

## Climate Change Media Limited Data Protection Policy

### 1. Introduction

This Policy sets out the obligations of Climate Change Media Limited, a company registered in England under number 06667052, whose registered office is at 2<sup>nd</sup> Floor, 123 Buckingham Palace Road, London, SW1W 9SH (hereinafter “Climate Action”) regarding data protection and the rights of staff, clients, sponsors, business contacts and third party suppliers (“data subjects”) in respect of their personal data under Data Protection Law (all legislation and regulations in force from time to time regulating the use of personal data and the privacy of electronic communications including, but not limited to, EU Regulation 2016/679 General Data Protection Regulation (“GDPR”), the Data Protection Act 2018, and any successor legislation or other directly applicable EU regulation relating to data protection and privacy for as long as, and to the extent that, EU law has legal effect in the UK).

This Policy sets Climate Action’s obligations regarding the collection, processing, transfer, storage, and disposal of personal data. The procedures and principles set out herein must be followed at all times by Climate Action, its employees, agents, contractors, or other parties working on behalf of Climate Action.

### 2. Definitions

“consent”	means the consent of the data subject which must be a freely given, specific, informed, and unambiguous indication of the data subject’s wishes by which they, by a statement or by a clear affirmative action, signify their agreement to the processing of personal data relating to them;
“data controller”	means the natural or legal person or organisation which, alone or jointly with others, determines the purposes and means of the processing of personal data. For the purposes of this Policy, Climate Action is the data controller of all personal data relating to the data subjects used in our business for our commercial purposes;
“data processor”	means a natural or legal person or organisation which processes personal data on behalf of a data controller;
“data subject”	means a living, identified, or identifiable natural person about whom Climate Action holds personal data;
“EEA”	means the European Economic Area, consisting of all EU Member States, the United Kingdom, Iceland, Liechtenstein and Norway;

**“personal data”**

means any information relating to a data subject who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that data subject;

**“personal data breach”**

means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored, or otherwise processed; and

**“processing”**

means any operation or set of operations performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**3. Scope**

- 3.1 Climate Action is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful, and fair handling of all personal data, respecting the legal rights, privacy, and trust of all individuals with whom it deals.
- 3.2 Climate Action’s Data Protection Officer is Nick Henry, Founder and CEO. The Data Protection Officer is responsible for administering this Policy and for developing and implementing any applicable related policies, procedures, and/or guidelines.
- 3.3 All department heads are responsible for ensuring that all employees, agents, contractors, or other parties working on behalf of Climate Action comply with this Policy and, where applicable, must implement such practices, processes, controls, and training as are reasonably necessary to ensure such compliance.
- 3.4 Any questions relating to this Policy or to Data Protection Law should be referred to the Data Protection Officer. In particular, the Data Protection Officer should always be consulted in the following cases:
  - a) if there is any uncertainty relating to the lawful basis on which personal data is to be collected, held, and/or processed;
  - b) if consent is being relied upon in order to collect, hold, and/or process personal data;
  - c) if there is any uncertainty relating to the retention period for any particular type(s) of personal data;
  - d) if any new or amended privacy notices or similar privacy-related documentation are required;

- e) if any assistance is required in dealing with the exercise of a data subject's rights (including, but not limited to, the handling of subject access requests);
- f) if a personal data breach (suspected or actual) has occurred;
- g) if there is any uncertainty relating to security measures (whether technical or organisational) required to protect personal data;
- h) if personal data is to be shared with third parties (whether such third parties are acting as data controllers or data processors);
- i) if personal data is to be transferred outside of the EEA and there are questions relating to the legal basis on which to do so;
- j) when any significant new processing activity is to be carried out, or significant changes are to be made to existing processing activities, which will require a Data Protection Impact Assessment;
- k) when personal data is to be used for purposes different to those for which it was originally collected;
- l) if any automated processing, including profiling or automated decision-making, is to be carried out; or
- m) if any assistance is required in complying with the law applicable to direct marketing.

#### 4. **The Data Protection Principles**

This Policy aims to ensure compliance with Data Protection Law. The GDPR sets out the following principles with which any party handling personal data must comply. Data controllers are responsible for, and must be able to demonstrate, such compliance. All personal data must be:

- 4.1 processed lawfully, fairly, and in a transparent manner in relation to the data subject;
- 4.2 collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- 4.3 adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed;
- 4.4 accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased, or rectified without delay;
- 4.5 kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of the data subject; and
- 4.6 processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

## 5. **The Rights of Data Subjects**

The GDPR sets out the following key rights applicable to data subjects:

- 5.1 The right to be informed;
- 5.2 the right of access;
- 5.3 the right to rectification;
- 5.4 the right to erasure (also known as the 'right to be forgotten');
- 5.5 the right to restrict processing;
- 5.6 the right to data portability;
- 5.7 the right to object; and
- 5.8 rights with respect to automated decision-making and profiling.

