**Renishaw Neuro Solutions Ltd**

**Privacy Notice**

1. **IMPORTANT INFORMATION**

Renishaw Neuro Solutions Ltd is a company incorporated and registered in England and Wales with company number 10375761 whose registered office is at Wotton Road, Wotton-Under-Edge, Gloucestershire, GL12 8SP, herein referred to as “**RNS**”.

RNS is in the business of the design, manufacture, sale and service of neurosurgical medical devices and operates as a wholly owned subsidiary within the Renishaw Group.

The “**Renishaw Group**” includes Renishaw plc and each of its subsidiary undertakings listed in the most current annual report, which can be found at <http://www.renishaw.com/investors>, and any of their respective subsidiaries, holding companies or subsidiaries of their holding companies. For the avoidance of doubt, the words “subsidiary” and “holding company” shall have the meanings attributed to them by the UK Companies Act 2006. It shall also include any director, officer, member, partner, employee, consultant or agent of any of the foregoing entities.

This privacy notice is published by RNS who are acting as a controller of your data so when we mention RNS, “we”, “us” or “our” in this privacy notice, we are referring to Renishaw Neuro Solutions Ltd.

1. **INTRODUCTION**

We respect your privacy and are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice aims to give you information on how we collect and process your personal data. It is important that you read this privacy notice together with any other notices that we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements those other notices and is not intended to override them.

1. **THE PERSONAL DATA WE COLLECT ABOUT YOU**

“Personal data” (sometimes referred to as personal information) means any information which relates to or can be used to identify an individual. This includes information which may not explicitly identify you (e.g. where your name has been removed) but which does make it possible to identify you if it is combined with other information that is readily available. For example, this might be because the information available contains a postcode, your gender and date of birth; in these circumstances it might be possible to identify you by using other information available elsewhere.

Personal data may also include “sensitive” or “special category” personal data which may include information concerning your ethnicity, details about your health, your medications, your genetic or biometric data. These types of personal information require additional protections from us.

The type and categories of personal information collected and used will depend on the nature of your relationship with us and includes the data we collect directly from you either as part of your relationship with us or through our relationship with third parties who may be involved in the processing of your personal data. The categories of personal data collected may include:

* Patient Health Datain connection with:

 (i) clinical trials where our products are being tested as investigational medical devices and you are either a participant or the guardian of a minor who is a participant of such trial;

 (ii) follow up and registry studies and secondary research where you are either a participant or the guardian of a minor who is a participant of such study;

 (iii) the supply of non CE marked products for use on humanitarian grounds by a medical institution caring for you or a person under your guardianship; and

 (iv) investigating, reporting and tracking product malfunctions and/or product recalls in connection with a medical treatment received by you or a person under your guardianship,

and in all the above cases, information such as physical and mental health conditions and diagnoses, treatments for medical conditions, gender, age, genetic information, blood type, family and personal medical history and medications an individual may take, including the dosage, timing and frequency and biometric data in medical imaging such as CT, MRI and X-ray scans used with or generated by the neuroinspire software.

* National Health Service number or other hospital personal identifier.
* Personal and business contact information (such as name, job title, employer name, email address, address, phone number and information on your next of kin).
* Biographical and demographic information (such as date of birth, age, gender, and information regarding any parents or legal guardians).
* If you are a health care professional or clinical trial investigator, we may collect information about your professional credentials, educational and professional history and institutional affiliations and the programs and activities in which you have participated, your prescribing of our products and the agreements you have.
* If you are a health care professional, we may from time to time ask to take your photograph or a video, document case studies or take comments from you for our promotional and publicity purposes.
* If you are a patient or the guardian of a patient, we may from time to time ask to take photographs or videos to document case studies or take comments from you for our promotional and publicity purposes.
* Information you provide when requesting information through our website.
1. **HOW YOUR PERSONAL DATA IS COLLECTED**

We use different methods to collect data from and about you, and the method of collection will depend on the nature of your relationship with us and the product used by your healthcare professional.

You may give us your personal and business contact information by filling in forms or by corresponding with us by post, phone, email, in person or otherwise or this may be stored in one of our products which we may need to test, service or repair

If you are participating in a clinical trial or study registry involving one of our products, the principal investigator at the medical institution caring for you will collect your personal data and the principle investigator will pseudonymise it. Only in very exceptional circumstances your personal data will be disclosed to us, for instance, if you suffer a serious adverse event which requires investigating and reporting to the regulatory authorities. If we are the sponsor of the clinical study or have a right to the data resulting from such study, we will have access to study data for further research and in most cases the data will be anonymised.

