



SCHWETTMANN TECHNOLOGIES PVT LTD
DATA PROTECTION POLICY

Version Control

Version Number	Date	Author/Editor	Description Changes	of	Approved By	Next Date	Review
1	24.09.2024	Dillip Kumar Parida	First Version				

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1. Introduction

This policy outlines the obligations of Schwettmann Technologies Pvt. Ltd. (“the Company”) and its affiliates regarding data protection and the rights of its employees, clients, and business contacts in respect of their personal data under the EU Regulation 2016/679 General Data Protection Regulation (GDPR). It sets out the Company's overall stance on GDPR compliance and details the policies in place to protect all relevant data subjects, including staff, clients, and end users of the Company’s products and services.

Under the GDPR, “personal data” refers to any information related to an identified or identifiable natural person (a “data subject”). An identifiable natural person is someone who can be identified, directly or indirectly, through identifiers such as a name, identification number, location data, online identifier, or one or more factors specific to physical, physiological, genetic, mental, economic, cultural, or social identity.

This policy defines the Company's obligations concerning the collection, processing, transfer, storage, and disposal of personal data. All employees, contractors, and third parties working on behalf of the Company must adhere to the procedures and principles outlined in this policy.

Schwettmann Technologies is committed not only to the letter of the law but also to the spirit of the law. The Company places high importance on the lawful, correct, and fair handling of personal data, ensuring that it respects the legal rights, privacy, and trust of all individuals it interacts with.

The Company exclusively collects and stores ordinary personal data about its employees, job candidates, and occasionally customers/business partners when required by mutual contractual agreements. Schwettmann Technologies does not collect or store sensitive or confidential personal data about its customers or business partners unless absolutely necessary.

This policy applies when the Company acts as a Data Controller concerning the personal data of its employees and website visitors, meaning the Company determines the purposes and means of processing that data.

Schwettmann Technologies will not collect or store any unnecessary personal data from customers or others during regular business operations. The Company ensures that it only collects and stores sufficient personal information to provide adequate service to its customers.

2. Principles of Data Protection

This policy ensures compliance with the General Data Protection Regulation (GDPR), which establishes core principles for handling personal data. All personal data processed by Schwettmann Technologies Pvt. Ltd. must adhere to the following principles:

- Personal data must be processed lawfully, fairly, and in a transparent manner with respect to the data subject.
- Personal data must be collected for specified, explicit, and legitimate purposes, and must not be further processed in a way that is incompatible with those purposes. However, further processing for archiving in the public interest, scientific or historical research, or statistical purposes is considered compatible with the initial purposes.
- Personal data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.
- Personal data must be accurate and kept up to date where necessary. Any inaccurate data, considering the purposes for which it is processed, must be corrected or erased without delay.
- Personal data must be kept in a form that permits identification of data subjects only for as long as necessary for the purposes for which it is processed. It may be retained for longer periods only if processed solely for archiving in the public interest, scientific or historical research, or statistical purposes, with appropriate safeguards to protect the rights and freedoms of data subjects.
- Personal data must be processed securely, ensuring protection against unauthorized or unlawful processing, accidental loss, destruction, or damage by implementing appropriate technical and organizational measures.

3. Data Subject Rights

The GDPR grants data subjects the following rights, which Schwettmann Technologies Pvt. Ltd. respects and ensures compliance with:

- The right to be informed – Data subjects have the right to know how their personal data is being collected, used, and processed.
- The right of access – Data subjects can request access to the personal data held about them.
- The right to rectification – Data subjects can request corrections to any inaccurate or incomplete personal data.
- The right to erasure (also known as the 'right to be forgotten') – Data subjects can request the deletion of their personal data under certain circumstances.
- The right to restrict processing – Data subjects can request the limitation of how their personal data is processed.
- The right to data portability – Data subjects have the right to receive their personal data in a structured, commonly used format and transfer it to another controller.

- The right to object – Data subjects can object to certain types of data processing, including processing for direct marketing purposes.
- Rights related to automated decision-making and profiling – Data subjects are entitled to protections against decisions made solely by automated processing, including profiling.

4. Transparent Data Processing

The GDPR ensures that personal data is processed lawfully, fairly, and transparently, without infringing upon the rights of the data subject. Processing is considered lawful under GDPR if one of the following conditions applies:

- The data subject has provided consent for the processing of their personal data for one or more specific purposes;
- The processing is necessary for the performance of a contract to which the data subject is a party, or to take steps at the data subject's request before entering into a contract;
- The processing is required for compliance with a legal obligation to which the Data Controller is subject;
- The processing is necessary to protect the vital interests of the data subject or another natural person;
- 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
- The processing is necessary for the legitimate interests pursued by the Data Controller or a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject that require the protection of personal data.

