

# PRIVACY NOTICE (EXTERNAL)



## WATES PRIVACY NOTICE (EXTERNAL)

Wates Group Limited ("Wates", "we", "us") are committed to protecting the privacy and security of those with whom we interact. We recognise the need to respect and protect information that is collected or disclosed to us (called "Personal Information" as explained below).

This notice is intended to tell you how we collect and use your personal information during and after your relationship with us, in accordance with applicable Data Protection Laws.

### 1. WHO WE ARE

Wates Group Limited ("Wates", "we", "our", and "us") is a family owned Construction, House Building, Maintenance, Building Services and Facility Management Services company. As a leader in our chosen markets, our objective is to deliver excellent services for our customers, resulting in safe, fair and professional contracting services at all times.

Wates is committed to handling data fairly, lawfully and in a transparent manner, and takes its data protection obligations seriously. Wates ensures that it processes Personal Information in compliance with applicable data protection laws\*. Wates is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection laws to notify you of the information contained in this Privacy Notice.

### 2. WHAT IS PERSONAL INFORMATION AND WHAT PERSONAL INFORMATION DOES WATES COLLECT ABOUT YOU?

For the purposes of this Privacy Notice "Personal Information" consists of any information that relates to you and/or information from which you can be identified, directly or indirectly. For example, information which identifies you may consist of your name, address, telephone number, photographs, fingerprints, location data, an online identifier (e.g. cookies identifiers and your IP address) or one or more factors specific to your physical, physiological, genetic, mental, economic, cultural or social identity. When we combine other information (i.e. information that does not, on its own, identify you) with Personal Information, we treat the combined information as Personal Information.

We may collect use, store and transfer different kinds of Personal Information about you including your name, contact details, medical and healthcare information, bank details, time sheet information, employment history, driving licence and passport, gender, disciplinary and grievance information, performance information, recruitment information, criminal offence data, race, ethnicity, religious beliefs, location of employment or workplace, employer's details, compensation history, photographs and video images, and biometric data in the form of fingerprints (please see Appendix III of this Privacy Notice in respect of our use of biometric data).

### 3. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

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

#### *1. Personal Information you provide directly.*

You may give us your contact, identification details and financial data (such as your name, home address, telephone number and bank account information) by filling in forms or corresponding with us by phone, email, post or otherwise. As part of our ongoing health surveillance and

\* Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), and any subsequent or related law, such as the UK Data Protection Act 2018 and the UK-specific version of the General Data Protection Regulation as retained in UK law via the European Union (Withdrawal) Act 2018 and the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019.

monitoring obligations, we may also collect information relating to your health via third party specialists that we instruct such as Health Management Ltd.

## **II. Automated technologies or interactions**

In some cases, we may collect information about your computer, including your IP address, operating system and browser type. We collect this personal data by using cookies, server logs and other similar technologies.

## **III. Third parties or publicly available sources**

We may also receive personal data about you from various third parties and public sources, such as Companies House, analytics providers such as Google and background check providers.

## **IV. Surveillance**

We may capture photographs, fingerprints or video images of you by way of CCTV and scanners in operation throughout Wates' controlled sites and offices or by way of Wates' Stop/Go Application (see Appendix I of this Privacy Notice for more information on the Stop/Go Application).

## **4. HOW DO WE USE YOUR INFORMATION?**

Under data protection law, we can only use your Personal Information if we have a proper reason, e.g.

- Where you have given your consent;
- To comply with our legal and regulatory obligations;
- For the performance of a contract with you or to take steps at your request before entering into a contact;
- More rarely, we may need to use your Personal Information in order to protect your vital interests, for example we may need to disclose information regarding your health to a hospital in the event of a medical emergency; or
- For our legitimate interests or those of a third party. For example, for the purposes of effective business management or to assist a relevant authority (such as the police) with their investigation where there is an overriding public interest to do so;

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.

We explain below what we use your Personal Information for and why:

- recruitment and entitlement to work in the UK (see section 13 for more information);
- providing services;
- analysis purposes;
- customer support;
- service improvement;

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- general business purposes;
- carrying out our legal obligations;
- prevention of accidents on Wates' controlled sites;
- for training and quality purposes;
- internal compliance monitoring;
- internal record keeping in compliance with the GDPR;
- marketing, sales and promotional plans including updating and maintaining our client relationship management system (see section 12 for more information);
- health and safety reasons, for example monitoring ratio of supervisors to work on site; and
- gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies.

