



## Privacy Policy

**Last updated: May 2020**

At Roche, we understand that protecting privacy is very important and that information about you and/or your health is particularly sensitive. That is why we treat your "personal data" according to the "Roche Directive on the Protection of Personal Data", and in accordance with the laws of England and Wales including the Data Protection Act 2018, and other applicable EU law including the General Data Protection Regulation ("GDPR"), which regulate the storage, processing, access and transfer of personal data.

### **1. Controller Identity, Data Protection Officer, Contacts**

This Privacy Policy covers the operations of Roche Diagnostics Limited ("**Roche**", "**we**", "**our**"). The data controller is Roche Diagnostics Limited (company number **00571546**), Charles Avenue, Burgess Hill, West Sussex, RH15 9RY. If you have any questions or concerns about data privacy or would like to exercise your rights in relation to your personal information, please send an email to our Data Protection Officer at [burgesshill.dataprivacy@roche.com](mailto:burgesshill.dataprivacy@roche.com) or write to us at the address above.

If you are not satisfied with the way Roche handles your data or responds to your requests, you may also complain to your local Data Protection Authority, more details can be found at <https://ico.org.uk> (UK) and <https://www.dataprotection.ie> (IE).

### **2. What information we collect and how**

There are a number of ways in which we collect your personal information, including conversations we have on the phone, information you have provided on an application form or if you post something on one of our forums, or information you provide when interacting on one of our websites. We might also collect information about you from other people and organisations, such as medical professionals where we have a lawful basis to do so. Please see below for a non-exhaustive list of ways we collect your personal information.

- via enquiry, registration forms (online or postal);
- via feedback forms and forums;
- when you purchase any of our products or services;
- when you fill out a survey, or vote in a poll on our website;
- through quotes and application forms;
- via cookies. You can find out more about this in our [Cookie and Online Processing Policy](#);
- via our telephone calls with you, which may be recorded;
- when you provide your details to us either online or offline;
- from a carer, parent or guardian where you may be incapacitated or unable to provide information yourself;
- from healthcare organisations who process your data on our systems and solutions;
- via publicly available information;
- via direct face-to-face contact with you.



Roche may collect the following information from you:

- Contact details such as full name, email address, postal address and telephone number;
- Financial information including card details if purchasing products online;
- Identification information such as date of birth;
- Information about the nature of your business;
  - Personal information about a child for whom you are a parent or guardian and that you are acting in such capacity;
  - Information obtained through our use of cookies e.g. information about the devices you use to access our website or use our connected products, which may include your IP address. You can find out more about this below in section 3(a) or in our Cookie and Online Processing Policy;
- Marketing preferences;
- Records of products purchased;
- Sensitive personal information such as health information (including your product preferences, hospital details including test results).

### **3. How and why we use your personal information**

Protecting your privacy is very important to us and we understand that information about your health is sensitive. We are therefore committed to processing your personal information in compliance with all applicable laws.

Roche collects personal information from you to perform our business operations, provide you with and improve products and services, and personalise your experiences. We also may use the data to communicate with you, for example, informing you about your account and providing product information. We will only send you marketing communications either when you have provided your consent (for patients and individuals) or where we have a legitimate interest to do so (for healthcare professionals) and we will only share your data where we have a proper reason to do so.

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it. However, we will collect personal information from you only where we have legal basis to do so, e.g. obtaining your consent, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interest and not overridden by your data protection interests or fundamental rights and freedoms (for example, in some cases for fraud prevention, network and information systems security). We will usually only ask for your consent in relation to processing your sensitive personal information (such as health data) or when providing marketing information to you if you are a patient or an individual (including information about other products and services).

In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. When the personal information we process about you is classed as sensitive personal information (now known as 'Special Categories of Personal Data') (such as details about your health) we must have an additional legal ground for such processing, or where appropriate, we apply a specific exemption.

If you apply for a job vacancy at Roche, then your personal information will be processed in accordance with our Recruitment Privacy Policy.