If the personal data being processed falls under "special category data" (also known as "sensitive personal data"), such as data related to race, ethnicity, politics, religion, trade union membership, genetics, biometrics (for identification), health, sexual life, or sexual orientation, one of the following conditions must apply:

- The data subject has given explicit consent for the processing of such data for one or more specified purposes (unless prohibited by EU or EU Member State law);
- The processing is necessary to fulfill the obligations or exercise specific rights of the Data Controller or the data subject in employment, social security, or social protection law (as permitted by EU or Member State law, with appropriate safeguards in place);
- The processing is necessary to protect the vital interests of the data subject or another natural person where the data subject is physically or legally incapable of giving consent;
- The Data Controller is a foundation, association, or non-profit body with political, philosophical, religious, or trade union purposes, and the processing is done in the

course of legitimate activities, affecting only members or those in regular contact with the body, and is not disclosed outside the organization without the data subject's consent;

- The processing concerns personal data that has been clearly made public by the data subject;
- The processing is necessary for legal claims or in instances where courts are acting in their judicial capacity;
- The processing is necessary for substantial public interest, based on EU or Member State law, and is proportionate to the purpose, respecting data protection rights with appropriate safeguards;
- The processing is required for preventative or occupational medicine, assessing employee working capacity, medical diagnosis, health or social care provision, or management of health or social care services, under EU or Member State law or contract with a health professional, subject to GDPR Article 9(3) safeguards;
- The processing is necessary for public health reasons, such as protecting against cross-border health threats or ensuring quality and safety standards of health care, medicinal products, or medical devices, as permitted by EU or Member State law with measures to safeguard the rights and freedoms of data subjects, particularly with regard to professional secrecy; or
- The processing is required for archiving in the public interest, scientific or historical research, or statistical purposes, in accordance with Article 89(1) of the GDPR, with safeguards in place to protect the rights and interests of the data subject.

5. Legitimate Purposes

Schwettmann Technologies Pvt. Ltd. collects and processes personal data as outlined. This includes:

- Personal data collected directly from data subjects.
- Personal data obtained from third parties.

The Company only collects, processes, and retains personal data for the specific purposes.

Data subjects are continuously informed of the purposes for which their personal data is being used.

6. Data Retention

- Schwettmann Technologies Pvt. Ltd. will retain personal data only for as long as necessary for the purposes for which it was originally collected, held, and processed.
- Once personal data is no longer required, all reasonable steps will be taken to securely erase or dispose of it without delay.

Records will be maintained for as long as necessary to serve the business purposes of the Company. This may include requirements established by legislation, regulatory obligations, contractual commitments, or other circumstances such as litigation, government investigations, or directives from the Company's legal counsel or designee.

7. Secure Processing

Schwettmann Technologies will ensure that all personal data collected, held, and processed is kept secure and protected from unauthorized or unlawful processing, accidental loss, destruction, or damage.

8. Accountability and Record-Keeping

- The Company's Data Protection Officer can be contacted via email at dillip.parida@schwettmann.in
- The Data Protection Officer is responsible for overseeing the implementation of this policy, ensuring compliance with the Company's data protection practices, and monitoring adherence to GDPR and other applicable data protection laws.
- Schwettmann Technologies will maintain written internal records of all personal data collection, holding, and processing activities, which will include:
 - The name and details of the Company, the Data Protection Officer, and any third-party data processors involved.
 - The purposes for which the Company collects, holds, and processes personal data.
 - The categories of personal data collected, held, and processed, and the categories of data subjects associated with that data.
 - Details of any transfers of personal data to non-EEA countries, including the mechanisms and safeguards in place.
 - The retention periods for personal data (as outlined in the Company's Data Classification Matrix).
 - A detailed description of all technical and organizational measures employed by the Company to ensure data security.

9. Data Protection Impact Assessments

Schwettmann Technologies Pvt. Ltd. will conduct Data Protection Impact Assessments (DPIAs) for any new projects or new uses of personal data that involve the use of new technologies and where the processing is likely to result in a high risk to the rights and freedoms of data subjects under GDPR.

The DPIAs will be overseen by the Data Protection Officer and will address the following:

- The types of personal data that will be collected, held, and processed.

- The purpose(s) for which the personal data will be used.
- The Company's objectives for the use of personal data.
- How the personal data will be used.
- The parties (internal and/or external) that need to be consulted.
- The necessity and proportionality of the data processing in relation to the purpose(s).
- The risks posed to data subjects by the processing.
- The risks posed to and within the Company.
- Proposed measures to minimize and address any identified risks.

10. Keeping Data Subjects Informed

Schwettmann Technologies will provide the necessary information to every data subject at the time of data collection or as soon as possible when data is obtained from a third party. Specifically:

- If personal data is collected directly from data subjects, they will be informed of its purpose at the time of collection.
- If personal data is obtained from a third party, the data subjects will be informed of its purpose:
 - When the data is first used to communicate with the data subject;
 - If the data is transferred to another party, before that transfer is made;
 - Or within one month of obtaining the data, whichever is sooner.