Where we process special category Personal Information, we will also ensure we are permitted to do so under data protection laws, e.g.

- we have your explicit consent;
- the processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent; or
- the processing is necessary to establish, exercise or defend legal claims.

## **Marketing communications**

Wates may use your Personal Information to provide you with email notifications and other communications, including surveys, by telephone or post on the basis that such use is necessary for the purposes of the legitimate interests pursued by us, or in the case of your email notification subscription, in order for us to perform our contract with you. For further information on this, see the 'Your Choices' section of this Privacy Notice at paragraph 12.

## **Social media, promotional material and publications**

We may use your Personal Information, including photographs, film and quoted statements taken at organised events, on site or on Wates' internal and external communications, including for example on Wates' website, internal Intranet (using, amongst other things, Open Asset (see Appendix V for details)) and published articles. We may also use the same information to promote Wates' activities on social media platforms such as Twitter, Facebook and LinkedIn. The use of your Personal Information, including photographs and film containing your image for this purpose is on the basis of Wates' 'legitimate interest' in promoting and advertising its business, with the exception of:

- Photos / filming of student visitors to Wates events (e.g. career in construction days with student from schools or colleges) where we have received their consent. We ask for consent in these circumstances to ensure that the students (and their parents and carers) understand they may be photographed.

Should you not wish for photographs or film containing your image or quoted statements (or other Personal Information) to be used this purpose where the lawful basis is legitimate interest, then you have a right to object to this processing. Please contact the Wates Privacy Team ([GDPR@wates.co.uk](mailto:GDPR@wates.co.uk)) to exercise this right or for more information. Where the lawful basis is consent, if you do not give your consent, you have the right not to appear at all in the photograph or filming.

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However, please be aware that once an article or promotional material is published and in circulation (for example in a brochure or a Tweet) it may be copied and used by others. If you ask us not to use the photograph, film or quoted statements in future, we will comply with your request and we will do our best to stop others doing so, but we will not be in a position to guarantee this if you have notified us after the publication takes place.

We will make efforts to notify you when photography and/or filming for this purpose is taking place at an event within our knowledge and authorisation, or on site and where it is likely that such images will be posted internally or externally.

## **Combining Personal Information**

We may combine the Personal Information that we collect from you (including information received from our affiliates) to the extent permitted by applicable law.

It is important that the Personal Information we hold about you is accurate and up to date. Please keep us informed if your Personal Information changes during your relationship with Wates.

## **5. TO WHOM DO WE DISCLOSE YOUR INFORMATION AND WHAT DO WE DO TO KEEP YOUR INFORMATION SECURE?**

We will only use your Personal Information for our internal business purposes, some of which are mentioned above. We do not sell any of your Personal Information to third parties. However, we may disclose your information to service providers, email support services, regulators, HMRC, legal teams, accountants and actuaries, to our public authority clients for the purposes of key performance indicator reporting and to all parts of the Wates Group.

We have put in place appropriate physical and technical measures to safeguard the Personal Information we collect in connection with our Services. 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. However, please note that although we take appropriate steps to protect your Personal Information, no website, product, device, online application or transmission of data, computer system or wireless connection is completely secure and therefore we cannot guarantee the security of your Personal Information.

## **6. INTERNATIONAL TRANSFER OF DATA**

The Personal Information that we collect from you may be stored and processed in your region, or transferred to, stored at or otherwise processed outside the UK or European Economic Area ("EEA"), including but not limited to Abu Dhabi or in any other country where Wates or Wates Affiliates, subsidiaries or service providers maintain facilities.

Some jurisdictions outside the UK and EEA have lower standards of data protection law, including fewer rights and options for you and fewer obligations on organisations relating to how they collect and use your Personal Information. We will take all steps reasonably necessary to ensure that your Personal Information is kept secure and treated in accordance with this Privacy Notice and the requirements of higher standards of data protection law wherever it is located. Where we transfer your Personal Information outside the UK or EEA to other countries, we will ensure that appropriate transfer agreements and mechanisms (such as Adequacy Decisions or contractual obligations on the recipient) are in place to help ensure that our third party service providers protect your Personal

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Information to the same standard as in the UK. We will only transfer your Personal Information outside the UK or EEA in accordance with applicable laws or where you have given us your consent to do so.