The following is a list of the ways that we may use your personal information, and the reason we rely on for doing so:

<b>What we use your personal information for</b>	<b>Our reasons (legal basis)</b>
Browse public pages on our website	Legitimate interest
Creating, updating or managing your online account and registering for associated products where appropriate	Legitimate interest
Registering your interest in products or services for marketing purposes	Consent (for patients/individuals) and legitimate interest for business contacts
Completing online order forms	Fulfilling a contract
Processing your order	Fulfilling a contract
Notify you of your order status and any associated order status issues	Contractual obligation
Undertake website administration and personalisation	Legitimate interest
Marketing communications (e.g. newsletters, product offers, access to new apps etc.)	Consent (for patients/individuals) and legitimate interest for business contacts
Managing internal network and data security	Legitimate interest
Logistics planning, analysis, demand forecasting, management information and research, to improve our products and services	Legitimate interest
To detect, investigate and report financial crime (e.g. fraud)	Legal obligation/legitimate interest
Provide customer services to you including processing complaints	Legitimate interest
Processing and responding to complaints received from you	Legitimate interest
Contacting you to undertake customer satisfaction surveys, invite you to review a product, invite you to enter a competition or for market research	Consent (for patients/individuals) and legitimate interest for business contacts
Inform you of service and price changes	Contractual obligation/Legitimate interest
Contacting you with product safety updates	Legal obligation/legitimate interest/contractual obligation

Internal training and monitoring purposes (call recording)	Consent (for patients/individuals) and legitimate interest (for healthcare professionals)
Credit Management	Legitimate interest/Contractual obligation
Debt recovery	Legitimate interest
Comply with legal or regulatory responsibilities	Legal obligation
Passing your personal information to a health care professional or body	Consent or for the purposes of preventive medicine, for medical diagnosis, the provision of health care or treatment
Processing of sensitive personal data for any of the above reasons	Consent or for the purposes of preventive medicine, for medical diagnosis, the provision of health care or treatment.
Passing your personal information to third parties for the purpose of troubleshooting	Legitimate interest/contractual obligation

Further information regarding the processing of personal information that we undertake can be found below, however if you have questions about, or need further information concerning, the legal basis on which we collect and use your personal information, please contact us using the contact details provided above in section 1.

a) Browse public pages on our websites

If you browse public pages on our websites, i.e. content that you can access without being logged in to an account you may have with us, we collect and process only non-sensitive information about you. In particular, we will not collect any health related information about you when you browse public pages on our websites. We will however process your personal information to the extent required to deliver the public content you request from us e.g. to format it for your browser. We will also process your personal information to meet our legitimate interests to protect the security of our website systems and to measure the audiences for the various types of content provided. To find out more how we do this, please see our Cookie and Online Processing Policy.

b) Register for and use an account

To use non-public content on our websites you will first need to create an account, and then log in to your account.

We use accounts wherever we process sensitive data such as, in particular, your health related personal information. We also use accounts wherever we process your personal information. This is because accounts allow us to better protect your personal information in access controlled systems and to establish your identity in order to obtain and manage your consents.



When you register for an account, we will collect your personal contact details as detailed above in section 3.

Within your account, Roche processes your personal information as follows:

*With your consent.* Where we process your health data (e.g. health related information about your medical status, therapy and devices used as required to be able to provide the services to you), we will obtain your explicit consent before we start the respective processing activity. You will be able to manage, change or withdraw your consents given by contacting the Roche CoaguChek Careline team on 0808 100 76 76 (UK) or 1 800 992 868 (Ireland) or by emailing [burgesshill.coaguchek@roche.com](mailto:burgesshill.coaguchek@roche.com). You may also withdraw your consent by contacting us at the address in section 1 above. You may withdraw your consent at any time, however this will not affect the lawfulness of our consent based processing before such withdrawal. If you withdraw a consent that has a service dependency, we may not be able to continue providing the service to you – we will tell you when this is the case.

