

# PRIVACY POLICY

## INTRODUCTION

ExpertPro respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

## 1. IMPORTANT INFORMATION ABOUT US AND THIS POLICY

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This privacy notice aims to give you information on how ExpertPro collects and processes your personal data, including any data you may provide when you open an account with us, request information, sign up to our newsletter, purchase a product or service or take part in a competition.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### **Controller**

ExpertPro is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please us using the details below;

### **Contact details**

Our full details are:

Full name of legal entity: ExpertPro

Email address: [GDPR@Engineeringutilities.com](mailto:GDPR@Engineeringutilities.com)

Office address: 75 Swinnow Lane, Bramley, Leeds, LS13 4TY. West Yorkshire

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 ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to the privacy notice and your duty to inform us of changes**

This version was last updated on 10 May 2018 and historic versions can be obtained by contacting us.

The data protection law in the UK will change on 25 May 2018. Although this privacy notice sets out most of your rights under the new laws, we may not yet be able to respond to some of your requests (for example, a request for the transfer of your personal data) until then as we are still working towards ensuring our systems are ready for some of these changes.

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.

## 2. THE DATA WE COLLECT ABOUT YOU

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

We may collect, use, store and/or transfer different kinds of personal data about you which we have grouped together follows:

**Identity Data** includes [first name, last name, username or similar identifier and title].

**Contact Data** includes [billing address, delivery address, email address and telephone numbers].

**Financial Data** includes [bank account and payment card details].

**Transaction Data** includes [details about payments to and/or from you and other details of products and services you have purchased from us or sold from to us.

**Marketing and Communications Data** includes your preferences in receiving marketing from us or not.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

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We use different methods to collect data from and about you including through:

**Direct communication.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise.

This includes personal data you provide when you:

- *apply for our products or services;*
- *apply for a credit account with us;*
- *request a quote or information via our website*
- *request marketing to be sent to you;*
- *enter a competition, promotion or survey;*
- *give us some feedback;*
- *request a quotation*

**Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.

**Third parties or publicly available sources.** We may receive personal data about you from various third parties [and public sources] as set out below:

- *Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.*

## 4. HOW WE USE YOUR PERSONAL DATA

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Most commonly, we will use your personal data in the following circumstances:

- *Where we need to perform the contract we are about to enter into or have entered into with you.*
- *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.*
- *Where we need to comply with a legal or regulatory obligation.*

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. **You have the right to withdraw consent to marketing at any time by contacting us.**

### **Purposes for which we will use your personal data**

Set out in the table below you will find a description of all the ways we plan to use your personal data and which of the legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis</b>
To register you as a new customer	(a) Identity (b) Contact (c) Financial	Performance of contract
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing & communications	(a) Performance of contract (b) Necessary for contract
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing & communications	(a) Performance of contract (b) Necessary for contract (c) Necessary for our legitimate interests (to keep our relationship with you and to improve our products/services)

Purpose/Activity	Type of data	Lawful basis
To administer and protect our business and our website including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data	(a) Identity (b) Contact (c) Technical	(a) Necessary provision of ac fraud and in th exercise) (b) Necessary
To deliver relevant content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing & communications (f) Technical	Necessary for products/servi our marketing
To improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for products mark website updat marketing stra
To make suggestions and recommendations to you about goods or services that might be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage	Necessary for and grow our l

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly in respect of marketing and advertising.

**We have established the following personal data control mechanisms:**

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and in each case, you have not told us you wish to opt out of receiving that marketing.

### **Third-party marketing**

We will never share your personal data with any company outside the ExpertPro for marketing purposes unless you have given your express consent for us to do so in connection with a specific request from you

### **Opting out**

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by **contacting us at any time**.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product/service experience or other transactions.

### **Change of purpose**

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.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

## **5. DISCLOSURES OF YOUR PERSONAL DATA**

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We may have to share your personal data with the parties set out below for the purposes set out in the table in section 4 above.

