

Notice of Data Protection Compliance

This is a statement of Data Protection Compliance adopted by Qwarie Ltd T/A Qwarie.

For the purposes of this Notice and in matters relating to any contractual relationship with any other party, Qwarie is and henceforth in this Notice shall be, the Supplier.

The Supplier shall collect and use certain types of information (datasets) about people to perform its service of OSINT research. The datasets shall include information concerning a Customer of the Supplier, that orders the service from the Supplier and where that data might concern current, past and prospective employees of the Customer, suppliers to the Customer, clients or customers of the Customer, and others with whom the Customer communicates or has any other dealings.

Also, where the Customer is the Agent of another Party, and as an Agent, the Customer is performing for their own customer, and where it is the Agent that shall instruct the Supplier, both the Agent and the Customer of the Agent are bound by the Terms and Conditions of the Supplier and where applicable, by this Notice of Compliance.

In addition, the Supplier may occasionally be required by law to collect and use certain types of information of this kind to comply with the requirements of government departments.

At all times, the Supplier committed to handle personal data properly, however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and the Supplier is cognisant of the safeguards to ensure the protection of personal data, as set out in the Data Protection Act 1998.

The Supplier regards the lawful and correct treatment of personal information, by the Supplier, as essential to its successful operations, and to maintain confidence with the Supplier's own human resources and those of its Customers.

The Supplier has in place processes, safe-guards and security measures to ensure that personal information is treated lawfully and correctly.

To this end, the Supplier fully endorses and adheres to the Principles of Data Protection, as set out in the Data Protection Act 1998.

Specifically, the Principles require that personal information shall be:

- processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
- adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- not kept for longer than is necessary for that purpose or those purposes;
- processed in accordance with the rights of data subjects under the Act;

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal Data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects, in relation to the processing of personal data.

Therefore, the Supplier shall, through appropriate management and the strict application of criteria and controls:

- Observe fully the conditions regarding the fair collection and use of information;
- Meet its legal obligations to specify the purposes for which information is used;
- Collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply strict checks to determine the length of time information is held;
- Ensure that the rights of people about whom information is held, are able to be fully exercised under the Act. (This shall include: the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information.);
- Take appropriate technical and organisational security measures to safeguard personal information;

- Ensure that personal information is not transferred abroad without suitable safeguards.

In addition, the Supplier shall ensure that:

- There is someone with specific responsibility for data protection in the organisation.
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anybody wanting to make enquiries about handling personal information knows what to do;
- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are clearly described;
- A regular review and audit is made of the way personal information is managed;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance with handling personal information is regularly assessed and evaluated.

Data Protection Policy

Where the instruction from a Customer is to trace or research a subject and performance is dependent upon the information that the Supplier shall obtain from various online databases and publicly available information, that the Supplier shall access;

- All searches shall be compliant and discreet and conducted both fairly and lawfully;
- At no time shall the Supplier divulge to any third party, the personal data relating to the Data Subject;
- and all enquiries will be confidential and discreet.

Roles: Data Controller & Data Processor

For the avoidance of doubt, where an instruction is accepted by the Supplier, and on that basis it is understood that the service supplied by the Supplier is conducted under the direction of the Customer. As such, the Supplier is deemed to be the Data Processor, and the Customer is deemed to be the Data Controller.

The Supplier shall not hold data for longer than necessary. In most cases, this is no longer than 12 months, unless instructed to do so by the Customer, the Data Controller.

Whatever the instruction, the Supplier reserves the right for research to be performed by an associate company of the Supplier, that is controlled by the Directors of the Supplier and that no part of an enquiry shall be sub-contracted to any other agent, without the prior approval of the Customer.

Also, the Supplier confirms that information concerning a Data Subject, that is passed to the Supplier by the Customer or is obtained during the course of the research, shall not be used for any other purpose.

At each stage of the research process, the Supplier shall recognise that the Supplier is performing in the capacity of the Data Processor of the Customer, and as such, the Supplier shall comply with the Data Protection Act and guidelines set out by the ICO.

Where a Customer instructs the Supplier to perform research, the Customer confirms that they are acting in Compliance with at least one of the conditions contained in Schedule 2 of the Data Protection Act.