## 6. **Lawful, Fair, and Transparent Data Processing**

Data Protection Law seeks to ensure that personal data is processed lawfully, fairly, and transparently, without adversely affecting the rights of the data subject. Specifically, the GDPR states that processing of personal data shall be lawful if at least one of the following applies:

- a) the data subject has given consent to the processing of their personal data for one or more specific purposes;
- b) the processing is necessary for the performance of a contract to which the data subject is a party, or in order to take steps at the request of the data subject prior to entering into a contract;
- c) the processing is necessary for compliance with a legal obligation to which the data controller is subject;
- d) the processing is necessary to protect the vital interests of the data subject or of another natural person;
- e) the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller; or
- f) the processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

## 7. **Consent**

If consent is relied upon as the lawful basis for collecting, holding, and/or processing personal data, the following shall apply:

- 7.1 Consent is a clear indication by the data subject that they agree to the processing of their personal data. Such a clear indication may take the form of a statement or a positive action. Silence, pre-ticked boxes, or inactivity are unlikely to amount to consent.
- 7.2 Where consent is given in a document which includes other matters, the section dealing with consent must be kept clearly separate from such other matters.
- 7.3 Data subjects are free to withdraw consent at any time and it must be made easy for them to do so. If a data subject withdraws consent, their request must

be honoured promptly.

- 7.4 If personal data is to be processed for a different purpose that is incompatible with the purpose or purposes for which that personal data was originally collected that was not disclosed to the data subject when they first provided their consent, consent to the new purpose or purposes may need to be obtained from the data subject.
- 7.5 In all cases where consent is relied upon as the lawful basis for collecting, holding, and/or processing personal data, records must be kept of all consents obtained in order to ensure that Climate Action can demonstrate its compliance with consent requirements.

## 8. **Adequate, Relevant, and Limited Data Processing**

- 8.1 Climate Action will only collect and process personal data for and to the extent necessary for the specific purpose or purposes of which data subjects have been informed (or will be informed).
- 8.2 Employees, agents, contractors, or other parties working on behalf of Climate Action may collect personal data only to the extent required for the performance of their job duties and only in accordance with this Policy. Excessive personal data must not be collected.
- 8.3 Employees, agents, contractors, or other parties working on behalf of Climate Action may process personal data only when the performance of their job duties requires it. Personal data held by Climate Action cannot be processed for any unrelated reasons.

## 9. **Accuracy of Data and Keeping Data Up-to-Date**

- 9.1 Climate Action shall ensure that all personal data collected, processed, and held by it is kept accurate and up-to-date. This includes, but is not limited to, the rectification of personal data at the request of a data subject.
- 9.2 The accuracy of personal data shall be checked when it is collected and at regular intervals thereafter. If any personal data is found to be inaccurate or out-of-date, all reasonable steps will be taken without delay to amend or erase that data, as appropriate.

## 10. **Data Retention**

- 10.1 Climate Action shall not keep personal data for any longer than is necessary in light of the purpose or purposes for which that personal data was originally collected, held, and processed.
- 10.2 When personal data is no longer required, all reasonable steps will be taken to erase or otherwise dispose of it without delay.

## 11. **Secure Processing**

- 11.1 Climate Action shall ensure that all personal data collected, held, and processed is kept secure and protected against unauthorised or unlawful processing and against accidental loss, destruction, or damage.
- 11.2 All technical and organisational measures taken to protect personal data shall be regularly reviewed and evaluated to ensure their ongoing effectiveness and the continued security of personal data.
- 11.3 Data security must be maintained at all times by protecting the confidentiality,

integrity, and availability of all personal data as follows:

- a) only those with a genuine need to access and use personal data and who are authorised to do so may access and use it;
- b) personal data must be accurate and suitable for the purpose or purposes for which it is collected, held, and processed; and
- c) authorised users must always be able to access the personal data as required for the authorised purpose or purposes.

