of organisations:

- pharmaceutical and scientific companies and organisations
- device manufacturers
- health and care organisations
- suppliers and service providers
- Government Departments and the Information Commissioner's Office
- credit reference agencies
- debt collection and tracing agencies/ organisations
- financial organisations
- trade, employer associations and professional bodies
- statutory law enforcement agencies and investigative bodies
- survey and research organisations
- police forces and other law enforcement organisations
- Her Majesty's Revenue and Customs (HMRC)
- Trading Standards
- European Medicines Agency (EMA)
- FDA Debarment list

We may also check information available through these organisations when receiving a job application from you or before entering into a business contract.

## 10. Cookies

We aim to provide relevant cookie notices at point-of-use. Cookies are used in order to improve your browsing experience and provide statistical data to us about the way users are using our website.

## 11. Data transfers

Currently our website is hosted in the US. Anonymised data are transferred for statistical purposes.

We do not transfer other data outside of the EEA or in countries without the relevant safeguards to protect them, unless this is part of a contract where we process your data as a data processor on behalf of our one of our clients who is the data controller.

## 12. Retention of your data

We keep your personal data for no longer than necessary to fulfil our purpose in processing it. We will retain personal data in accordance with our clients' instructions where we process data on their behalf.

## 13. Changes to the terms of this Privacy Notice

We will update this privacy notice when applicable. If any change would result in us processing your personal data for a new purpose, we would inform you where possible before we start using it in the new way.

## 14. The Information Commissioner's Office

For independent advice about data protection, privacy and data sharing issues you can contact the independent [Information Commissioner's Office](#) at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113