KAEFER UK & Ireland

Procedure 109 External Privacy Notice

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1 INTRODUCTION....4
2 WHO IS THE CONTROLLER OF YOUR PERSONAL DATA?....4
3 WHAT DATA DO WE COLLECT ABOUT YOU, WHY AND HOW WE USE IT....4
4 WHAT HAPPENS IF YOU DO NOT PROVIDE US WITH YOUR PERSONAL DATA?....10
5 WHO HAS ACCESS TO THE DATA AND WHO IS THE DATA SHARED WITH?....10
6 DATA SECURITY....11
7 HOW LONG DO WE KEEP YOUR PERSONAL DATA?....11
8 WEBSITE SPECIFIC PROVISIONS....11
9 YOUR INFORMATION AND YOUR RIGHTS....12
10 DATA PROTECTION OFFICER....13
11 CONTACT DETAILS & COMPLAINTS....13
12 CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES....13

1 INTRODUCTION

1.1 KAEFER takes your privacy very seriously. This privacy statement contains important information on who we are and how and why we collect, store, use and share any information relating to you (your personal data). It also explains your rights in relation to your personal data and how to contact us or a relevant regulator in the event you have a complaint.

1.2 In the course of interactions with you, we will collect personal data about you. This policy applies no matter how we have collected your personal data, including via visiting our website, visiting any of our offices or sites on which we operate, when you carry out operations on sites alongside or for KAEFER, via our CCTV, dashcam or monitoring systems, via social media, via telephone or meetings, in any of our dealings with you or where any third party processes your personal data on our behalf.

1.3 This privacy notice sets out:

- Who is the controller of your personal data.
- What personal data we collect, why and how we use it and where we collect your personal data from.
- What happens if you do not provide us with your personal data.
- Who has access to the data and who is the data shared with.
- Data security.
- How long we will keep your personal data.
- Website specific provisions.

1.4 Your rights regarding your personal data processing. It is important that you read this notice together with any other privacy notice(s) we may provide so that you are fully aware of how and why we are using your personal data. This notice supplements all other privacy notices provided by us and is not intended to override them.

2 WHO IS THE CONTROLLER OF YOUR PERSONAL DATA?

For the purposes of this privacy notice, KAEFER Limited (company registration number 03132937) of Liveworks Building, 55-57 Quayside, Newcastle upon Tyne, NE3 1DE is the data controller (referred to as ‘’KAEFER UK’’, ‘’KAEFER’’, ‘’Us’’ or ‘’We’’) and as such, is the legal entity responsible for any personal data you provide.

3 WHAT DATA DO WE COLLECT ABOUT YOU, WHY AND HOW WE USE IT

3.1 Personal data, or personal information, means any information relating to an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3.2 The table below sets out the type of personal data we collect, the purpose for which we collect and process it and the source of the personal data.

3.3 We may also collect, use, and share aggregated data such as statistical or demographic data for any purpose. Aggregated data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your website usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

3.4 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original

purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at LegalUK@kaefer.com.

3.5 Special category personal data

Special category personal data is any data about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric identification data. We may collect and hold special category data about you if you provide it so we can make any helpful or necessary changes to best accommodate you at our offices or sites, such as health and accessibility needs or dietary information.

We may also process special category data where this is necessary for the establishment, exercise or defence of legal claims. For example (but not limited to) health information may be processed as part of the investigation and/or claim arising from an injury and trade union membership may be processed if we are contacted by a trade union on your behalf in relation to a legal claim.

3.6 Criminal convictions and offences data

Criminal convictions and offences data is any personal data relating to criminal convictions and offences or related security measures. We may be required to collect data relating to criminal convictions and offences, including alleged offences, for the purposes of legal proceedings and/or insurance claims, to comply with our legal obligations or if required by law enforcement agencies or regulatory bodies.

Figure 1 –Table

Category and type of personal data	Purpose of processing	Source of personal data	Lawful basis for processing
Contact Data & Identity Data including name, email addresses, postal addresses and telephone numbers.	To provide, maintain, and improve our services. Notify you about changes to our services. Analyse use of our services and monitor usage of our services or website. To contact you about our services. To contact you in connection with any interaction with us, including customer support, enquiries or complaints.	Directly from interactions with you Through your use of our website or social media.	Legitimate business interests of KAEFER to maintain positive relationships with customers and administer and comply with customer contracts.
Contact Data & Identity Data including name, email addresses, postal addresses and telephone numbers.	To contact you in the administration and delivery of contracts entered into between KAEFER and your employer.	From you and/or from your employer or a third party (for example for the purposes of performing a contract between KAEFER and your employer).	Legitimate interests of KAEFER to maintain positive relationships with customers and administer and comply with customer contracts.
Contact Data & Identity Data including name, email addresses, postal addresses and telephone numbers.	Where your details have been provided as an emergency contact for a KAEFER employee, we will use your details to make contact with you in the event of an emergency concerning the employee. Such details may be shared with third parties on the relevant work site.	Emergency contact/next of kin details provided by KAEFER employees.	Legitimate interests of KAEFER to promote safety and wellbeing of employees and to administer relevant benefits.

