

NTML Purchasing Data Privacy Policy

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About this Purchasing Data Privacy Policy

NEC Telecom Modus Ltd ("NTML" or, as appropriate, in the context, "we", "us" or "our") is committed to respecting and protecting the personal data of individuals and is always working to further enhance and strengthen data protection from a full range of perspectives.

This Purchasing Data Privacy Policy supplements the data protection provisions in clause 27 "Data Protection" of the NTML Standard Terms and Conditions of Purchasing document, the latest version of which is available to download from the NTML Download Site.

Under the NTML Standard Terms and Conditions of Purchasing each of the parties (Purchaser and Supplier) is and will remain a separate and independent controller in respect of the Contract and shall independently determine the purposes and means of such processing of personal data.

This Purchasing Data Privacy Policy ("Policy") governs only the Personal Data NTML will collect from the Supplier during the NTML Purchasing Process excluding any personal data collected from visiting or using the NEC Website as part of the NTML Purchasing Process or collected by the Supplier during the NTML Purchasing Process.

The Policy may be supplemented by additional privacy statements, terms or notices provided to you.

The NTML Purchasing Process includes:

- Obtaining a quotation for purchasing an item from a Supplier, including any business contact information provided to facilitate the process.

- the creation of a Purchase Order with its associated Terms and Conditions, acceptance of which leads to the creation of a Contract for the supply of Goods and/or Services.
- any subsequent billing and invoicing arising from the Contract.
- accessing and downloading Business Documents and Forms stored in the NTML section of the NEC Website.

Collectively these activities are referred to as the Purchasing Process.

NTML does not have its own website but uses a section of the NEC Website where NTML Business Documents and Forms are made available (“NTML Download Site”).

The NEC Website has its own privacy policy which is available via the [“Privacy and Cookies Policy”](#) link in the footer of each webpage on the NEC Website.

For the purposes of this Policy, references in this Policy to

- “NTML Standard Terms and Conditions of Purchasing” means the separate document defining the terms and conditions of purchase which is available from the NTML Download Site. Clause 27 (Data Protection) of NTML Standard Terms and Conditions of Purchasing sets out the framework for the sharing of Personal Data between the parties as Data Controllers and defines the principles and procedures that the parties shall adhere to and the responsibilities the parties owe to each other.
- “Personal Data” means the personal data we collect from you during the NTML Purchasing Process except for any personal data collected from visiting or using the NEC Website as part of the NTML Purchasing Process or collected by the Supplier.
- the “NEC Website” mean the uk.nec.com subdomain of the NEC Corporate website (nec.com) managed by NEC-UK.
- the “NTML Download Site” means the section of the NEC Website where NTML Business Documents and Forms are made available.
- “you” or “your” are references to individuals who use the Purchasing Process.

Who is the Data Controller for the processing of Personal Data?

A “Controller” is a person or organization who alone or jointly determines the purposes for which, and the way, any personal data is, or is likely to be, processed.

This Privacy Policy is issued on behalf of NTML (the Purchaser) as the separate and independent Data Controller for the Personal Data NTML collects as part of the Purchasing Process.

It excludes any personal data collected by the Supplier, the other Party to the Purchase Order, as a separate and independent Data Controller.

It excludes any personal data collected from visiting or using the NEC Website as part of the NTML Purchasing Process. This is covered by a separate privacy policy (details above).

Unless we notify you otherwise NTML is the controller for your personal data collected by NTML under this Policy.

If you believe your Personal Data has been used in a way that is not consistent with this Policy or your choices, please contact NTML using the details in the “How to raise privacy concerns” section below.

Circumstances under which you may provide Personal Data to us:

- In providing quotations for goods or services
- Correspondence related to a Specifications for goods and services

- Correspondence related to managing a Purchase Order and the associated Contract for goods and or services, through the full purchasing life-cycle.
- In contacting us for other reasons

The type of Personal Data we collect

Data you provide to us

The types of personal data that we collect directly from you depends on how you interact with us and may include:

- Contact Data: including your work address, email address and telephone numbers
- Identity Data: including your name, last name, title
- Communications Data: including your communication preferences
- Payment information: bank account details or billing information (where held in an individual's rather than company name e.g some sole traders)
- Comments, feedback and other information you provide to us: including enquiries, clarifications and other information that you wish to share with us

Sensitive Data

We do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, genetic and biometric data, or any information about criminal convictions and offences).

The Purchasing Process is not intended to be used by children and we do not knowingly collect personal data relating to children.

Aggregated Data

We do not collect or share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not legally considered personal data because it does not directly or indirectly reveal your identity.

