KETER EMPLOYEE DATA PROTECTION NOTICE

This Employee Data Protection Notice (the ‘Notice’) sets out what personal data we, Keter Plastic Ltd and all its affiliates, including also Curver, Jardin and other brands (“Keter”, “we”, “us”), hold about you and how we collect and use it, both whilst you are working for us and after you have left. It applies to current and former employees, workers, contractors, agency workers, consultants, interns, volunteers and directors (together referred to as ‘Employees’ or ‘you’).

We are required by Data Protection law to give you the information in this Notice. It is important that you read this Notice carefully, together with any other information that we may give you from time to time about how we collect and use your personal data. You should also read our Data Protection Policy which explains our obligations in relation to personal data and how we keep it secure.

This Notice does not form part of your contract of employment or another contract to provide service and does not give you any contractual rights, and we may update and modify this Notice at any time.

1 WHO IS THE CONTROLLER?

Keter is.

Keter is the “controller” for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal data about you.

Our Data Protection Officer is MyEDPO (privacy@keter.com, +44 203 870 3376). As Data Protection Officer, they are responsible for informing and advising us about our data protection obligations and they help monitor our compliance with these obligations. Together with your local HR manager, they also act as your first point of contact if you have any questions or concerns about data protection.

2 WHAT TYPE OF PERSONAL DATA DO WE HOLD ABOUT YOU?

Mostly information that relates to your recruitment and employment at Keter.

Personal data means any information relating to a natural person who can be identified from that data. We hold and use various types of personal data about you, including, for example: biographical details; recruitment information; details of the terms of your employment with us; pay and benefits details; working hours; performance information; details of your holidays and other leave; disciplinary, conduct and grievance matters; employee representation; health and safety; CCTV footage; business equipment, technology and systems usage information, etc.

EU data protection law divides personal data into two categories: ordinary personal data and special categories of data. Any personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, or biometric or genetic data that is used to identify an individual is known as special category data. The rest is ordinary personal data.

We hold and use various special categories data about you, including: sickness absence and medical information; details of family leave which could include or imply information about your health, religious beliefs, sexual life or sexual orientation; equal opportunities monitoring data which could include information about your race or ethnicity, religious beliefs, sexual orientation or health, biometric data and more.

3 WHY DO WE HOLD YOUR PERSONAL DATA AND ON WHAT LEGAL

GROUNDS DO WE HOLD IT?

So we can do our job and you can be paid and receive the benefits for doing yours. In legal language: for performance of contract, legal obligation and legitimate interest.

We hold and use your ordinary personal data for employment, HR and business administration purposes during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This will include, for example, management of our employment relationship with you; administration of pay and benefits; monitoring and assessment of performance; provision and regulation of holidays and other leave; addressing conduct, disciplinary and grievance issues; performance of day-to-day business activities, etc.

Data protection law specifies the legal grounds on which we can hold and use personal data. Most commonly, we rely on one or more of the following legal grounds when we process your personal data:

• Performance of contract: Where we need it to perform the contract we have entered into with you, whether this is an employment contract, a contract for services or another type of contract. This may include, for example, ensuring that we pay you correctly and that we provide your contractual holiday entitlement.

• Legal obligation: Where we need it to comply with a legal obligation. Typically, this may include legal obligations such as the obligation: to provide statutory holidays and statutory family leave and pay; to comply with limits on working time; to meet health and safety requirements; not to discriminate or dismiss Employees unfairly.

• Legitimate interest: Where it is necessary for our legitimate interests, or those of another party. This may include, for example, managing working hours to ensure effective business operations, to prevent fraud etc. We will never process your data when these legitimate interests are overridden by your interests and fundamental rights and freedoms.

We hold and use your special category data for purposes including, for example: managing absence and ensuring cover; making adjustments to your job to accommodate health conditions; facilitating the taking of family-related leave; paying sick pay, maternity, paternity, adoption or shared parental pay as applicable; monitoring equality of opportunity and diversity in our organisation, ensuring security of laptops and controlling access to our premises.

Since special category data is usually more sensitive than ordinary personal data, we need to have an additional legal ground to use and hold it. Most commonly, as well as on one of the legal grounds listed above, we rely on one or more of the following additional legal grounds when we process your special category data:

• Legal obligation, and right in relation to employment: Where we need to exercise our legal rights or carry out our legal obligations in relation to employment or social security and the processing is in line with our data protection policy.

• Public interest in monitoring equal opportunities within the workforce: Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy.

• Assessment of working capacity: Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Occasionally, we may also hold and use ordinary personal data: in the public interest for the detection or prevention of crime; or where needed to protect your vital interests or those of another person. We may also occasionally hold and use special category data: to establish, exercise or defend a legal claim; where needed to protect your interests (or someone else’s interests) where you are not capable of giving your consent; or where you have already made the information public.

Sometimes we may use your personal data for purposes that are different from or incompatible with those for which we collected it. If we do this, we will endeavor to notify you and explain our legal ground for using your data in this way, as required under data protection law.

4 HOW DO WE COLLECT YOUR PERSONAL DATA?

You provide us with most of this data. Other data is generated by you, your colleagues and your managers. We also receive information from some other sources.

You provide us with most of the personal data about you that we hold and use. Other personal data about you we hold and use is generated by you in the course of carrying out your duties. For example, when you use certain equipment such as computers, clocking-in and out systems. We also sometimes hold CCTV footage and attendance data.

Some of the personal data we hold and use about you is provided by or generated from internal sources during the course of running our business. For example, colleagues may refer to you in emails, text messages or documents and there may be peer reviews, your manager will assess your performance as part of the appraisal process and information about you may be generated as part of our business and operational planning.