	Where your details have been provided as next of kin for provision of benefits of a KAEFER employee, your details will be used only for the purposes of administering the relevant benefit.		
Special category data Disability status, accessibility requirements or dietary information.	To best accommodate you at our offices or sites, and accommodate any specific dietary requirements when attending our offices or sites or any events hosted by us.	This information will usually be provided directly from you.	Legal obligations to ensure we do not discriminate against people with disability needs or accessibility requirements. Legitimate interests of KAEFER to provide a safe environment and ensure any allergies etc. are catered for.
Special category data Health information including details of any injuries you may have suffered.	To the extent necessary for the purposes of legal proceedings and/or insurance claims or to comply with our legal obligations. For example (but not limited to) health information may be processed as part of the investigation and/or claim arising from an injury. To comply with our legal obligations or if required by law enforcement agencies or regulatory bodies.	From you or those acting on your behalf (e.g. solicitors, medical professionals or insurers) or your employer.	Legitimate interests of KAEFER to defend investigate and establish legal and/or insurance claims; to cooperate with investigations by regulatory bodies such as the Health & Safety Executive, Police or Office for Nuclear Regulation. To comply with legal obligations if required to comply with investigations from regulatory bodies.
Special category data Trade Union membership	If contacted by your trade union acting on your behalf. If you contact us and tell us you are a member of a trade union.	This information will be provided by you, by your trade union or by persons on whose behalf you are acting.	Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment law.
Criminal conviction data	For contract administration purposes where we are required under contracts with our	This information may be provided by you or by a third party record checking service such as Disclosure and Barring Service,	Legitimate interests of KAEFER and its customer to administer the commercial agreement.

	customers to provide criminal record information For the purposes of legal proceedings and/or insurance claims To comply with our legal obligations or if required by law enforcement agencies or regulatory bodies.	Disclosure Scotland or by any third party agency appointed by us or our customers to carry out criminal records checks.	Legitimate interests of KAEFER to defend investigate and establish legal and/or insurance claims. Legal obligations if required to assist law enforcement agencies or regulatory bodies.
Financial Information including your bank details (account name, sort code and account number).	To process payments to you. To invoice for services provided to you.	Directly from interactions with you. From credit reference agencies.	Legitimate business interests of KAEFER to maintain positive relationships with customers and administer and comply with customer contracts.
Record of correspondence including details of contractual transactions you or your employer has made with KAEFER and witness statements you may have given concerning KAEFER or any of its personnel or former personnel.	To provide services and fulfil contractual obligations. To defend or take legal action or claims.	Directly from interactions with you. Through your use of our website or social media. From your employer or a third party (for example information provided to us in the course of performing a commercial contract).	Legitimate business interests of KAEFER to maintain positive relationships with customers and administer and comply with customer contracts. Legitimate interests of KAEFER to defend investigate and establish legal and/or insurance claims.
Product or service use including data related to your use of our services (including feedback).	To provide and improve provision of our services.	Directly from interactions with you and indirectly via our own systems or your use of our services.	Legitimate interests of KAEFER as a provider of services to ensure our business is run effectively and that we can continue to grow our business.
Technical Data including information about your device, your usage of our website, internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser	To provide, maintain, and improve our services and use of our website. To analyse and monitor the use of	Indirectly from your use of our website or social media.	Legitimate interests of KAEFER to improve our website, products and services.

plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.	our website and usage patterns. To ensure, so far as possible, the error free provision and security of our website.		
Usage Data including information about how you use our website, products, and services.	To provide and improve the provision of our services. To analyse and monitor the use of our website.	Indirectly via our own systems.	Legitimate interests of KAEFER to improve our website, products and services.
Marketing and Communications Data including your preferences in receiving marketing from us and our third parties, and your communication preferences.	To send you appropriate marketing communications.	Directly from interactions with you.	Legitimate interests of KAEFER to promote our services to contribute to the success of our business.
Audio visual including CCTV footage which may capture images of you when you visit any of our offices or sites, including vehicle registration plate, photos, videos and voice recordings of you.	For the purposes of the prevention, investigation and detection of crime. For purposes of ensuring a safe working environment. For the defence and investigation of legal or insurance claims.	Via our own systems and those of third parties (for example CCTV provided by customers on whose sites KAEFER operates).	To comply with our legal obligation to provide a safe place to work and protect the health adn safety of visitors to our premises. For safety and crime prevention purposes and the defence, investigation and establishment of legal and/or insurance claims.
Any other personal data **you choose to share with** us in our interactions with you.	For purposes specified at the time of request.	Directly from interactions with you.	Legitimate interests to record and respond to information provided to maintain positive relationships with customers, clients, suppliers and other contacts.