The following information will be provided to the data subject:

- Details of the Company, including the identity of the Data Protection Officer.
- The purpose(s) for which personal data is being collected and processed, along with the legal basis for processing.
- Where applicable, the legitimate interests justifying the collection and processing of personal data.
- If the personal data is not obtained directly from the data subject, the categories of personal data being processed.
- Details of any third parties to whom personal data will be transferred.
- If personal data is transferred outside the EEA, information about the safeguards in place for the transfer.
- Data retention details.
- Information about the data subject's rights under GDPR.
- The right to withdraw consent at any time (if applicable).
- The right to lodge a complaint with the supervisory authority.

- Any legal or contractual requirements obligating the collection of data and the consequences of failing to provide it.
- Any automated decision-making or profiling involving personal data, including the logic used, the significance, and the consequences of such processes.

11. Data Subject Access

Data subjects have the right to:

- Access the personal data held by the Company about them.
- Request that inaccurate or incomplete personal data be corrected, completed, or removed.
- Request that the Company stop processing their personal data if such processing is likely to cause unwarranted damage or distress.
- Object to the processing of their personal data for direct marketing, legitimate interests, or public interest purposes. In such cases, the Company must demonstrate compelling legitimate grounds for processing, or the processing must be suspended.
- Data subjects wishing to access their personal data must submit a written data subject access request. The requested data will be provided to the individual within one month of the request, unless additional time is required due to complexity.

12. Rectification of Personal Data

- Data subjects have the right to request rectification of any inaccurate or incomplete personal data.
- Schwettmann Technologies will correct the personal data and inform the data subject of the rectification within one month of the request. For complex requests, this period may be extended by up to two months, and the data subject will be informed of the extension.
- If any inaccurate or incomplete personal data has been shared with third parties, those parties will be notified of the rectification where appropriate.

13. Erasure of Personal Data

Data subjects have the right to request that the Company erases the personal data it holds about them in the following circumstances:

- The personal data is no longer necessary for the purposes for which it was originally collected or processed.
- The data subject withdraws their consent to the processing of their personal data.
- The data subject objects to the processing of their personal data, and there is no overriding legitimate interest for the Company to continue processing.
- The personal data has been processed unlawfully.

- The personal data must be erased to comply with a legal obligation.

Unless the Company has valid grounds to refuse erasure, all requests for data erasure will be processed, and the data subject will be informed of the erasure within one month of receiving the request. This period may be extended by up to two months for complex requests, with the data subject being informed of the extension.

If the personal data to be erased has been disclosed to third parties, those parties will be informed of the erasure unless this would be impossible or require disproportionate effort.

14. Restriction of Personal Data Processing

- Data subjects may request that the Company restricts the processing of their personal data. Upon receiving such a request, the Company will only retain the amount of personal data necessary to ensure that the data is not processed further.
- If the restricted personal data has been disclosed to third parties, they will be informed of the restriction unless this would be impossible or require disproportionate effort.

15. Data Portability

- The Company processes personal data using automated means. Before implementing any new projects or uses of personal data for data portability purposes, an assessment will be carried out to ensure the data is being used for legitimate reasons.
- Where data subjects have provided consent, or where processing is required for the performance of a contract, they have the right to receive a copy of their personal data for transmission to another Data Controller.
- To facilitate data portability, the Company will make personal data available in the requested format, such as via email or other reasonable methods. If the requested method is deemed unreasonable, the Company will select a more appropriate alternative.
- Where technically feasible, personal data will be sent directly to another Data Controller if requested by the data subject.
- All requests for copies of personal data will be fulfilled within one month, with the possibility of extending the deadline by up to two months for complex or numerous requests. The data subject will be informed of any extensions.

16. Objections to Personal Data Processing

- Data subjects have the right to object to the processing of their personal data for legitimate interests, direct marketing (including profiling), and processing for historical research or statistical purposes.
- If a data subject objects to the processing of their personal data based on legitimate interests, the Company will cease processing unless it can demonstrate compelling legitimate grounds that override the data subject's rights, or the processing is necessary for legal claims.
- If a data subject objects to the processing of their personal data for direct marketing purposes, the Company will immediately cease such processing.
- If a data subject objects to processing for historical research or statistical purposes, the Company will only continue processing if it can demonstrate that the research is necessary for public interest reasons.

17. Automated Decision-Making

- The Company may use personal data in automated decision-making processes for legal compliance.
- Where such decisions have legal or similarly significant effects on data subjects, they have the right to challenge these decisions under GDPR, request human intervention, express their views, and obtain an explanation of the decision.
- The right to challenge automated decisions does not apply if:

The decision is necessary for entering into or performing a contract between the Company and the data subject.

The decision is authorized by law.

The data subject has given their explicit consent.

18. Profiling

- The Company may use personal data for profiling purposes. Before any new projects or uses of personal data for profiling, a risk assessment will be conducted to ensure that the data is being used for legitimate reasons.
- When personal data is used for profiling purposes, the following conditions will apply:
- Data subjects will be provided with clear information about the profiling, including the significance and likely consequences.
- Appropriate mathematical or statistical methods will be used.
- Technical and organizational measures will be in place to minimize the risk of errors, and any errors must be easily correctable.