## 7. DATA RETENTION – HOW LONG WE WILL STORE/KEEP YOUR PERSONAL INFORMATION

Wates retains Personal Information for as long as necessary to fulfil the purposes for which your Personal Information has been collected as outlined in this Privacy Notice unless a longer retention period is required by law. When your Personal Information is no longer required for the purpose it was collected or as required by applicable law, it will be deleted and/or returned to you in accordance with applicable law.

## 8. ACCESSING YOUR PERSONAL INFORMATION AND OTHER RIGHTS YOU HAVE

Wates will collect, store and process your Personal Information in accordance with your rights under any applicable Data Protection Laws. Under certain circumstances, you have the following rights in relation to your Personal Information:

- I. **Subject Access** - you have the right to request details of the Personal Information which we hold about you and copies of such Personal Information.
- II. **Right to Withdraw Consent** – where our use of your Personal Information is based upon your consent, you have the right to withdraw such consent at any time. In the event you wish to withdraw your consent to processing, please contact us using the details provided below.
- III. **Data Portability** – you may, in certain circumstances, request us to port (i.e. transmit) your Personal Information directly to another organisation.
- IV. **Rectification** – we want to ensure that the Personal Information about you that we hold is accurate and up to date. If you think that any information we have about you is incorrect or incomplete, please let us know. To the extent required by applicable laws, we will rectify or update any incorrect or inaccurate Personal Information about you.
- V. **Erasure ('right to be forgotten')** - you have the right to have your Personal Information 'erased' in certain specified situations.
- VI. **Restriction of processing** – you have the right in certain specified situations to require us to stop processing your Personal Information and to only store such Personal Information as necessary for specific purposes.
- VII. **Object to processing** – You have the right to object to specific types of processing of your Personal Information, such as, where we are processing your Personal Information for the purposes of direct marketing.
- VIII. **Prevent automated decision-taking** – in certain circumstances, you have the right not to be subject to decisions being taken solely on the basis of automated processing.

## 9. ENFORCING YOUR RIGHTS

If you wish to enforce any of your rights under applicable Data Protection Laws, then please contact us at [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk). We will respond to your request without undue delay and no later than one month from receipt of any such request, unless a longer period is permitted by applicable Data Protection Laws, and we may charge a reasonable fee for dealing with your request which we will notify to you. Please note that we will only charge a fee where we are permitted to do so by applicable Data Protection Laws.

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## Complaints

If you are concerned that we have not complied with your legal rights under applicable Data Protection Laws, you may contact the Information Commissioner's Office ([www.ico.gov.uk](http://www.ico.gov.uk)) which is the data protection regulator in the UK which is where Wates is located. Alternatively, if you are based outside the UK, you may contact your local data protection supervisory authority.

## 10. THIRD-PARTY LINKS AND PRODUCTS ON OUR SERVICES

Our websites, applications and products may contain links to other third party websites that are not operated by Wates, and our websites may contain applications that you can download from third parties. These linked sites and applications are not under Wates's control and as such, we are not responsible for the privacy practices or the content of any linked websites and online applications. If you choose to use any third party websites or applications, any Personal Information collected by the third party's website or application will be controlled by the Privacy Notice of that third party. We strongly recommend that you take the time to review the privacy policies of any third parties to which you provide Personal Information.

## 11. COOKIES

### What are cookies?

Wates may use cookies and other technologies, including web beacons, action tags, pixel tags, in certain areas of our Services. Cookies are small text files that can be read by a web server in the domain that put the cookie on your hard drive. Cookies are assigned to and stored in a user's internet browser on a temporary (for the duration of the online session only) or persistent basis (cookie stays on the computer after the internet browser or device has been closed). Cookies collect and store information about a user's preferences, product usage, content viewed, and registration information which allows for Wates to provide users an enhanced and customised experience when engaging with our Products. We may use cookies to store your preferences and settings, help you with signing in, provide targeted ads, and analyse site operations.

### Further information on cookies

For further information on what cookies are, how Wates and other third parties use them, and for details of how cookies can be disabled, please see our Cookie Policy.