## 12. **Accountability and Record-Keeping**

- 12.1 The Data Protection Officer is responsible for administering this Policy and for developing and implementing any applicable related policies, procedures, and/or guidelines.
- 12.2 Climate Action shall follow a privacy by design approach at all times when collecting, holding, and processing personal data.
- 12.3 All employees, agents, contractors, or other parties working on behalf of Climate Action shall be given appropriate training in data protection and privacy, addressing the relevant aspects of Data Protection Law, this Policy, and all other applicable Climate Action policies.
- 12.4 Climate Action shall keep written internal records of all personal data collection, holding, and processing, which shall incorporate the following information:
  - 12.4.1 the name and details of Climate Action, its Data Protection Officer, and any applicable third-party data transfers (including data processors and other data controllers with whom personal data is shared);
  - 12.4.2 the purposes for which Climate Action collects, holds, and processes personal data;
  - 12.4.3 Climate Action's legal basis or bases (including, but not limited to, consent, the mechanism(s) for obtaining such consent, and records of such consent) for collecting, holding, and processing personal data;
  - 12.4.4 details of the categories of personal data collected, held, and processed by Climate Action, and the categories of data subject to which that personal data relates;
  - 12.4.5 details of any transfers of personal data to non-EEA countries including all mechanisms and security safeguards;
  - 12.4.6 details of how long personal data will be retained by Climate Action;
  - 12.4.7 details of personal data storage, including location(s); and
  - 12.4.8 detailed descriptions of all technical and organisational measures taken by Climate Action to ensure the security of personal data.

## 13. **Privacy by Design**

The principles of privacy by design should be followed at all times when collecting, holding, and processing personal data. The following factors should be taken into consideration:

- a) the nature, scope, context, and purpose or purposes of the collection, holding, and processing;
- b) the state of the art of all relevant technical and organisational measures to be taken; and

- c) the risks posed to data subjects and to Climate Action, including their likelihood and severity.

## 14. Keeping Data Subjects Informed

14.1 Climate Action shall provide the information set out in Part 14.2 to every data subject:

- a) where personal data is collected directly from data subjects, those data subjects will be informed of its purpose at the time of collection; and
- b) where personal data is obtained from a third party, the relevant data subjects will be informed of its purpose:
  - i) if the personal data is used to communicate with the data subject, when the first communication is made; or
  - ii) if the personal data is to be transferred to another party, before that transfer is made; or
  - iii) as soon as reasonably possible and in any event not more than one month after the personal data is obtained.

14.2 The following information shall be provided in the form of a [privacy notice](#):

- a) details of Climate Action including, but not limited to, contact details, and the names and contact details of any applicable representatives and its Data Protection Officer;
- b) the purpose(s) for which the personal data is being collected and will be processed and the lawful basis justifying that collection and processing;
- c) where applicable, the legitimate interests upon which Climate Action is justifying its collection and processing of the personal data;
- d) where the personal data is not obtained directly from the data subject, the categories of personal data collected and processed;
- e) where the personal data is to be transferred to one or more third parties, details of those parties;
- f) where the personal data is to be transferred to a third party that is located outside of the EEA, details of that transfer, including but not limited to the safeguards in place;
- g) details of applicable data retention periods;
- h) details of the data subject's rights under the GDPR;
- i) details of the data subject's right to withdraw their consent to Climate Action's processing of their personal data at any time;
- j) details of the data subject's right to complain to the Information Commissioner's Office (the "supervisory authority" under the GDPR);
- k) where the personal data is not obtained directly from the data subject, details about the source of that personal data;
- l) where applicable, details of any legal or contractual requirement or obligation necessitating the collection and processing of the personal data and details of any consequences of failing to provide it; and
- m) details of any automated decision-making or profiling that will take place using the personal data, including information on how decisions will be made, the significance of those decisions, and any consequences.

## 15. **Data Subject Access**

- 15.1 Data subjects may make subject access requests (“SARs”) at any time to find out more about the personal data which Climate Action holds about them, what it is doing with that personal data, and why.
- 15.2 Employees wishing to make a SAR should do using a Subject Access Request Form, sending the form to Climate Action’s Data Protection Officer at [dataservices@climateaction.org](mailto:dataservices@climateaction.org).
- 15.3 Responses to SARs must normally be made within one month of receipt, however, this may be extended by up to two months if the SAR is complex and/or numerous requests are made. If such additional time is required, the data subject shall be informed.
- 15.4 All SARs received shall be handled by Climate Action’s Data Protection Officer.
- 15.5 Climate Action does not charge a fee for the handling of normal SARs. Climate Action reserves the right to charge reasonable fees for additional copies of information that has already been supplied to a data subject, and for requests that are manifestly unfounded or excessive, particularly where such requests are repetitive.

