

Procedure for processing personal data

1. General principles and terms

- 1.1. The procedure for processing personal data (hereinafter the **Procedure**) lays down the principles for processing personal data by Baltic Restaurants Estonia AS (hereinafter the **BRE**), obligations of BRE and rights of data subjects.
- 1.2. For the purposes of the Procedure, **personal data** are any information concerning an identified or an identifiable natural person. An **identifiable natural person** is a person that can be identified, directly or indirectly, in particular by reference to the following characteristics such as name, personal identification code, location information, network identifier or to one or more factors specific to his or her physical, physiological, genetic, mental, economic, cultural or social identity.
- 1.3. **Processing of personal data** is any operation which is performed upon personal data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, erasure or destruction.

2. Principles of processing personal data

- 2.1. Upon processing personal data, BRE observes the principle of human dignity, legitimate interests and fundamental rights of the data subject, as well as the principles of transparency and legality.
- 2.2. BRE shall process the personal data of employees working under an employment contract or authorisation agreement to organise employment. BRE shall only process the personal data of its contractual partners, employees thereof and those of service users to perform contracts. BRE shall use data for the sole purpose for which BRE collected these data and in the extent required for achieving the purpose.
- 2.3. BRE shall process personal data only under the consent of a data subject or to perform a contract one party whereof is BRE.
- 2.4. Regarding the data subject, BRE shall collect only those data that are required to duly perform a concluded contract. In case of providing services at a pre-school educational institution, the pre-school educational institution shall forward information required for performing the contract to BRE (including name and personal identification code of the child; name and personal identification code of the parent; and the number of catering days). The purpose of collecting data is to prevent submitting an invoice to a parent under the data of a wrong child.
- 2.5. BRE does not collect nor process special categories of personal data, except for cases specified in employment contract, service provision agreement or procurement contract, such as processing health records of data subjects under the consent thereof and the relevant service provision agreement. If the data subject abstains from disclosing special categories of personal data to BRE, BRE shall not be liable for the provision of relevant services (incl. food meeting health requirements). If personal data, incl. the special categories thereof, are collected and forwarded by an educational institution (incl. nursery school or school), BRE is not liable for compliance with requirements for processing data by the educational institution, and any complaints shall be filed with the educational institution.

- 2.6.** Every data subject can read the procedure of BRE for processing personal data at <http://www.balticrest.com/eesti/ee/>. The data subject has the right to consult the person specified in clause 2.7 of the Procedure regarding issues related to processing personal data.
- 2.7.** BRE has appointed the Personnel Business Manager as the Controller. Contact details: phone +372 53855373, e-mail personal.est@balticrest.com.

3. Rights and obligations of the data subject

- 3.1.** The data subject has the right to obtain information regarding personal data collected in relation thereto. In case of incorrect data, the data subject has the right to request the alteration and/or rectification thereof. After the rectification of data, incorrect data shall be erased or destroyed.
- 3.2.** In order to access and/or rectify data, the data subject shall consult the person specified in clause 2.7 of the Procedure. The person specified in clause 2.7 of the Procedure shall issue the information specified in the application of a data subject within 14 days at the latest. If the application of a data subject cannot be satisfied within 14 days due to volume of data or number of requests, the processor of personal data shall notify the data subject thereof and specify the expected response data in the notification.
- 3.3.** If a data subject has a doubt as to the purposefulness of processing the personal data thereof, he or she may consult the processor of data authorised by BRE for detailed explanations.
- 3.4.** The processor of personal data has the right to refuse issuing data, if issuing data would affect the rights of other persons or if it would hinder crime prevention or conducting a criminal procedure.