## 12. YOUR CHOICES (E.G. MARKETING RELATED EMAILS OR OTHERWISE)

We and other Wates Affiliates may use your Personal Information (such as your contact details (e.g. name, address, email address, telephone number)) to send you marketing-related correspondence by email, post or telephone call related to our Products, in accordance with your email and contact preferences in your Account Preferences and Personal Information sections of your Wates website My Account or as you otherwise agree to. When we process your Personal Information for marketing purposes, we do so on the basis that it is in our legitimate interests to do so, or in the case of our email notification service, that it is necessary to perform our contract with you. You have a right to object to this processing. If you wish to do so, please contact the Privacy Team by email: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk)

We may store information that you provide for the purposes of updating and maintaining our client relationship management system. We use a third party platform provided by Salesforce to manage and store this data.

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Information regarding Salesforce's security and safeguarding policies can be found at: <https://trust.salesforce.com/en/security/>

We do not share Personal Information with third parties for the third parties' marketing purposes.

We may also use your Personal Information to personalise and to target more effectively our marketing communications to ensure, to the extent possible, that any marketing-related correspondence is relevant to you.

To opt out of receiving marketing-related correspondence from Wates, please contact us or click "Unsubscribe" or text message (SMS) you receive from us.

## **13. CAREERS AND JOB APPLICANTS, CURRENT AND FORMER WATES EMPLOYEES**

All of the information you provide during the process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary.

The Career Opportunities available to view via our website are supported and provided by our data processors GTI and Networx. We will not share any of the information you provide during the recruitment process with any other third parties for marketing purposes. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format. In addition, if you provide special category data (e.g. ethnicity) as part of your application we will process this information for reasons of substantial public interest to monitor equality of opportunity or treatment only and will not be used in our decision-making process. As set out in our Equality, Diversity and Inclusion Policy, Wates has a legitimate interest in ensuring that every individual is treated with fairness and respect and has access to equal opportunities, regardless of who they are.

We will use the contact details you provide to us to contact you to progress your application. We may also use the other information you provide (where relevant) to assess your suitability for the role you have applied for.

## **14. CHANGES TO THIS PRIVACY NOTICE**

It is also important that you check back often for updates to the Privacy Notice, as we may change this Privacy Notice from time to time. The "Date last updated" legend at the bottom of this page states when the Privacy Notice was last updated and any changes will become effective upon our posting of the revised Privacy Notice.

We will provide notice to you if these changes are material and, where required by applicable law, we will obtain your consent. We will provide this notice by email or by posting notice of the changes on our website or through any relevant Services.

## **15. CONTACT US / FURTHER INFORMATION**

We have appointed a GDPR Privacy Team and a Data Protection Manager who is responsible for overseeing questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the Privacy Team or the Data Protection Manager using the details set out below.

### Contact details

Full details are:

(acting) Data Protection Manager

Chelsea Walters

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Wates Group Limited

Email address:

[gdpr@wates.co.uk](mailto:gdpr@wates.co.uk) or [Chelsea.Walters@wates.co.uk](mailto:Chelsea.Walters@wates.co.uk)

Postal address:

Chelsea Walters

Wates House

Station Approach

Leatherhead

Surrey

KT22 7SW

If you have any questions regarding the collection, processing, or use of your Personal Information or if you wish to correct, block, rectify, object, access, revoke your consent to any applicable aspect of this Privacy Notice or delete any of your Personal Information, please contact us.

**Date last updated: June 2021**

**Version 8**



## APPENDIX I

### THE STOP/GO APPLICATION

Reporting safe practices and letting us know about the things you see on site, or in our offices, that may cause harm, is important. This Privacy Notice and our 'Terms of Use' (please email [stopgosupport@wates.co.uk](mailto:stopgosupport@wates.co.uk) for a copy) applies to your use of the Stop/Go Mobile Application software (the "App"), which is hosted on <https://stopgo.wates.co.uk/> ("Stop/Go Website"), once you have downloaded a copy of the App onto your mobile telephone or handheld device ("Device") and any of the services accessible through the App ("Services") that are available on the Stop/Go Website.

#### Your personal information

This Appendix explains how we, as data controller, use your personal information, and describes how we collect and use that personal information during and after your use of the App directly or via our data processor, Psycle Interactive Limited.