We also work closely with third parties (including, for example, clinical research organisations, competent regulatory bodies, hospitals, GP surgeries and drug companies, distributors, sub-contractors for technical, payment and delivery services, analytics providers, credit reference agencies) and may receive information about you from them.

We may also collect your data from our websites, our software products, exhibitions, events and other direct interactions, as well as existing business contacts and publicly available information.

Our websites and web shops also use cookies. For more information please see our [Cookie Guide](http://www.renishaw.com/en/cookies-guide--18069).

1. **THE LAWFULNESS OF USING YOUR PERSONAL DATA**

Data protection legislation requires us to have a valid legal reason to process and use personal data about you. This is often called a “legal basis”. Data protection legislation requires us to be explicit with you about the legal basis upon which we rely in order to process information about you. These include:

**Consent** - In some cases, we may ask you for your consent to collect and process your personal data. Please note that if you withdraw your consent it may affect any processing of your personal data that has already occurred. Where we process your personal data based on consent, we will provide more detailed information to you at the time that we obtain your consent.

**Legal Obligation** -In specific circumstances, we may need to process your personal data to comply with a relevant law/regulation (such as when we are required by medical regulations to track usage of medical devices).

**Performance of Contract** -This will apply in situations where we have a contract governing a particular processing purpose, and the processing is necessary to perform that contract.

**Legitimate Interests** - We may process your personal data based on our legitimate interests (sometimes in combination with the scientific research exemption) where this is necessary for the interests of managing and conducting the neuro business. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we are relying on your consent or for compliance with a legal obligation). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Your Vital Interests** – We may process your personal data in order to protect your vital interests or the vital interests of another natural (living) person.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which lawful basis we rely on to do so:

|  |  |
| --- | --- |
| **Purpose of processing** | **Lawful basis** |
| To register you as a new customer/supplier or potential customer/supplier.  | (a) Performance of Contract(b) Consent  |
| To quote for, process and deliver products and/or services to you.  | (a) Performance of Contract (b) Legitimate Interests (to recover debts due to  us) |
| To request quotes and purchase products and/or services from you. | (a) Performance of Contract(b) Legitimate Interests (to secure  products/services) |
| To manage our relationship with you and, in the case of our customer relationships, including administration of your “MyRenishaw” account.  | (a) Performance of Contract(b) Legal obligation (c) Legitimate Interests (to keep our records updated) |
| To provide you with information that you request from us.  | (a) Consent(b) Performance of Contract  |
| To provide you with after-sales support, maintenance, service and repairs.  | (a) Performance of Contract(b) Legitimate Interests (to maintain good customer relations) |
| To provide you with a better experience and service when using our web sites.  | 1. Consent
2. Legitimate Interests (to improve our web

 sites)  |
| To provide you with information about our products, services and events that we think you might be interested in.  | (a) Consent(b) Legitimate Interests (to market our  business)  |
| To send/receive patient information to/from third party healthcare providers, study centres, clinical research organisations, research partners in connection with clinical trials, registry studies and secondary research. | (a) Performance of Contract(c) Legitimate Interest research exemption |
| To submit an application to the regulatory authorities for the use on non CE marked products on humanitarian basis. | 1. Your Vital Interests
 |
| To engage with suppliers, consultants and third-party providers as strictly necessary in the management of clinical trials and investigations. | (a) Performance of Contract |
| To investigate, report and respond to safety and product quality concerns and product malfunctions or user errors. | (a) Performance of Contract(b) Legal Obligation  |
| To administer and maintain clinical trial master file archives. | 1. Legal Obligation
2. Legitimate Interest (research exemption)
 |
| To disclose data to the national competent authorities in the course of an inspection, investigation or for product approval purposes. | 1. Legal Obligation
2. Legitimate Interests (to promote and sell our products and services)
 |
| To disclose information in the course of legal proceedings and government investigations. | (a) Legal Obligation  |
| To fix software bugs/faults or other product malfunction. | (a) Performance of Contract |
| To sell, market or otherwise promote for sale our products and services. | (a) Consent(b) Legitimate Interests (to promote and sell our  products and services)(c) Performance of Contract  |
| To consider any applications for financial support submitted to the Renishaw Charities Committee and administer payments to successful applicants. | (a) Legitimate Interests (to provide financial support to charitable and voluntary  organisations in line with our Corporate Social Responsibility policy) |

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how we have decided that the processing for the new purpose is compatible with the original purpose, or if you otherwise need details about the specific lawful basis we are relying on to process any of your personal data, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

1. **DISCLOSURE OF YOUR PERSONAL DATA**

We may have to share your personal data with the other companies in the Renishaw Group acting as controllers or processors of your data, these are known as “Internal Third Parties”.

