



### **What is the purpose of this document?**

APA Concrete Repairs Ltd, Black Brook Way, Greetland, Halifax, HX4 8ED referred to as the Company.

The Company is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. It makes you aware of how and why your personal data will be used. It provides you with certain information that must be provided under the General Data Protection Regulation (GDPR).

APA is committed to:

- complying with both the law and good practice
- protecting the privacy and security of your personal information
- respecting individuals' rights
- being open and honest with individuals whose data is held
- providing training and support for workers who handle personal data, so that they can act confidently and consistently
- Notifying the Information Commissioner voluntarily, even if this is not required

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **How we use your information**

This notice applies to:

1. Clients
2. Suppliers
3. Employment candidates
4. People who contact us

This notice will inform each of the above categories, later in this notice of:

The kind of information we hold about you, how is your personal information collected, how we will use information about you, situations in which we will use your personal information, if you fail to provide personal information, change of purpose, how we use particularly sensitive personal information, information about criminal convictions, additional data sharing information.



### **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data sharing**

We may have to share your data with third parties including third-party service providers and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

We will transfer the personal information we collect about you to the following country outside the EU, the USA, in order to perform our contract with you. There is an adequacy decision by the European Commission in respect of that country. This means that the country to which we transfer your data is deemed to provide an adequate level of protection for your personal information.

"Third parties" includes our Clients, Suppliers, third-party service providers (including our contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: Finance, Employment Law, Accounting, H & Safety Advisors and IT services.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Data security**

We have put in place measures to protect the security of your information. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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



## Data retention

### How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

## Rights of access, correction, erasure, and restriction

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact:

[info@apaconcreterepairs.co.uk](mailto:info@apaconcreterepairs.co.uk) in writing.



## Complaints

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

## 1. Clients

### 1.1 The kind of information we hold about you

In connection with you working with us, we will collect, store, and use the following categories of personal information about you:

Your name  
Your company details  
Your email address  
Your location  
Your job title  
Site Photos that you may be in

In connection with you working with us, we may collect, store, and use the following categories of personal information about you:

ID's  
Records required to enable us to supply services (including tender and works information, contract that you deem relevant that may contain personal information and credit checks).

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about criminal convictions and offences.

### 1.2 How is your personal information collected?

From you and recommendations from third parties such as credit checks and available information from online sources such as companies house if you are a Director and/or Company Secretary.

### 1.3 How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.



3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

### **1.3.1 Situations in which we will use your personal information**

We need all the categories of information in the list above primarily to allow us to perform our contract with you (“**Contract**”) and to enable us to comply with legal obligations (“**Legal**”). In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties (“**Legitimate interests**”), provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Determining the terms on which we work for you (Contract).
- Checking you have the correct systems/information/documents in place (Legal).
- Administering the contract we have entered into with you (Contract).
- Business management and planning, including accounting and auditing (Legitimate interests).
- Attending reviews meetings and determining performance requirements (Contract).
- Assessing qualifications for a particular job or task (Contract and Legitimate interests).
- Dealing with legal elements of the contract such as account finalisation, disputes involving you and terminations (Contract, Legal and Legitimate interests).
- Complying with health, safety and environmental obligations (Legal).
- To prevent fraud (Legal).
- Equal opportunities monitoring and dealing with our regulators, quality assurance and environmental policy (Legal and Legitimate interests).
- To provide you with our current insurances and certificates (Legal, Contract and Legitimate interests).
- To contact you regarding new contracts (Legitimate interests).
- To make you aware of any new services we provide (Legitimate interests).
- For referencing purposes (Legitimate interests).
- To contact you regarding information obtained from a public source such as construction news (Legitimate interests).

### **1.4 If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

### **1.5 Change of purpose**

We will only use your personal information 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.



Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **1.6 Information about criminal convictions**

We may collect information about your criminal convictions where you are a director/shareholder of a company as our relationship with you requires a high degree of trust and integrity since it involves provisions of services by APA (Contract).

## **2 Suppliers**

### **2.1 The kind of information we hold about you**

In connection with you working with us, we will collect, store, and use the following categories of personal information about you:

Your name  
Your company details  
Your email address  
Your location  
Your job title

In connection with you working with us, we may collect, store, and use the following categories of personal information about you:

ID's  
Records required to enable you to supply goods and services (including reports, assessments, work history, training records and professional memberships).

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about criminal convictions and offences.