4 WHAT HAPPENS IF YOU DO NOT PROVIDE US WITH YOUR PERSONAL DATA?

4.1 Where we need to collect personal data because:

- we are complying with a legal or regulatory obligation or
- we need it under the terms of contract we have with you, or
- the information is necessary to enter into a contract with you, and you fail to provide that personal data when requested,

we may not be able to perform the contract we have or are trying to enter into with you or we may not be able to provide or continue providing services to you. In this case, we may have to decline to provide the service to you or enter into a contract with you, but we will notify you if this is the case at the time.

5 WHO HAS ACCESS TO THE DATA AND WHO IS THE DATA SHARED WITH?

5.1 Our company personnel (including employees, consultants, agency workers and contractors) and our group companies who need access to the personal data will be able to access the data. They will only be permitted to use it for the purposes stated in this privacy notice.

5.2 We may also need to share some of the personal data with other parties such as:

- third-party service providers including providers of the following services to us:
  - fleet management and driving licence compliance checks;
  - dashcam and vehicle tracking;
  - right to work and sanctions checks;
  - inventory, work programming and time sheet management solutions;
  - drug and alcohol testing and health surveillance/occupational health assessments;
  - recruitment services;
  - HR and payroll solutions;
  - benefits providers;
  - training providers or accreditation bodies;
  - data storage or hosting providers;
- professional advisers including our solicitors, accountants, auditors, insurers, external consultants, surveyors;
- external training providers;
- our customers;
- potential purchasers of some of all of the KAEFER or KAEFER Group business or on a re-structuring of any part of KAEFER or any part of the KAEFER Group;
- our central IT team based in Germany which provides centralised IT services to the KAEFER Group together with their third party sub-processors;
- your personal data may also be used within our internal KAEFER AI Chatbot.

5.3 In some circumstances we may be under a duty to disclose or share your personal data to comply with a legal obligation (for example to the police, the courts, HM Revenue and Customs or any relevant regulatory body), or in order to enforce or apply our terms of business and other agreements.

5.4 We will only disclose your personal data to third parties where required by law, where we have a legitimate interest in making such disclosure or to those third parties who require such information to perform services for us such as third-party service providers who provide services to us or on our behalf.

5.5 These third-party service providers may be located outside of the UK or the EEA or your data may be processed by staff operating outside the UK or EEA who work for us or for one of our suppliers. We will

ensure that the recipient of the data will be bound by confidentiality obligations and obligations to keep the information secure and not use it for any purpose other than that for which it was disclosed.

5.6 We may also disclose your personal data to other members of our group of companies (including outside of your home jurisdiction) for the purposes of regular reporting activities to other members of our group of companies.

5.7 We may share data with organisations with which we are working jointly, for example (but not limited to), to organise co-hosted events, charity fundraising events other initiatives.

5.8 Whenever we transfer your personal data out of the European Economic Area (EEA) and United Kingdom (UK), we ensure that a similar degree of protection is afforded to it as it would be the case if the data was processed or held in the EEA or the UK by KAEFER. When transferring your personal data outside the EEA or the UK, KAEFER ensures that it:

- only transfers your personal data to countries that have been deemed to provide an adequate level of protection for personal data;
- where we use service providers, we ensure that appropriate contractual clauses are included in the contract with the supplier to safeguard the transfer of your personal data to third countries.

5.9 Please contact the Legal team via LegalUK@kaefer.com if you have any concerns or would like further information on the recipients of your personal data as set out above.

6 DATA SECURITY

6.1 We hold Cyber Essentials Plus accreditation.

6.2 We have appropriate security measures in place to prevent your personal data from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your data will do so only in an authorised manner and are subject to a duty of confidentiality.

6.3 We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

6.4 Transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security or integrity of your data transmitted to our website and you acknowledge that any transmission is at your own risk.