As part of your use of the App, we will collect and process the following data about you:

- Information you give us . This is information that you give us, either relating to you or another person, by completing a Stop/Go report via the App. This includes information you provide when you register to use the Stop/Go Website and/or download the App, and when you report a problem with the App and/or our Stop/Go Website or Services. The information you give us may include, but is not limited to, names, company details, site contract number, observation location, the individual(s) responsible for the observation, specific site location, type of observation, photographic evidence, supporting notes and any other information that is reasonably required to be collected as part of providing a report.
- Information we collect about you and your Device. Each time you visit our Stop/Go Website and/or use the App we will automatically collect the following information:
  - Technical information, including the type of mobile device you use, the mobile operating system, your mobile operating system and the type of mobile browser you use,;
  - Information stored on your Device including photos, your name, your site contract number, a textual description of the location of observation (entered by the user), name of the person observed, the type (category) of observation, one or more photos of the observation and information provided when logging into the Stop/Go Website including first name and last name, job title, email address, phone number and password (encrypted in transit and at rest), and information provided when logging in to the Stop/Go Website including email address and password (encrypted in transit and at rest) ; and
  - Details of your use of any of our Apps or your visits to the Stop/Go Website including but not limited to traffic data and other communication data, whether this is required for your own purposes or otherwise, and information on any resources or reports that you access; and
  - Information regarding the Site location including the address. We also use GEO location technology to graphically show the location of the contract site location on the Stop/Go Website.

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We will use cookies to distinguish you from other users of the App and/or the Stop/Go Website. This helps us to provide you with a good experience when you use the App and/or the Stop/Go Website and helps us to track user sessions in order to provide support.

## **Purpose of processing**

Specifically in relation to the App and the Stop/Go Website, we will use the information referred to in above in this section for the following purposes, including but not limited to:

- Maintaining, investigating and promoting health and safety standards;
- Preparing reports containing the information the user has provided;
- Ensuring that the content is presented in the most effective manner for the user and/or their Device;
- Allowing the user to participate in interactive features of the App and/or the Stop/Go Website;
- Maintaining, protecting and improving the App and/or the Stop/Go Website; and
- Notifying the user of any changes to the App and/or the Stop/Go Website.

By submitting the above information, you acknowledge and consent so that we may transfer, store and process your data. Wates will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this notice. In addition, Wates is able to process your personal information in relation to maintaining, investigation and promoting Health & Safety standards because it has a legitimate interest as a responsible business and employer to maintain, investigate and promote the same.

## **How your information is stored and processed**

We will also collect and store personal data on your mobile device using local storage to store the observation being submitted as well as temporarily storing the session cookie. The Stop/Go Website will also store a session cookie during use.

The data that we collect from your Device will be sent to a database and stored on secure servers and any data collected will be safeguarded appropriately. Once we have received your information we will use procedures and security features to aim to prevent unauthorised access.

The transmission of information via the internet is not completely secure. Although Wates will do its best to protect your personal data we cannot guarantee the security of your data transmitted in using our App and/or our Stop/Go Website and any transmission is undertaken at your own risk.

Data collected may be shared with any member of the Wates Group including but not limited to our subsidiaries and holding company (as defined in section 1159 of the Companies Act 2006). Data collected may also be shared with our relevant third party data processors from time to time including but not limited to the purposes of hosting, developing and testing the App and/or Stop/Go Website. Such third party processors includes Psyche Interactive Limited who, in conjunction with Wates, developed and now host the App.

Data collected may be shared with relevant authorities if Wates is under a duty to disclose or share any personal information in order to comply with any legal or regulatory obligation or request. In the event that Wates sells any

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business or assets or its business or substantially all of Wates' assets are acquired by a third party, personal data may be disclosed to the prospective buyer or transferred as an asset.

As stated in section 8 of this Privacy Notice, you have a right to access your Personal Information held as a result of your interactions with the App and/or Stop/Go Website. To exercise your data subject rights please contact the Privacy Team by email: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk).

## APPENDIX II

### FIELD TOOL

Field Tool is a site observation tool used to ensure quality and to promote a safe working environment on Wates' controlled sites. Field Tool runs on tablets using software provided and supported by our data processor, Viewpoint Construction. Part of Field Tool's functionality allows, amongst other things, photographs of defective works and/or hazards to be captured, potential or otherwise

#### Your Personal Information

This Appendix explains how we, as data controller, use your Personal Information and the Personal Information of others that may be captured when using Field Tool. It also describes how we collect and store that Personal Information.