## 16. **Rectification of Personal Data**

- 16.1 Data subjects have the right to require Climate Action to rectify any of their personal data that is inaccurate or incomplete.
- 16.2 Climate Action shall rectify the personal data in question, and inform the data subject of that rectification, within one month of the data subject informing Climate Action of the issue. The period can be extended by up to two months in the case of complex requests. If such additional time is required, the data subject shall be informed.
- 16.3 In the event that any affected personal data has been disclosed to third parties, those parties shall be informed of any rectification that must be made to that personal data.

## 17. **Erasure of Personal Data**

- 17.1 Data subjects have the right to request that Climate Action erases the personal data it holds about them in the following circumstances:
  - a) it is no longer necessary for Climate Action to hold that personal data with respect to the purpose(s) for which it was originally collected or processed;
  - b) the data subject wishes to withdraw their consent to Climate Action holding and processing their personal data;
  - c) the data subject objects to Climate Action holding and processing their personal data (and there is no overriding legitimate interest to allow Climate Action to continue doing so);
  - d) the personal data has been processed unlawfully; and
  - e) the personal data needs to be erased in order for Climate Action to comply with a particular legal obligation.
- 17.2 Unless Climate Action has reasonable grounds to refuse to erase personal data, all requests for erasure shall be complied with, and the data subject



informed of the erasure, within one month of receipt of the data subject's request. The period can be extended by up to two months in the case of complex requests. If such additional time is required, the data subject shall be informed.

- 17.3 In the event that any personal data that is to be erased in response to a data subject's request has been disclosed to third parties, those parties shall be informed of the erasure (unless it is impossible or would require disproportionate effort to do so).

## 18. **Restriction of Personal Data Processing**

18.1 Data subjects may request that Climate Action ceases processing the personal data it holds about them. If a data subject makes such a request, Climate Action shall retain only the amount of personal data concerning that data subject (if any) that is necessary to ensure that the personal data in question is not processed further.

18.2 In the event that any affected personal data has been disclosed to third parties, those parties shall be informed of the applicable restrictions on processing it (unless it is impossible or would require disproportionate effort to do so).

## 19. **Data Portability**

19.1 Climate Action may process personal data using automated means.

19.2 Where data subjects have given their consent to Climate Action to process their personal data in such a manner, or the processing is otherwise required for the performance of a contract between Climate Action and the data subject, data subjects have the right, under the GDPR, to receive a copy of their personal data and to use it for other purposes (namely transmitting it to other data controllers).

19.3 Where technically feasible, if requested by a data subject, personal data shall be sent directly to the required data controller.

19.4 All requests for copies of personal data shall be complied with within one month of the data subject's request. The period can be extended by up to two months in the case of complex or numerous requests. If such additional time is required, the data subject shall be informed.

## 20. **Objections to Personal Data Processing**

20.1 Data subjects have the right to object to Climate Action processing their personal data based on legitimate interests, for direct marketing (including profiling).

20.2 Where a data subject objects to Climate Action processing their personal data based on its legitimate interests, Climate Action shall cease such processing immediately, unless it can be demonstrated that Climate Action's legitimate grounds for such processing override the data subject's interests, rights, and freedoms, or that the processing is necessary for the conduct of legal claims.

20.3 Where a data subject objects to Climate Action processing their personal data for direct marketing purposes, Climate Action shall cease such processing promptly.

## 21. **Direct Marketing**

- 21.1 Climate Action is subject to certain rules and regulations when marketing its products and/or services.
- 21.2 The prior consent of data subjects is required for electronic direct marketing subject to the following limited exception:
  - a) Climate Action may send marketing emails to a client provided that that client's contact details have been obtained in the course of a sale, the marketing relates to similar products or services, and the client in question has been given the opportunity to opt-out of marketing when their details were first collected and in every subsequent communication from Climate Action.
- 21.3 The right to object to direct marketing shall be explicitly offered to data subjects in a clear and intelligible manner and must be kept separate from other information in order to preserve its clarity.
- 21.4 If a data subject objects to direct marketing, their request must be complied with promptly. A limited amount of personal data may be retained in such circumstances to the extent required to ensure that the data subject's marketing preferences continue to be complied with.