7 HOW LONG DO WE KEEP YOUR PERSONAL DATA?

Your personal information will stay with us until the reason it was acquired no longer applies, unless a longer retention period has been specified. Unless we have other legally permissible reasons to store your personal data (like tax or commercial law retention periods), your data will be deleted if you make a valid request for deletion or withdraw your consent to data processing. In the latter case, the deletion will take place after these reasons stop being valid.

8 WEBSITE SPECIFIC PROVISIONS

8.1 Use Of Website Images

The data and photos displayed on the KAEFER website are for your information only. Further distribution or use of the contents by you is not permitted. We ask for your compliance. This applies particularly to all personal data mentioned there including photographs of any persons (individual or group photos).

8.2 Third Party Links

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

8.3 Cookies

Our websites and pages use what the industry refers to as “cookies.” Cookies are small data packages that do not cause any damage to your device. They are either stored temporarily for the duration of a session (session cookies) or they are permanently archived on your device (permanent cookies). Our cookies procedure can be accessed via our website.

9 YOUR INFORMATION AND YOUR RIGHTS

9.1 Right of access

You have the right to request access to your personal data at any time. This enables you to receive a copy of the personal data we hold about you and to check we are lawfully processing it.

9.2 Right to rectification

You have the right to have your personal data rectified free of charge. This enables you to have any incomplete, outdated or inaccurate personal data corrected.

9.3 Right to erasure

You have the right to request to have your personal data deleted or put beyond use (where our systems do not allow deletion) so we cannot identify you. This enables you to ask us to delete personal data where there is no good reason for us continuing to process it, for example where you have withdrawn your consent for the processing of your personal data and KAEFER was relying on your consent to process it, you have objected to the processing, the processing of your personal data by KAEFER is unlawful or the personal data must be erased for KAEFER to comply with its legal obligations. Note, however we may be compelled to maintain certain of your information due to specific legislative or regulatory requirements.

9.4 Right to withdraw consent

Where we have processed your data on the basis of your consent, you have the right to revoke this consent at any time, which shall affect all future data processing. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you.

9.5 Right to restrict processing

You have the right to demand that the processing of your data be restricted under certain circumstances. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) where you want us to establish the accuracy of the personal data; (b) where our use of the personal data is unlawful but you do not want us to erase it; (c) where you need us to hold the personal data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) where you have objected to our use of your personal data but we need to verify whether we have overriding legitimate grounds to use it.

9.6 Right to data portability

You have the right to request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

9.7 Rights in relation to automated decisions

You have the right not be subject to a decision which is solely based on automated processing that has a legal or similar significant effect on you;

9.8 Right to object

You have the right to object to the processing of your personal data. This enables you to object to the processing of your personal data where we rely on our legitimate interest(s) (or that/those of a third party) and you object to processing on this ground as you feel the processing impacts your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

You also have the absolute right to object where we are processing your personal data for direct marketing purposes.

9.9 Exercising your rights

Before we can process any request to exercise any of the rights above, we may need information from you to help us confirm your identity. This is a security measure to ensure that rights are being exercised by the correct person and to ensure that personal data is not disclosed to, erased by or altered by any person who has no right to do so.

If you wish to exercise any of the above rights, simply send an email to legaluk@kaefer.com. We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex, or you have made a number of requests. In this case, we will notify you and keep you updated.

For more information on the rights set out above and when they apply, please contact us at legaluk@kaefer.com or see the guidance from the UK Information Commissioner on individuals' rights available at: https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/.

10 DATA PROTECTION OFFICER

Our data protection officer is HelloDPO Law Ltd (company number 11210309) whose registered office is at 23 Cottingham Way, Thrapston, Northamptonshire, NN14 4PL.

11 CONTACT DETAILS & COMPLAINTS

11.1 If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us by email at legaluk@kaefer.com or by post using the details set out below.

Head of Legal

KAEFER Limited, Liveworks Building 55-57 Quayside, Newcastle upon Tyne, NE1 3DE.

Tel: 0191 428 7200

11.2 If you have a complaint relating to data protection or the processing of your personal data please visit the Data Protection section of our website Data Protection Complaints | KAEFER UK & Ireland which tells you how to submit your complaint.

11.3 If we are not able to resolve your complaint you can also make a complaint to the Information Commissioner's Office ("**ICO**"), (or its successor body) the UK regulator for data protection issues (www.ico.org.uk) or the Data protection Commission, the supervisory authority for data protection issues in the Republic of Ireland (www.dataprotection.ie). We would, however, appreciate the chance to deal with your concerns before you approach the ICO or the Data Protection Commission so, please contact us in the first instance.

12 CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

We keep our privacy notice under regular review. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.