Some of the personal data about you that we hold and use may come from external sources. For example: when we offered you a job, we may have collected references from previous employers; we may obtain information about you from publicly available sources such as your LinkedIn profile or other media sources; we may ask for a report from an occupational health professional if you have long-term sickness absence; customers or partners may give feedback about you; we might seek advice from a professional adviser that includes information about you.

Where necessary, we may keep information relating to your health, which could include reasons for absence and doctor reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations - to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage sick pay, and insurance.

In addition, we do not currently, but we may in the future monitor computer and telecommunication use, and attendance clocking information, in accordance with a policy which we may produce and then communicate to employees.

5 IF YOU GIVE US SOMEONE ELSE’S PERSONAL DATA

Before you give us other people’s data, let them know.

Sometimes, you might provide us with another person’s personal data – e.g. details of your emergency contact or next of kin or your beneficiaries in case of death. In such cases, we require you to inform the individual what personal data of theirs you are giving to us. You must also give them our contact details and let them know that they should contact us if they have any queries about how we will use their personal data.

6 WHO DO WE SHARE YOUR PERSONAL DATA WITH?

We share data where necessary and permissible to meet our obligations and needs.

We will only share your personal data with third parties where we have an appropriate legal ground under data protection law which permits or requires us to do so. Commonly, this could include situations where we are legally obliged to provide the information (e.g. to tax authorities), to comply with our contractual duties (e.g. to providers of your contractual benefits such as occupational pension, health insurance, etc.), or where it is necessary for our legitimate interest (e.g. to an IT service provider for maintenance of our IT systems).

We may transfer information about you to other Keter group companies and affiliates for purposes connected with your employment or the management of our business.

7 CONSEQUENCES OF NOT PROVIDING PERSONAL DATA

Without the right data, we cannot employ you and meet our obligations, to you and to others.

We only ask you to provide personal data when we have a good reason and there may, therefore, be consequences if you do not provide particular information to us.

Some of the personal data you provide to us is required by law. For example, if you do not provide your tax ID, we will not be able to make the correct tax deductions; so we can’t employ someone who won’t provide that data.

We may require you to provide other personal data, where it is necessary for us or our providers, such as pension and benefit providers, to fulfil our contractual obligations to you, or for you to fulfil your contractual obligations to us, or where our use of the data is necessary for our legitimate interests. For example, if you do not provide us with your bank account details, we cannot pay you for your work. We collect some data to stay in touch with you, to inform you of events and offers for our staff; you’re not required to receive this communication, but if we don’t process you contact details for this purpose, then you may not be up to date on these offers etc.

If you choose not to provide us with personal data requested, we will tell you about the particular implications of any such decision at the relevant time.

8 HOW LONG WILL WE KEEP YOUR PERSONAL DATA?

No longer than necessary.

We will not keep your personal data for longer than we need it for our legitimate purposes and in accordance with our data retention practices.

Your personal data will be stored for the duration of your employment, and for a period of at least seven years following the termination of your employment, unless it must be held longer for legal, regulatory, compliance or contractual reasons. It may also be held in our data backups for some time.

9 TRANSFERRING PERSONAL DATA OUTSIDE THE EEA

Data is only transferred out of the EEA when there are safeguards in place required by data protection law to ensure it will be treated as required by law.

Data protection law restricts transfers of personal data to countries outside of the European Economic Area (EEA) because the law in those countries might not provide the same level of protection to personal data as the law in the EEA. We will only transfer your data outside of the EEA or to an international organisation in limited and necessary circumstances to comply with our legal or contractual requirements. This includes, in particular, transfers to Keter Plastic Limited, the Keter parent company which is in Israel - a country deemed to provide an adequate level of data protection by the European Commission, or occasionally, entities within the Keter group and entities which will have put in place standard contractual clauses or equivalent protection affirming their adherence to GDPR, including also Privacy Shield.

10 YOUR RIGHTS

You have a number of rights in relation to your personal data. To exercise them, contact the Data Protection Officer.

Depending on a number of factors, such as whether or not GDPR applies to your data, you may have a number of legal rights relating to your personal data, which are outlined here:

• The right to make a subject access request. This enables you to receive certain information about how we use your personal data, as well as to receive a copy of it.

• The right to request that we correct incomplete or inaccurate personal data that we hold about you.

• The right to request that we delete or remove personal data that we hold about you where there is no good reason for us continuing to process it.

• The right to object to our processing your personal data where we are relying on a legitimate interest, where we cannot show a compelling reason to continue the processing

• The right to request that we restrict our processing of your personal data. This enables you to ask us to suspend the processing of personal data about you.

• The right to request that we transfer your personal data to you or to another party, in a structured format. This right applies in respect of data that you have provided where our legal ground for using the data is that it is necessary for the performance of a contract or that you have consented to us using it (this is known as the right to “data portability”).

• Note that your data is not generally processed based on consent, but based on the fulfillment of a contract between you and Company. If Keter has asked for, and you have provided, consent for the processing of your data, then you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

If you would like to exercise any of the above rights, please contact MYEDPO in writing at: privacy@keter.com. Note that these rights are not absolute and in some circumstances we may be entitled to refuse some or all of your request, for example, where requests are made in bad faith, or where they conflict with proprietary rights, privacy rights and other rights of us, our staff or third parties, or where they relate to unstructured data.

If you have any questions or concerns about how your personal data is being used by us, you can contact the Data Protection Officer, MYEDPO: privacy@keter.com. Note too that if you are in the EU, you have the right to make a complaint at any time to the Luxembourg data protection authority (our lead supervisory authority), the ‘CNPD’. Details of how to contact the CNPD can be found on their website: https://cnpd.public.lu/en/commission-nationale.html.