## 22. **Data Security - Transferring Personal Data and Communications**

Climate Action shall ensure that the following measures are taken with respect to all communications and other transfers involving personal data:

- 22.1 All emails containing personal data must be encrypted using Microsoft 365 Message Encryption with Azure Rights Management, S/MIME and TLS for email in transit;
- 22.2 Personal data may be transmitted over secure networks only; transmission over unsecured networks is not permitted in any circumstances;
- 22.3 Personal data may not be transmitted over a wireless network if there is a wired alternative that is reasonably practicable;
- 22.4 Personal data contained in the body of an email, whether sent or received, should be copied from the body of that email and stored securely. The email itself should be deleted. All temporary files associated therewith should also be deleted;
- 22.5 Where personal data is to be transferred in hardcopy form it should be passed directly to the recipient; and
- 22.6 All personal data to be transferred physically, whether in hardcopy form or on removable electronic media shall be transferred in a suitable container marked "confidential".

## 23. **Data Security - Storage**

Climate Action shall ensure that the following measures are taken with respect to the storage of personal data:

- 23.1 All electronic copies of personal data should be stored securely using passwords and encrypted using BitLocker disk-level encryption and per-file encryption using AES 256-bit keys which is FIPS 140-2 compliant;
- 23.2 All personal data stored electronically should be backed up onsite. All backups should be encrypted in transit using SSL/TLS connections using 2048-bit keys;

- 23.3 All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be stored securely in a locked box, drawer, cabinet, or similar; and
- 23.4 No personal data should be transferred to any device personally belonging to an employee, agent, contractor, or other party working on behalf of Climate Action and personal data may only be transferred to devices belonging to agents, contractors, or other parties working on behalf of Climate Action where the party in question has agreed to comply fully with the letter and spirit of this Policy and of the GDPR (which may include demonstrating to Climate Action that all suitable technical and organisational measures have been taken).

#### 24. **Data Security - Disposal**

When any personal data is to be erased or otherwise disposed of for any reason (including where copies have been made and are no longer needed), it should be securely deleted and disposed of.

#### 25. **Data Security - Use of Personal Data**

Climate Action shall ensure that the following measures are taken with respect to the use of personal data:

- 25.1 No personal data may be shared informally and if an employee, agent, contractor, or other party working on behalf of Climate Action requires access to any personal data that they do not already have access to, such access should be formally requested from the relevant department head;
- 25.2 No personal data may be transferred to any employee, agent, contractor, or other party, whether such parties are working on behalf of Climate Action or not, without the authorisation of the relevant department head;
- 25.3 Personal data must be handled with care at all times and should not be left unattended or on view to unauthorised employees, agents, contractors, or other parties at any time;
- 25.4 If personal data is being viewed on a computer screen and the computer in question is to be left unattended for any period of time, the user must lock the computer and screen before leaving it; and
- 25.5 Where personal data held by Climate Action is used for marketing purposes, it shall be the responsibility of the relevant department head to ensure that the appropriate consent is obtained and that no data subjects have opted out, whether directly or via a third-party service such as the TPS.

#### 26. **Data Security - IT Security**

Climate Action shall ensure that the following measures are taken with respect to IT and information security:

- 26.1 All passwords used to protect personal data should be changed regularly and should not use words or phrases that can be easily guessed or otherwise compromised. All passwords must contain a combination of uppercase and lowercase letters, numbers, and symbols;
- 26.2 Under no circumstances should any passwords be written down or shared between any employees, agents, contractors, or other parties working on behalf of Climate Action, irrespective of seniority or department. If a password is forgotten, it must be reset using the applicable method. IT staff do not have access to passwords;

- 26.3 All software (including, but not limited to, applications and operating systems) shall be kept up-to-date. Climate Action's IT staff shall be responsible for installing any and all security-related updates as soon as reasonably and practically possible, unless there are valid technical reasons not to do so; and
- 26.4 No software may be installed on any Climate Action-owned computer or device without the prior approval of the IT department head.

## 27. **Organisational Measures**

Climate Action shall ensure that the following measures are taken with respect to the collection, holding, and processing of personal data:

- 27.1 All employees, agents, contractors, or other parties working on behalf of Climate Action shall be made fully aware of both their individual responsibilities and Climate Action's responsibilities under Data Protection Law and under this Policy, and shall be provided with a copy of this Policy;
- 27.2 Only employees, agents, contractors, or other parties working on behalf of Climate Action that need access to, and use of, personal data in order to carry out their assigned duties correctly shall have access to personal data held by Climate Action;
- 27.3 All sharing of personal data shall comply with the information provided to the relevant data subjects and, if required, the consent of such data subjects shall be obtained prior to the sharing of their personal data;
- 27.4 All employees, agents, contractors, or other parties working on behalf of Climate Action handling personal data will be appropriately trained to do so;
- 27.5 All employees, agents, contractors, or other parties working on behalf of Climate Action handling personal data will be appropriately supervised;
- 27.6 All employees, agents, contractors, or other parties working on behalf of Climate Action handling personal data shall be required and encouraged to exercise care, caution, and discretion when discussing work-related matters that relate to personal data, whether in the workplace or otherwise;
- 27.7 Methods of collecting, holding, and processing personal data shall be regularly evaluated and reviewed;
- 27.8 The performance of those employees, agents, contractors, or other parties working on behalf of Climate Action handling personal data shall be regularly evaluated and reviewed;
- 27.9 All employees, agents, contractors, or other parties working on behalf of Climate Action handling personal data will be bound to do so in accordance with the principles of Data Protection Law and this Policy by contract;
- 27.10 All agents, contractors, or other parties working on behalf of Climate Action handling personal data must ensure that any and all of their employees who are involved in the processing of personal data are held to the same conditions as those relevant employees of Climate Action arising out of this Policy and Data Protection Law; and
- 27.11 Where any agent, contractor or other party working on behalf of Climate Action handling personal data fails in their obligations under this Policy that party shall indemnify and hold harmless Climate Action against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure.

## 28. **Transferring Personal Data to a Country Outside the EEA**

- 28.1 Climate Action may from time to time transfer ('transfer' includes making available remotely) personal data to countries outside of the EEA.
- 28.2 The transfer of personal data to a country outside of the EEA shall take place only if one or more of the following applies:
  - 28.2.1 the transfer is to a country, territory, or one or more specific sectors in that country (or an international organisation), that the European Commission has determined ensures an adequate level of protection for personal data;
  - 28.2.2 the transfer is to a country (or international organisation) which provides appropriate safeguards in the form of a legally binding agreement between public authorities or bodies; binding corporate rules; standard data protection clauses adopted by the European Commission; compliance with an approved code of conduct approved by a supervisory authority (e.g. the Information Commissioner's Office); certification under an approved certification mechanism (as provided for in the GDPR); contractual clauses agreed and authorised by the competent supervisory authority; or provisions inserted into administrative arrangements between public authorities or bodies authorised by the competent supervisory authority;
  - 28.2.3 the transfer is made with the informed and explicit consent of the relevant data subject(s);
  - 28.2.4 the transfer is necessary for the performance of a contract between the data subject and Climate Action (or for pre-contractual steps taken at the request of the data subject);
  - 28.2.5 the transfer is necessary for important public interest reasons;
  - 28.2.6 the transfer is necessary for the conduct of legal claims;
  - 28.2.7 the transfer is necessary to protect the vital interests of the data subject or other individuals where the data subject is physically or legally unable to give their consent; or
  - 28.2.8 the transfer is made from a register that, under UK or EU law, is intended to provide information to the public and which is open for access by the public in general or otherwise to those who are able to show a legitimate interest in accessing the register.

## 29. **Data Breach Notification**

- 29.1 All personal data breaches must be reported immediately to Climate Action's Data Protection Officer.
- 29.2 If an employee, agent, contractor, or other party working on behalf of Climate Action becomes aware of or suspects that a personal data breach has occurred, they must not attempt to investigate it themselves. Any and all evidence relating to the personal data breach in question should be carefully retained.
- 29.3 If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Data Protection Officer must ensure that the Information Commissioner's Office is informed of the breach without delay, and in any event, within 72 hours after having become aware of it.
- 29.4 In the event that a personal data breach is likely to result in a high risk (that is,

a higher risk than that described under Part 29.3) to the rights and freedoms of data subjects, the Data Protection Officer must ensure that all affected data subjects are informed of the breach directly and without undue delay.

29.5 Data breach notifications shall include the following information:

29.5.1 The categories and approximate number of data subjects concerned;

29.5.2 The categories and approximate number of personal data records concerned;

29.5.3 The name and contact details of Climate Action's Data Protection Officer (or other contact point where more information can be obtained);

29.5.4 The likely consequences of the breach;

29.5.5 Details of the measures taken, or proposed to be taken, by Climate Action to address the breach including, where appropriate, measures to mitigate its possible adverse effects.

### 30. **Implementation of Policy**

This Policy shall be deemed effective as of 2<sup>nd</sup> January 2020. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.

This Policy has been approved and authorised by:

**Name:** Nick Henry  
**Position:** Founder and CEO  
**Date:** 2<sup>nd</sup> January 2020  
**Due for Review by:** 1<sup>st</sup> January 2021