Data from other sources

We may obtain personal data about you from other sources in the following circumstances:

- As part of our supplier vetting and due diligence processes from Publicly-available sources and data suppliers from which we obtain data to validate or supplement the information we hold. We will ensure that this processing is proportionate to the purposes outlined above.

The Personal Data we would store and process from that received from other sources would be the same data as you would provide (see above), as this is sufficient to manage the Purchasing Process. Any other Personal Data available from other sources would not be stored or processed.

How we use your personal data

We use your personal data to:

- Undertake the activities necessary to fulfil the Purchasing Process
- Enforce our conditions of sale, and separate contracts (if applicable) with you
- Prevent fraud and other prohibited or illegal activities
- Protect the security or integrity of our businesses, and our Purchasing Process
- Perform other functions or serve other purposes, as disclosed to you in the Purchase Order, or as required or permitted by law

- Respond to your requests, inquiries, comments and concerns
- Comply with our legal obligations, resolve disputes, and enforce our agreements

Legal Basis of processing personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing your Personal Data are:

Primary basis:

- NTML's **legitimate interests** in
 - having an efficient Purchasing Process with the ability to communicate with named contact persons to facilitate the process
 - meeting the goals of NEC's Responsible Supply Chain Guidelines available from the NTML Download Site
- We only rely on our legitimate interests to process your Personal Data when these interests are not overridden by your rights and interests.

Other bases that may be used depending on the nature of the Purchase Order or other circumstances allowed in the specific basis:

- To comply with a **contractual obligation**. We will advise you as part of the Purchase Order whether the provision of your personal data is mandatory and of the possible consequences if you do not provide us with your information. Personal Data is generally not mandatory for placing a Purchase Order.
- For compliance with NTML's **legal obligations** where other laws require the processing of your personal data or where we need your personal information to protect your **vital interests** or those of another person.

How we store your personal data

Your information is securely stored.

All Personal Data is stored on NTML Finance Servers, controlled and managed by NTML and located in the UK.

Sharing your Personal Data

NTML will not share your Personal Data other than in certain limited circumstance:

- Your Personal Data is already in the public domain for purchasing related activities for a supplier with which NTML is engaging
- Occasionally, we may be required by law enforcement or judicial authorities to disclose your Personal Data to the applicable law enforcement authorities. We will disclose your personal information if required by law, upon receipt of a court order or subpoena, to cooperate with a law enforcement investigation or if we otherwise believe disclosure is necessary to exercise, establish or defend our legal rights.
- We reserve the right to report to law enforcement authorities any activities that we, in good faith, believe to be unlawful.

Retention of Your Data

We retain your Personal Data only so long as it is required for purposes for which it was collected, whilst keeping it as up-to-date as possible and making sure that irrelevant or excessive data is deleted or made anonymous as soon as reasonably practicable. For more information, please consult

NEC Group Retention Policy (obtainable on request from NTML, contact details in the “How to raise privacy concerns” section below).

Data Security

We have put in place appropriate 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 data to those employees, contractors and other third parties who have a business need to know. 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.

How to exercise your data protection rights?

You have the following rights. Please note that these rights are not absolute and in certain cases are subject to conditions as specified in applicable law:

- Access
 - you have the right to request information about how we process your Personal Data and to obtain a copy of that Personal Data.
- Rectification
 - you have the right to request the rectification of inaccurate Personal Data about you and for any incomplete Personal Data about you to be completed.
- Objection
 - you have the right to object to the processing of your Personal Data, which is based on our legitimate interests (as described above).
- Erasure
 - you have the right to request the erasure of your Personal Data (subject to certain conditions).
- Automated decision-making
 - you have the right not to have a decision made about you that is based solely on automated processing if that decision produces legal or similarly significant effects concerning you.
- Restriction
 - you have the right to ask us to restrict our processing of your Personal Data so that we no longer process that information until the restriction is lifted.
- Portability
 - you have the right to receive your Personal Data, which you have provided to us, in a structured, commonly used and machine readable format and to have that information transmitted to another organization in certain circumstances.

How to raise privacy concerns

If you have any concerns about our use of your personal information, wish to exercise any of your rights or make a complaint, you can send your requests to our Company sending an e-mail to tml-privacy@emea.nec.com.

or by writing to

NEC Telecom Modus Ltd
Attn.: Information Security Manager
Olympus House, Cleeve Road, Leatherhead, Surrey KT22 7SA, United Kingdom

In addition to the above, you have the right to lodge a complaint about our handling of your personal data to the Information Commissioner's Office.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Updates to this policy

This Policy was last updated on 05 January 2024.

The Policy can change over time, for example to comply with legal requirements or to meet changing business needs. In case there is an important change that we want to highlight to you, we will also inform you in another appropriate way.