### **2.2 How is your personal information collected?**

From you and recommendations from third parties if you are on their supply chain

### **2.3 How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).



2. Where it is needed in the public interest.

### **2.3.1 Situations in which we will use your personal information**

We need all the categories of information in the list above primarily to allow us to perform our contract with you (“**Contract**”) and to enable us to comply with legal obligations (“**Legal**”). In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties (“**Legitimate interests**”), provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Requesting information and pricing for the services you provide (Contract and Legitimate interest).
- Determining the terms on which you work for us (Contract).
- Checking you are legally entitled to work in the UK (Legal).
- Paying you (Legal and Contract).
- Administering the contract we have entered into with you (Contract).
- Business management and planning, including accounting and auditing (Legitimate interests).
- Conducting performance reviews and determining performance requirements (Contract).
- Assessing qualifications for a particular job or task (Contract and Legitimate interests).
- Making decisions about your continued engagement (Contract, Legal and Legitimate interests).
- Dealing with legal elements of the contract such as account finalisation, disputes involving you and terminations (Contract, Legal and Legitimate interests).
- Complying with health and safety obligations (Legal).
- To prevent fraud (Legal).
- Equal opportunities monitoring and dealing with our regulators, quality assurance and environmental policy (Legal and Legitimate interests).
- For referencing purposes (Legitimate interests).

### **2.4 If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

### **2.5 Change of purpose**

We will only use your personal information 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.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **2.6 Information about criminal convictions**

We may collect information about your criminal convictions where you are a director/shareholder of a company as our relationship with you requires a high degree of trust and integrity since it involves supply of goods and services which can be directly identifiable with our own reputation and



so we would like to ask you to disclose your criminal records history in our supplier questionnaire (Contract).

### **3 Candidates**

#### **3.1 The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you may have provided to us in your CV and any covering letter.
- Any information you provide to us during an interview.
- Relevant qualifications and information relating to your ability to be able to complete the Role for which you are applying.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

#### **3.2 How is your personal information collected?**

We collect personal information about candidates from the following sources:

- You, the candidate.
- Hays Specialist Recruitment, Ibuild Recruitment, Linear Recruitment and other recruitment agencies, from which we collect the following categories of data: CV, and covering letter.
- Disclosure and Barring Service in respect of criminal convictions, if required for the purpose of the role for which you are applying.
- Your named referees, from whom we may collect the following categories of data: Previous Role, duration of employment, absences.
- The following data from third parties is from a publicly accessible source such as Google, Linked in, Instagram and Facebook search.

#### **3.3 How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the role being recruited for since it would be beneficial to our business to appoint someone to that role. We also need to process your personal information to decide whether to enter into a contract of employment with you.



We will process the information provided as part of the recruitment process to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we may then take up references AND/OR carry out a criminal record AND/OR carry out ANY OTHER check before confirming your appointment.

### **3.4 If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

### **3.5 How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made.

### **3.6 Information about criminal convictions**

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory), if the role for which you are applying requires it. We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- We are legally required [by the MOD and Clients who wish us to work in vulnerable locations such as schools to carry out criminal record checks for those carrying out role;]

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

### **3.7 Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **3.8 Data sharing**

#### Why might we share your personal information with third parties?

We will only share your personal information with the following third parties for the purposes of processing your application: disclosure and barring services. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to



use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **4 People who contact us**

This includes people who email us, telephone us and contact us through our social media platforms

### **4.1 The kind of information we hold about you**

In connection with you working with us, we will collect, store, and use the following categories of personal information about you:

Your name  
Your company details  
Your email address  
Your location  
Your job title  
Your phone number

### **4.2 How is your personal information collected?**

From you

### **4.3 How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

#### **4.3.1 Situations in which we will use your personal information**

We need all the categories of information in the list above primarily to allow us to perform our contract with you ("**Contract**") and to enable us to comply with legal obligations ("**Legal**"). In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties ("**Legitimate interests**"), provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- To enable us to respond to you and/or collect additional information to enable us to fulfil your request.



- Administering the requirements of your request.
- Providing you with information relating to your request.
- Where relevant using your request for reference in the future for similar scenarios.

#### **4.4 If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as providing you with the correct information relating to your request), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

#### **4.5 Change of purpose**

We will only use your personal information 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.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **4.6 Data sharing**

Why might we share your personal information with third parties?

We will only share your personal information with the following third parties for the purposes of processing your request.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Current Revision **01 May 18**