Further information explaining when your data is sent to third parties and outside of the UK is detailed within clauses 6 and 7 below.

*As required for the establishment, exercise or defence of legal claims.* We may process your personal data as required to prepare or protect against legal claims; including litigation, anti-fraud measures, and technical and organisational measures to protect our networks and technology against attacks.

*Under the responsibility of a professional health care provider.* We may process your personal information to the extent necessary for the purposes of preventive medicine, for medical diagnosis, the provision of health care or treatment or the management of health care systems and services pursuant to contract with a health care professional subject to professional secrecy (such as your treating care giver at a hospital).

*For research.* We may process your personal information for scientific research purposes or statistical purposes in accordance with applicable law, provided it is proportionate to the aim pursued, respects the essence of the right to data protection and provides for suitable and specific measures to safeguard your fundamental rights and interests. As a rule, we will still ask for your consent when we would like you to participate e.g. in a study.

c) Delivery of products

Logistics: We use local and international logistics providers to fulfil your orders. The logistics providers may be able to indirectly derive your health status e.g. in case you return a product. Roche has data processing agreements in place with logistics providers to ensure that they do not use your personal information beyond what is required to perform the logistics service and to apply adequate technical and organisation measures to protect your personal information.

d) Marketing

Surveys

If you participate in one of our surveys, we will process your submitted input for research purposes. Unless otherwise stated in the respective survey, you may participate on an anonymous basis and we will not be able to relate your input to you personally but will only assess it on an aggregate basis

together with the input of others.

Surveys that rely on your personal information will be marked accordingly. You are always free not to participate.

If we want to share our research with third parties, we will anonymise your data e.g. by aggregating it with data of other customers so that nobody could reasonably identify you based on the resulting statistics.

#### Marketing communications

We will only send marketing communications to you that you have clearly expressed an interest in receiving or where we have a legitimate business reason to send it to you. If you wish to unsubscribe from emails sent by us, you may do so at any time by following the unsubscribe instructions that appear in all emails. Otherwise you can update your preferences via the Roche Preference Centre. In such circumstances, we will continue to send you service related (non-marketing) communications where necessary.

#### e) Communicate with us by telephone, e-mail, webforms or otherwise in respect of our products and services or during the purchasing of any such products

If you communicate with us by telephone, e-mail, webforms or similar, we will process your contact details and the personal information you give to us even if you do not have an account with Roche. We will process such information only to the extent required to answer your enquiry, and will delete the information when no longer required as evidence (normally three years), unless you have consented for us to use your data for other purposes, of which its purpose will be specified at time of you giving us consent.

We record calls to our customer services team, when you have consented (for patients), for quality and training purposes. We do not however record details of any financial transactions.

#### f) Provide feedback about our services and products

When we receive feedback about a product or service from an individual we create a file containing the details of the feedback, including the identity of the individual providing the feedback. It may contain health related information. We will only use the personal information we collect to process the feedback.

We will keep personal information contained in feedback files in line with our retention policy. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

#### 4. **Retention periods**

We will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this Privacy Policy, where we have a genuine business need to do so and in order to comply with our legal and regulatory obligations. The time period we retain your personal information for will differ depending on the nature of the personal information and what we do with it.

How long we keep personal information is primarily determined by our regulatory obligations. When we have no ongoing business need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

#### 5. **Security**

Roche takes appropriate technical and organisational measures to protect your personal information against accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. To ensure the confidentiality of your data, Roche uses industry standard firewalls and password protection. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential and we ask you not to share this password anyone.

#### 6. **Who receives your information**

Roche shares your personal information with your consent or as necessary in relation to the above purposes, as required by applicable laws, court orders, or government regulations e.g. for product safety reasons.

Your personal information may be shared with Roche's subsidiaries and affiliates globally e.g. for our general business administration, efficiency, responding to a complaint or security request, accuracy purposes, for the prevention and detection of fraud, or for troubleshooting/technical support.