As part of the use of Field Tool by Wates employees, we may collect and process the following data about you directly or via our data processor, View Point Construction Information including, but not limited to:

- your name;
- photographs of observations which may include images of individuals (including you) present on site;
- supporting annotations;
- email addresses of required recipients of a Field Tool report;
- and any other information that is reasonably required to be collected as part of providing a Field Tool report.

#### Purpose of processing

Specifically in relation to Field Tool and the Field Tool website, we will use the information referred to above in this Appendix for the following purposes, including but not limited to:

- Maintaining, investigating and promoting health and safety standards;
- Identifying, investigating and rectifying snags and outstanding tasks;
- Preparing reports containing the information the user has provided;
- Ensuring that the content is presented in the most effective manner for the user and/or their tablet;  
and
- Maintaining, protecting and improving Field Tool and/or the Field Tool website.

Wates will take all steps reasonably necessary to ensure that your data are treated securely and in accordance with this Privacy Notice. In addition, Wates is able to process your personal information in relation to (i) maintaining, investigation and promoting Health & Safety standards and (ii) identifying, investigating and rectifying snags and outstanding tasks because it has a legitimate interest as a responsible business (i) to maintain, investigate and promote safe working environments for Wates' controlled sites in order to ensure the health and safety of its employees and operatives and (ii) to ensure quality standards are maintained.

#### How your information is stored and processed

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Data, including your Personal Information and the Personal Information of others (including potentially photographs of individuals), captured via Field Tool tablets is stored on View Point Construction servers and is available immediately via the Field View website once the tablet has been synchronized.

For further information please see View Point Construction's data protection policy: <https://viewpoint.com/legal/privacy-notice>.

We may also collect and store on tablets running Field Tool your personal data using local storage to store the report being submitted as well as temporarily storing the session cookie. The Field Tool website will also store a session cookie during use.

The data that collected from tablets will be sent to a database and stored on secure servers and any data collected will be safeguarded appropriately. Once we have received your information we will use procedures and security features to aim to prevent unauthorised access.

The transmission of information via the internet is not completely secure. Although Wates will do its best to protect your personal data we cannot guarantee the security of your data transmitted during the use of Field Tool and/or the Field Tool website and any transmission is undertaken at your own risk.

Data collected may be shared with any member of the Wates Group including but not limited to our subsidiaries and holding company (as defined in section 1159 of the Companies Act 2006). Data collected may also be shared with our relevant third party data processors from time to time including but not limited to the purposes of hosting, developing and testing Field Tool and/or the Field Tool website. Such third party processors includes View Point Construction who provide the software and host Field Tool.

Data collected may be shared with relevant authorities if Wates is under a duty to disclose or share any personal information in order to comply with any legal or regulatory obligation or request. In the event that Wates sells any business or assets or its business or substantially all of Wates' assets are acquired by a third party, personal data may be disclosed to the prospective buyer or transferred as an asset.

As stated in section 8 of this Privacy Notice, you have a right to access your Personal Information held as a result of your interactions with Field Tool and/or the Field Tool website. To exercise your data subject rights please contact the Privacy Team by email: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk)

## APPENDIX III

### BIOMETRIC DATA

Biosite Systems Limited (“**Biosite**”), as our preferred supplier of CCTV systems/cameras and mandated supplier of biometric turnstiles, acts as data processor for Wates. Wates is the data controller which means that we are responsible for deciding how we hold and use your Personal Information in relation to your interactions with Biosite.

This Appendix III in explains how we use this Personal Information and describes how we collect and use that Personal Information during and after your interactions with Biosite’s biometric turnstiles and Biosite’s CCTV systems.

#### **What Personal Information is collected and how is it collected?**

Your Personal Information will be collected on our behalf by Biosite through their registration procedure. CCTV systems in operation on Wates’ sites will, in addition, capture your image by way of photographs and/or video recordings.

The Personal Information collected as part of the Biosite registration process may include your name, contact details, medical and health information, time of entering and exiting site as well as time spent in designated rest areas, CITB card details, gender, race, ethnicity, sexual orientation, location of employment or workplace, photographs and video images, and biometric data in the form of fingerprints.

By submitting the above information, you acknowledge that we may transfer, store and process your data. However, please see ***How do we use your Personal Information?*** below for further information.

As stated in section 7 of this Privacy Notice, you have a right to access your Personal Information held as a result of your interactions with Biosite. To exercise your data subject rights please contact the Privacy Team by email: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk)

#### **How do we use your Personal Information?**

We will use your medical and health information and your skill set information for the purposes of assessing your working capacity in order to ensure your and your colleagues safety and wellbeing whilst present on Wates’ sites. Your Personal Information will also be used for the following purposes.

