

Commitment Notice

We are committed to data protection compliance across our business in accordance with EU General Data protection regulation (“GDPR”) and the Data Protection Act 2018 (“DPA 2018”). A.G Thames Holdings Limited and its subsidiaries welcomes the new legislation as an important step forward in unifying data protection requirements and, as an opportunity to demonstrate our commitment to data protection and security generally.

We are also committed to helping our customers, growers, packers and suppliers with their data protection compliance obligations by providing robust privacy and security protections built into our services and agreements.

What is GDPR and how is this connected to the DPA 2018?

As of 25 May 2018, GDPR came into force. This strengthens the rights of individuals regarding their personal data and seeks to unify local data protection laws across Europe. GDPR requires new or additional obligations on organisations in the EU processing personal data and organisations outside the EU processing the personal data of EU residents.

GDPR directly affects all EU member states. GDPR gives member states limited opportunities to make their own provisions for how it applies to their country. The United Kingdom’s implementation of this has been provided in the DPA 2018. It is important that the GDPR and DPA 2018 are read side by side.

What action have we taken to be compliant?

Below is a summary of the steps that we have taken to date in order to comply with legislation:

- We have appointed a Data Controller, Chris Oakley. He can be contacted on Chris.Oakley@agthames.co.uk.
- We have familiarised ourselves so that we understand and are aware of our obligations both as a data controller and data processor.
- We have carried out an audit of the information that we hold, control and process. This has included reviewing our processes, ensuring that they are adequate and taking steps to address any potential gaps.
- As a data processor, we have prepared a contract which we can enter into with data controllers which contains appropriate provisions to ensure GDPR compliance.
- A Privacy Notice has been prepared for staff (this can be accessed [here](#)).
A separate Privacy Notice is available for customers, growers, suppliers and third parties, which can be accessed [here](#).
- We are reviewing any other documentation, including standard terms of business and/or policies or procedures that may need to be implemented.
- We have developed procedures to allow us to respond to subject access requests and to report data breaches within the statutory timescales.
- We have implemented and a programme of data protection training for staff.
- We are keeping up to date with guidance as and when it becomes available.

These steps reflect the fundamental principles underlying GDPR and data protection laws and we will continue to ensure that these principles are followed.

Data Protection Policy

Our Data Protection policy sets out our position and commitments in more detail. You can access a copy of this policy [here](#).

What does this mean for our customers, growers, packers and suppliers?

Where we are processing your personal information, such as your name, this is most likely to be in the context of correspondence and/or interaction in relation to our business dealings (for example, emails, telephone calls, text messages), we are required to comply with these new requirements.

This is explained in more detail in our Privacy Notice which is available for customers, growers, suppliers and third parties, which can be accessed [here](#)

We would ask that you take the time to review and understand this document. If you have any questions please contact Chris Oakley (see above).

Potential other implications for suppliers

The new legislation introduces a number of changes that may affect commercial arrangements, both new and existing. The legislation specifies that where a controller uses a processor it must have a written contract in place with certain specific provisions (as a minimum) included so that both parties understand their responsibilities and liabilities. We will ensure that existing contracts are updated and that specifications and service delivery schedules reflect the roles and responsibilities between data controllers and data processors as required by the new legislation.

We will only appoint processors who can provide us with sufficient guarantees that the requirements of the legislation will be met and the rights of data subjects protected.

Any procurement documentation will also reflect the new legislation.

We expect all suppliers to be compliant with the new legislation and to manage their own costs in relation to compliance.

It should be noted that A.G Thames Holdings Limited will not accept liability clauses where the supplier is indemnified against fines under the legislation as the data processor. It is our view that the penalty regime has been extended directly to data processors to ensure better performance and enhance protection of personal data. Indemnifying data processors for any fines or court claims would therefore undermine these principles.

All new commercial agreements will be compliant with data protection legislation.

It is important to note that even if you are not UK based, if you hold any personal data relating to individuals in the EU, you will need to abide by GDPR and DPA 2018 as well as any subsequent amendments.

Our expectations

We expect any individual or business that we work with to be familiar with GDPR and DPA 2018, as well as any subsequent amendments, and to ensure compliance where necessary and full cooperation with us where required.

What's next?

We will continue to monitor and make any further required operational changes resulting from the new legislation and any future amendments. We will keep our customers, growers, packers and suppliers and any other partners informed, where applicable.