

# Beta Glass Plc

## Confidentiality of Information Policy

Policy Number:

Review Number (New document)

Responsible Person:

Approved by the Board on: 24<sup>th</sup> day of March, 2022

### 1. Introduction

1.1 The Company recognises that proper use of Confidential Information is critical to protecting the Company's business prospects, assets and stakeholders. Therefore, the Company has taken steps to ensure that Confidential Information relating to the Company and its various stakeholders, is not divulged or disclosed without due authorisation by the appropriate authority or as required by law.

1.2 This Policy sets out how the Company expects its employees (including temporary employees), directors, volunteers and third parties who are in established relationships with the Company (hereinafter collectively referred to as "Relevant Persons"), to treat Confidential Information.

### 2. Purpose

2.1 The purpose of the Confidentiality of Information Policy is to ensure that all Relevant Persons understand the Company's requirements concerning the use and disclosure of personal data and confidential information.

### 3. Confidential Information

3.1 "Confidential Information" means all and any information concerning the Company's employees, business and finances, including without limitation, technical procedures and intellectual property rights, its customers, clients and supplier lists, including details of prospective clients; its dealings, transactions and affairs; its products and services, contact details of clients, customers and suppliers; unpublished financial information, financial projections, targets and accounts; pricing policies and pricing statistics; commercial activities, product development and plans; and similar

information concerning the Company's clients, customers and suppliers, all of which information is acknowledged to be:

- Confidential to the Company;
- Commercially sensitive in the Company's market;
- Potentially damaging to the Company's financial stability and/ or reputation if disclosed to a third party; and
- Any other information designated as confidential by appropriate authorities of the company.

#### **4. Applicability and Scope of this Policy**

4.1 This Policy applies to all Relevant Persons (as defined in clause 1 above)

4.2 The Company recognizes that during the Relevant Persons' engagement with the Company, they will have access to and be entrusted with Confidential Information.

4.3 To the extent that the Company engages a third-party vendor to provide services, which include hosting or processing any information classified as the Company's Confidential Information, the Company and representatives from the third party must review the vendor's process and controls against the standards of this Policy.

#### **5. Policy Statement & Obligations of Employees**

5.1 The Relevant Persons shall not, during the period of their engagement with the Company, except in the proper course of their duties, and shall not at any time and in any circumstances after the termination of their relationship with the Company except with the prior written consent of the Company, for their benefit or for the benefit of any other person, firm or company (other than the Company), use or divulge or disclose any Confidential Information.

5.2 The Relevant Persons shall not during the continuation of their engagement with the Company, make (other than for the Company's benefit) memoranda, tape recordings, films, photographs, plans, drawings or any other form of record including, without limitation, copies (whether electronic or otherwise) of any matter which is confidential to the Company or its clients or concerning any of its dealings or affairs. Any record made by the Relevant Person as aforesaid shall be and remain the Company's property and shall be handed over by the Relevant Person to the

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Company as it may require, on demand and in any event, not later than the date of termination of the Relevant Person's engagement with the Company.

In particular, the Relevant Person shall not create or print any client or customer list or any other document (other than in the proper performance of the Relevant Person's duties) and any such list must not be removed from the Company's premises at any time and for any reason.

5.3 During the continuance of the Relevant Person's engagement with the Company, the Relevant Person or its or his/her representative should use his or her best endeavours to prevent the divulgence or disclosure by third parties of the Confidential Information.

5.4 Confidential information should be locked or secured at all times. It should not be taken outside the Company's premises.

5.5 Confidential information should not be used for personal profit or benefit.

5.6 Confidential information must not be replicated and stored on insecure devices.

5.7 Any breach of this Policy is likely to constitute a serious disciplinary, contractual and criminal matter for the Relevant Person concerned. This could constitute gross misconduct for which an offending Relevant Person may be dismissed or sanctioned with due process and notice.

## **6. Know-how**

6.1 The Relevant Persons acknowledge:

- (a) That the disclosure, at any time during their engagement with the Company or following the termination of their engagement or relationship with the Company, of information, knowledge, data, trade secrets, inventions, programmes and other matters concerning the Company's business whether in existence before their engagement or created during their engagement or relationship with the Company and which touches on the Company (hereinafter referred to as the "know-how") to any third party, places the Company at a serious competitive disadvantage and would cause immeasurable financial and other damage to the Company.

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- (b) That in the course of their employment or relationship with the Company, they have access to the know-how and may (whether alone or with any other person or persons) have created the know-how which relates either directly or indirectly to the Company's business.

## **7. Copyright / Intellectual property**

7.1 The copyright and any other intellectual property rights in all works of whatever nature written, originated, conceived or made by the Relevant Persons during their employment or engagement with the Company hereunder (the "Works") shall belong to and vest in the Company and insofar as not effected by virtue of the Relevant Person's employment or relationship with the Company, the Relevant Person shall not disclose Confidential Information relating to these.