#### **Site access and biometric data**

For the purposes of gaining access to Wates’ controlled sites and areas within those sites where Biosite’s biometric turnstiles are in operation, we will use your biometric data in the form of your fingerprints together with other Personal Information in order to positively identify you so that appropriate levels of access can be maintained in order to ensure that our sites are safe and secure. The collection of your Personal Information for identification purposes to grant you site access is necessary to fulfil our legitimate interests as a responsible employer and is also necessary to protect your vital interests whilst on site.

In addition, fingerprints as a form of biometric data are special category data under Article 9 of the UK GDPR data protection law and as such require a higher level of justification for their collection. The Health and Safety at Work

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etc. Act 1974 places various legal obligations on Wates to provide safe and secure working environments to our operatives. We consider it necessary to collect your fingerprints as part of procedures to uniquely and unequivocally identify you in a manner that cannot be copied or replicated by others because you have a right to a safe working environment and we are under an obligation to provide the same to you. Your biometric data is held by Biosite and neither Biosite nor Wates share this information with third parties other than the cloud providers and third parties mentioned in this privacy notice.

For security information as to how your fingerprints are stored please see ***What do we do to keep your information secure?*** below.

## **Time recording**

Reports generated through data processing relating to time spent on site and within certain areas of Wates' sites will be collected, reported on and reviewed by site managers and senior members of staff. Data collected will be used for the purposes of compiling site-related reports. This processing is necessary for the legitimate interests of Wates so that we may effectively run our business operations in a safe manner.

## **CCTV**

Photographs and images of you may be captured during the operation of CCTV at our sites. Wates acknowledge that you have an expectation of privacy and as such will use reasonable measures to ensure that CCTV cameras are not positioned to capture photographs or images in areas where the expectation of privacy is greater (e.g. toilets or changing rooms).

We are able to process your information in this way because we have a legitimate interest to ensure site security and a legal obligation to provide a safe and secure working environment to our operatives.

## **Key Performance Indicator reporting**

Wates may also use your Personal Information for the purposes of reporting on key performance indicators (KPIs) to our clients when contractually obliged to do so. As part of this KPI reporting procedure, Wates may share your Personal Information with our public sector clients. Where possible, we will anonymise or pseudonymise your Personal Information before transferring it to these clients. We are able to lawfully process your data for the purposes of KPI reporting because it is a legitimate interest of Wates to satisfy its contractual obligations that it has under its framework agreements in place with various public sector bodies.

You have a right to object to this processing. If you wish to do so, please contact the Privacy Team by email: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk)

In addition, your ethnicity, religion and/or sexual orientation collected as part of the Biosite registration process are special category data. We may share this information with our public sector clients as part of KPI reporting to achieve our inclusivity targets but will, where possible, anonymise or pseudonymise these data before transferring it to these clients. You have a choice during the registration process and at any time after the registration process to not give or to withdraw your ethnicity, religion and/or sexual orientation data if given or to seek rectification in any details held by us. Please contact the Privacy Team if you wish to do so: [gdpr@wates.co.uk](mailto:gdpr@wates.co.uk)

# PRIVACY NOTICE (EXTERNAL)



## **Your medical and health information**

We will use your medical and health information for the purposes of assessing your capacity to work in order to ensure your safety and wellbeing whilst present on Wates' sites. Note that we may use your health information in order to protect your vital interests, for example we may share your health information with a healthcare professionals in the event of you being submitted to hospital because of an injury suffered whilst at work or for immediate treatment whilst on site.

## **What do we do to keep your information secure?**

Wates will take all steps reasonably necessary to ensure that your data are treated securely and in accordance with this Privacy Notice. For more information, see section 5.

In relation to your biometric data, fingerprint data are processed by Biosite at the point of capture to create a "template" that can be used to identify you. Biosite asserts that it is not possible to reconstruct the original fingerprint image from the template. In addition, these templates are stored at rest and in transit using AES256 encryption. Biosite keeps a copy of this as long as you are registered with the platform. Biosite is committed to storing your Personal Information within the UK and EEA.

For further information please see Biosite's Data Protection Policy <http://biositesystems.com/privacy-policy/>

**June 2021**