Your personal information may also be shared with external providers and agents e.g. for IT systems operation and maintenance or to fulfil business transactions, such as providing customer services, or sending communications.

We also disclose your information to the third parties listed below for the purposes described in this Privacy Policy. This might include:

- Your relatives or, guardians (on your behalf where you are incapacitated or unable) or other people or organisations associated with you such as your lawyer
- Other third parties who assist in the administration of the provision of Roche goods/services
- Fraud detection agencies and other third parties who operate and maintain fraud detection registers
- The police and other third parties or law enforcement agencies where reasonably necessary for the prevention or detection of crime
- Our third party services providers such as IT suppliers, actuaries, auditors, lawyers, marketing agencies, document management providers and tax advisers
- Other suppliers, providers of goods and services associated with your purchase
- Financial organisations and advisers
- Central Government
- The Financial Ombudsman Service and regulatory authorities such as the Financial Conduct Authority and the Information Commissioner's Office
- Your healthcare practitioner
- Debt collection agencies
- Selected third parties in connection with any sale, transfer or disposal of our business

In all these cases, access to unencrypted data is restricted to those who have a need to know. Also,



Roche has where possible entered into data processing agreements in order to ensure that external providers and agents process the personal information only on Roche's behalf and subject to appropriate technical and organisational measures.

Roche will not sell or otherwise transfer your personal information to any third parties for their own use unless with your explicit consent.

## **7. Transfers to other countries**

We may transfer the personal information we collect about you to countries that may not have the same data protection laws as the country in which you initially provided the information e.g. to operate our systems including system maintenance, to help us fulfill business transactions and render invoices and/or to provide customer support services to you.

Some of these agents may be established outside the European Economic Area in countries that the European Commission considers to have an adequate level of protection. When we transfer your information to other countries, we will protect that information as described in this Privacy Policy. In particular, we will base such data transfers on adequate standards such as data protection clauses approved by the European Commission or the US-EU Privacy Shield, as applicable.

## **8. Your Rights and how to exercise them**

You may, in accordance with applicable data protection law, request the following from Roche:

- Right of access: request access to your personal information we process, obtain a copy of such data, and have inaccurate data rectified or completed;
- Right to rectification: to have your personal information corrected if it is inaccurate/have incomplete personal information completed
- Right to erasure: to have your personal information erased or its processing restricted (each to the extent that one of the grounds provided for by statutory law applies);
- Right to restriction of processing: to restrict processing of your personal data
- Right to data portability: to electronically move, copy or transfer your personal information in a standard form
- Right to object: to object to processing of your personal information
- Right to withdraw consent
- Rights relating to automated individual decision making, including profiling. We do not use such processes without your prior consent

You can exercise your rights by contacting us at the address above (see section 1). These choices do not apply to mandatory service communications that are part of certain Roche services.

If you do not have an account or have difficulties or other enquiries, please approach us or our Data Protection Officer using the contact details in see section 1 above.

Please note that in some cases we may not be able to comply with your request for reasons such as our own obligations to comply with other legal or regulatory requirements. However, we will always respond to any request you make and if we can't comply with your request, we will tell you why.



In some circumstances exercising some of these rights will mean we are unable to continue providing you with goods or services.

## **9. Privacy of Children**

We do not knowingly collect any personally identifiable information from anyone we know to be a child without the prior, verifiable consent of his or her legal representative and respect that children have the same rights as adults over their personal data.

## **10. Updates to Privacy Statement**

We keep this Privacy Policy under regular review and we will place any updates on this website in response to changing legal, technical or business developments. When we update this Privacy Policy, we will take appropriate measures to inform you. When we change any processing that is based on consent, we will ask you for a new consent. We encourage you to periodically review this page for the latest information on our privacy practices.

## **11. Third Party Resources**

This Privacy Policy does not apply to third party sites to which our website may link, where we do not control the content or the privacy practices of such third parties. We will tell you when you follow a link to such a third party site.