External Third Parties as set out in the **Glossary**

Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. INTERNATIONAL TRANSFERS

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ExpertPro trades outside of the European Economic Area (EEA) and this may involve transferring parts of your data outside the European Economic Area (EEA).

*Example : instructing a direct shipment to you from a non EEA supplier*

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.

Where we use certain service providers (eg a transport company), we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

Please contact us if you want further clarification on any aspect of transferring your personal data out of the EEA.

## 7. DATA SECURITY

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We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those parties who have a legitimate business need to know.

They will only process your personal data on ExpertPro instructions and they are subject to a duty of confidentiality.

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

## 8. DATA RETENTION

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### **How long will you use my personal data for?**

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see [Request erasure] below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

*Please see appendix 1 for additional information on data retention.*

## 9. YOUR LEGAL RIGHTS

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Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out above, please contact us.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

### **Time limit to respond**

We try to respond to all legitimate requests within one month.

## 10. GLOSSARY

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### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request

before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **THIRD PARTIES (External Third Parties)**

- *Service providers acting as processors based in the United Kingdom who provide IT and system administration services.*
- *Professional advisers acting as processors or joint controllers including lawyers, bankers, accountants, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.*
- *HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.*

### **YOUR LEGAL RIGHTS -**

*You have the right to:*

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- (a) if you want us to establish the data's accuracy;
- (b) where our use of the data is unlawful but you do not want us to erase it;
- (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise/defend legal claims; or
- (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**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.

**Withdraw consent at any time** where we are relying on consent to process your personal data. 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. We will advise you if this is the case at the time you withdraw your consent.

## 11. APPENDIX 1: DATA RETENTION

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ExpertPro operates a Document Retention Schedule which allows all concerned in the organisation to fully understand the time limits of documents they keep and also the importance of ensuring that they are stored in a suitable way.

The schedule also sets out the company's approved way of disposing of such material. Having a proper and useable document retention process also allows

companies to demonstrate they are good data controllers and will support in providing information if requested under the General Data Protection Regulation, Freedom of Information Act or by relevant authorities that have the power to require you to disclose documents.

The information table below indicates some of the common document types companies should include (if appropriate) on a Document Retention Schedule

Accident books accident records/reports	4 years after last entry
Accounting Records	3 years for private companies 6 years for public companies
Income Tax and NI returns income tax records and correspondence with the HMRC	4 years after the end of the financial year in which they relate
Medical Records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry
Medical records as specified by the Control Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry
Retirement Benefits Schemes records of notifiable events for example relating to incapacity	6 years after the end of the scheme year in which the event took place
Statutory Maternity Pay records Calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends
Statutory Sick Pay records calculations certificates self-certification forms	3 years after the end of the tax year to which they relate
Wage/Salary records (including overtime bonuses and expenses)	6 years
National Minimum Wage records	3 years after the end of the pay reference period following the one that the records cover
Working Time records	2 years from the date that they were made
Eligibility to work in the UK records Application Forms and Interview notes	2 years after the employment ends

Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	1 year
HMRC approvals	Permanently
Parental Leave	5 years from the birth of the child or taking of the leave
Pension Scheme investment policies	12 years after the ending of any benefit payable under the policy
Pensioners' records	12 years after benefit ceases
HR files and training records including Disciplinary records	6 years after employment ceases
Redundancy details calculations of payments and notifications to the Secretary of State	6 years from the date of the redundancy
Senior executives records	Permanently
Time cards	2 years after audit
Trade Union Agreements	10 years after ceasing to be effective
Trust deeds and rules	Permanently
Trustees meeting minutes	Permanently
Works Council meeting minutes	Permanently

HR files and the documents within should be treated in the same way as other business-critical information, and organisations should consider the threats to paper records of events such as fire, flood and loss. A simple way to address these concerns is to scan the documents and maintain them in a suitable Document Management System, ensuring that back-ups are regularly taken and held in a secure way.