We also sometimes share your personal data with certain third parties when we use their products or services, they carry out a task on our behalf or for the purposes of research or collaboration. These persons are known as “External Third Parties” and when we use them we have contractual terms, policies and procedures in place to ensure confidentiality and data security is respected. These External Third Parties may include:

* Research organisations that conduct clinical trials using our products.
* Health care professionals, researchers, academics, public health organisations and publishers for the purposes consistent with section 5 above.
* Hospitals, drug companies and competent regulatory authorities.
* Data storage and analytics organisations.
* Sales intermediaries, payment providers, and sub-contractors for technical and delivery services.
* Our service providers that assist us with our marketing initiatives and provide technology to assist us with collection of data at events.
* Our customers and suppliers to enable deliveries and support.
* Service providers acting as our processors providing IT and system administration services to us.
* Professional advisers acting as our processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
* Tax authorities, regulators and other government authorities or legal bodies acting as processors or controllers who require reporting of processing activities in certain circumstances.
* Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If such a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

Note that in the context of a clinical trial, to the principal investigator should de-identify (anonymise), pseudonymise (remove identifiers such as your name and replace this with a unique code or key) or delete personal information collected before sending clinical trial data to us.

We require all Internal Third Parties and External Third Parties to respect the security and confidentiality of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

1. **INTERNATIONAL TRANSFERS**

Some of our Internal and External Third Parties are based outside the European Economic Area (the “**EEA**”) so their processing of your personal data may involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we use all reasonable efforts to ensure a similar degree of protection is afforded to it by ensuring a legal safeguard is implemented in respect of that transfer. For example, where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en) for the transfer of personal data to third countries.

1. **DATA SECURITY**

We have put in place appropriate technical and security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to access your data. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

Should you require more information on the technical and organisational measures that we put in place, please contact our Data Protection Officer.

1. **HOW LONG YOUR DATA WILL BE KEPT FOR**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Data related to clinical trials or regulatory approvals should be retained for a period of at least 15 years.

To determine the appropriate retention period for personal data, we consider any applicable regulatory requirements, the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data, see request erasure below for further information.

In some circumstances we may anonymise your personal data (such that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

1. **YOUR LEGAL RIGHTS**

Under data protection legislation you have individual rights in relation to the personal information we process about you. For the purposes of research, such as clinical trials and registry studies, where such individual rights would seriously impair research outcomes, such rights are limited. However under certain circumstances, these include the right to:

* access your personal information - commonly known as a “data subject access request”. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it;
* correct any inaccurate information - this enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us;
* withdraw your consent at anytime where we use your consent as the only basis to process your personal information;
* request us to erase your personal information;
* seek the restriction of processing of your personal information if there is a disagreement between us as to whether the right of erasure applies;
* restrict or object to our processing of your information - where we are relying on a legitimate interest and you feel it impacts on your fundamental rights and freedoms and provided we have no other valid grounds for processing or where we are processing your personal data for direct marketing purposes;
* move your information (portability) - subject to certain conditions, you are entitled to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.

It is important to understand that the extent to which these rights apply in the context of a clinical trial will vary and that in some circumstances your rights may be restricted. If it is considered necessary to refuse to comply with any of your individual rights, you will be informed of the decision within one month and you also have the right to complain about our decision to the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk/)), the Information Commissioner’s Office (“ICO”). It should also be noted that we can only implement your rights during the period upon which we hold personal identifiable information about you. Once the information has been irreversibly anonymised and becomes part of the research data set it will not be possible to access your personal information. Where you are able to exercise your rights, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

1. **WHO CAN I CONTACT?**

If you have any questions about how your personal information is used, or wish to exercise any of your rights, please consult our website: [www.renishaw.com](http://www.renishaw.com). If you need further assistance, please contact our Data Protection Officer.

You can contact our Data Protection Officer by writing to:

Data Protection Officer, c/o Renishaw plc, New Mills, Wotton-under-Edge, Gloucestershire, GL12 8JR or by email to: dataprotection@Renishaw.com.

You have the right to make a complaint at any time to the ICO. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

1. **CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us using the contact details provided above.

1. **THIRD-PARTY LINKS**

The Renishaw Group website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave the Renishaw Group website, we encourage you to read the privacy notice of every website you visit.

1. **WHEN THIS PRIVACY NOTICE WAS LAST UPDATED**

This privacy notice was last updated in May 2020 and may be amended from time to time in response to changing legal, regulatory or operational requirements.