4. Rights and obligations of the Controller

- 4.1.** BRE is obligated to comply with the purposes for processing personal data defined in the Procedure, and to process personal data only in compliance with the defined purposes.
- 4.2.** The processor of personal data is obligated to keep secret the data that has become known thereto within performing professional duties. The obligation of professional secrecy will remain in force without a term also after the termination of employment.
- 4.3.** The processor of personal data is obligated to remain informed of the applied legal acts and amendments to the law. If necessary, the data processes is obligated to participate at the training course for ensuring protection of personal data organised by BRE.
- 4.4.** BRE is obligated to ensure the integrity and preservation of data and to restrict the unauthorised access to data by third persons.
- 4.5.** BRE may forward personal data to third persons, if it is necessary to perform concluded contracts (e.g., to persons providing legal aid services, auditing services or collection services) or if the obligation arises from the law (e.g., bailiffs etc.).

- 4.6. If a data subject suspects that BRE has violated the rights or obligations arising from the law upon processing the personal data thereof, the data subject may contact the Data Protection Inspectorate or the court.
- 4.7. If the Data Protection Inspectorate or the court has identified a violation of rights of the data subjects upon processing personal data, the data subject has the right to demand compensation for damages caused thereto by the violation.

5. Safety measures for protecting personal data

- 5.1. In order to ensure the integrity, confidentiality and availability of personal data, BRE applies safety measures with the purpose of protecting the data from accidental or intentional alteration, loss or destruction or unauthorised access.
- 5.2. The purpose of safety measures applied by BRE is to prevent potential damage of data and to mitigate identified risks.
- 5.3. Documents containing special categories of personal data shall be stored in paper form in lockers or electronically in a server with access limited to the processor of personal data.

6. Retention and destruction of personal data

- 6.1. BRE shall retain data disclosed to BRE as a result of performing procurement contracts (incl. special categories of personal data) within the term of the procurement contract and for a maximum of 5 years after the expiry of the procurement contract (except for children's health records that shall be destroyed at the end of school year).
- 6.2. After the term for retaining personal data has passed, the data shall be destroyed.

7. Alteration and application of the Procedure

- 7.1. BRE has the right to alter the Procedure unilaterally in compliance with the law and relevant legal acts valid at the time of alteration.
- 7.2. BRE shall notify data subjects of the altered Procedure by publishing the Procedure on its website. Notifying data subjects of altering the Procedure beforehand is not required, if the alteration arises from amendments to legal acts.
- 7.3. Upon processing personal data, BRE shall adhere to the Procedure. Personal data collected before establishing the Procedure shall be subject to the Procedure.

PROCEDURE FOR PROCESSING PERSONAL DATA
ANNEX 1

Handling of children's health records

Purpose: to establish cross-company rules of procedure to ensure the secure processing of children's health records

Collection of health records

The grounds for preparing special food include a doctor's notice and a parent's application. The parent shall notify the health care worker of the educational institution of the health status of their child by the beginning of every school year and submit a doctor's notice proving the need for consuming special food.

A representative of the educational institution shall notify the branch manager of BRE (hereinafter the Manager) in writing, attaching a copy of the doctor's notice as well as the parent's contact details (for emergency contact).

Transfer of health records

The Manager shall transfer special food orders to the manufacturer and distributor of food in person based on special portions without specifying the child. In addition, the Manager ensures that sensitive personal data are only used professionally and are not disclosed to unauthorised persons.

The Manager shall notify replacements as well, if necessary. The food shall be labelled with the child's name (in branches with delivery service) or distributed to the child on demand.

The parent is obligated to notify the educational institution of absence and return of the child and the educational institution shall promptly forward the information to the caterer (no later than at 9 a.m.). In case of failure to notify, the daily fee shall be collected. The caterer has the right to stop preparing special food for a child whose absence has not been reported starting from the 4th absence.

Retention and destruction of health records

The Manager shall retain information regarding a child's health records electronically until the end of a school year. At the end of a school year, the Manager shall delete the e-mail from his or her computer. If the need to prepare special food stops during a school year, the health care worker of the educational institution shall notify the Manager thereof in writing and the data shall be erased and preparing special food shall be stopped immediately.