7.2 Any and all discoveries, designs, inventions, secret processes or improvements in procedures, systems, equipment or services made, developed, worked upon, written or discovered by the Relevant Person during his or her employment or relationship with the Company and in the course of work for the Company or in partnership with the Company, shall immediately be disclosed to the Managing Director of the Company, and shall not be disclosed to any other person or entity except as may be authorised in writing by the Managing Director.

## **8. Statutory and Legislative Requirements**

8.1 The Company will monitor this Policy to ensure it meets statutory and legal requirements.

## **9. Records**

9.1 All confidential records shall be kept in locked filing cabinets or other secured devices. All information relating to service users will be left in locked drawers or other secured devices. This includes notebooks, copies of correspondence and any other sources of information.



## 10. Disclosure of Confidential Information and Breaches of Confidentiality

10.1 The Company recognises that occasions may arise where Relevant Persons feel they need to disclose confidential information. Confidential or sensitive information relating to an individual or an entity may be divulged where there is a risk of danger to the individual or the entity, or the public at large, or where it is against the law to withhold it. In these circumstances, information may be divulged to external agencies e.g. police or social services on a need to know basis, in due consultation with the Board and legal advisor of the Company.

10.2 Where a Relevant Person feels confidential information has to be divulged, the following steps will be taken:

- The Relevant Person should raise the matter immediately with his or her Line Manager or the Manager responsible for the activities of the Relevant Person.
- The Relevant Person must discuss with the Line Manager or the Manager responsible for the activities of the Relevant Person, the issues involved in the case and explain why he or she feels confidentiality should be breached and what would be achieved by breaching confidentiality. The Line Manager or the Manager responsible for the activities of the Relevant Person, should take a written note of the discussion.
- The Line Manager or the Manager responsible for the activities of the Relevant Person is responsible for discussing with the Relevant Person what options are available in each set of circumstances.
- The Line Manager or the Manager responsible for the activities of the Relevant Person is responsible for making a decision on whether confidentiality should be breached. If the Line Manager or the Manager responsible for the activities of the Relevant Person decides that confidentiality is to be breached, then he or she should take the following actions:
  - ✓ The Line Manager or the Manager responsible for the activities of the Relevant Person should contact the Managing Director and Chief Financial Officer (CFO), who should be briefed on the full facts of the case, ensuring they do not breach confidentiality in doing so. The Managing Director and CFO need to evaluate the situation and take legal advice.



- ✓ If the Managing Director and CFO agree to breach of confidentiality, a full written report on the case should be made and any action agreed should be undertaken.
- ✓ If the Managing Director and CFO do not agree to breach of confidentiality, then this is the final decision of the Company. However, in order to be legally certain of the decision not to breach confidentiality, suitable legal advice is to be taken to ensure the decision is appropriate and legally sustainable.

## **11. Questions on the provisions of this Confidentiality of Information Policy**

11.1 If any Relevant Person is uncertain of the appropriate classification, he should assume it is the Company's Confidential Information. The Relevant Person may contact the Company Secretary, the Compliance Officer or CFO of the Company if he or she has additional questions regarding the classification process or the classification of particular information.

## **12. Sharing of Confidential Information**

12.1 Confidential: Information sensitive to the Company or a third party (e.g., a customer) should only be shared with individuals on a "need to know" basis, meaning the individual needs access to the information to perform his or her assigned job functions.

12.2 Improper loss, corruption or disclosure of the information could significantly harm or adversely impact the Company, its customers, employees and other stakeholders or could result in a breach of the Company's legal obligations. It is expected that the bulk of the Company's information will be classified as Confidential and the security measures required will vary based on the sensitivity of the content of the information.

## **13. Disposal of Confidential Information**

13.1 Any disposal of the Company's Confidential Information must be done in accordance with the retention requirements set by the Company and the legal requirements thereon.



## 14. Social Media

14.1 Relevant Persons are not permitted to reveal or disclose Confidential Information on any social networking site. Relevant Persons must be aware that this includes taking and posting photographs of a confidential nature.

## 15. Telephone

15.1 Confidential Information should not be given over the telephone except in situations of emergency, provided that due approval or authorisation is obtained from the Managing Director or the CFO through the Relevant Person's Line Manager or the Manager responsible for the activities of the Relevant Person or relevant Executive Director. Where smartphones or apps on smartphones are used in storing information, these should be protected with a passcode and the information within them should be treated as Confidential Information.

## 16. Oversight, Communication & Review of this Policy

16.1 This Policy is subject to the oversight of the Company's Board Secretariat or Compliance Department.

16.2 This Policy will be communicated to staff via the Employee Handbook, during induction, and at staff meetings and copies shall be given to all Relevant Persons.

16.3 Relevant Persons may be required to execute periodic certifications of compliance with this Policy, as well as attend any required educational programmes associated with this Policy.

16.4 This Policy is subject to review on an "as needed basis"

## 17. Approval of this Policy

The Board of Directors of Beta Glass PLC approved this Policy on this 24<sup>th</sup> day of March, 2022

  
Chairman

  
Secretary