

**DATA PROTECTION
AND
PRIVACY POLICY
FOR
BERNARD EXTON SALES LIMITED
(May 2018)**

This notice covers the entities known as Bernard Exton (Sales) Ltd, The Roofing Outlet and includes Greetview Ltd.

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1.0 INTRODUCTION

This privacy notice describes how we collect and use personal information about employees, clients, contractors and other organisations and individuals for whom we may hold personal data as part of their relationship with Bernard Exton Sales Limited, Roofing Outlet and Greetview Limited to be now called (the Group).

This notice is aimed at ensuring data is held, used and processed in accordance with the General Data Protection Regulation, { GDPR }.

Bernard Exton Sales Limited is a data controller. This means we are responsible for deciding how we hold and use personal information. We are required under data protection legislation to notify staff, stakeholders and any other individuals of the information contained in this privacy notice.

It is important that you read this notice when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Marc Dalrymple acts as the nominated Data Protection Officer { DPO }. Please direct any queries relating to data protection and privacy to him.

2.0 DATA PROTECTION PRICIPALS

The Group will comply with data protection law. This says the personal information that we hold must be :

- * used lawfully, fairly and in a transparent way ;
- * collected only for valid purposes that can be clearly explained and not used in any way that is incompatible with those purposes ;
- * relevant to the purpose we have notified and limited only to those purposes ;
- * accurate and kept up to date ;
- * kept only as long as necessary for the purposes we have advised ;
- * kept securely.

3.0 STAFF, WORKER AND CONTRACTOR DATA

3.1 THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal information or personal data, 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 }.

There are “special categories” of more sensitive personal data which require a higher level of protection. We will collect, store and use the following categories of personal information about you:

1. Personal contact details e.g. name, title, address, telephone numbers and personal email.
2. Date of birth.
3. Gender.
4. Marital status and dependants.
5. Next of kin and emergency contact information.
6. National insurance number.
7. Bank account details, payroll records and tax status information.
8. Salary, annual leave, pension and benefits information.
9. Start date.
10. Location of employment or workplace.
11. Copy of driving licence or fork lift licence or crane operation licence, {where relevant}.
12. Recruitment information {including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process}.
13. Employment records {including job titles, work history, working hours, training records and professional memberships}.
14. Salary remuneration and benefits history.
15. Performance information.
16. Disciplinary and grievance information.
17. CCTV footage {where applicable}.
18. Information obtained through electronic means.
19. Information about your use of our information and communications systems.
20. Photographs.
21. We may also collect, store and use the following “special categories” of more sensitive personal information :
 - i. Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
 - ii. Trade union membership / other professional bodies.
 - iii. Information about your health, including any medical condition, health and sickness records.
 - iv. Biometric data.
 - v. Information about criminal convictions and offences.

3.2 HOW YOUR PERSONAL INFORMATION IS COLLECTED ?

We collect personal information about employees, workers, casual workers and contractors through the application and recruitment process, either directly from the applicant or sometimes from an employment agency or background check provider. We may collect information from third parties including former employers, personal referees', credit reference agencies or others.

We will collect additional personal information in the course of job related activities throughout the period of you working for us.

3.3 HOW WE WILL USE INFORMATION ABOUT YOU ?

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

- i. where we need to perform the contract, we have entered into with you;
- ii. where we need to comply with a legal obligation;
- iii. 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;
- iv. we may also use your personal information in the following situations, which are likely to be rare :
 - a. where we need to protect your interests { or someone else's interests } ; and
 - b. where it is needed in the public interest or for official purposes.

3.4 SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

We need all categories of information in the list above at paragraph 3.1 primarily to allow us to perform our contract with you and enable us to comply with legal obligations.

In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- i. Making decisions about your recruitment or appointment.
- ii. Determining the terms on which you work for us.
- iii. Checking you are legally entitled to work in the UK.

- iv. Paying you and if an employee, deducting tax and National Insurance Contributions.
- v. When providing benefits.
- vi. Liaising with your pension provider.
- vii. Administering the contract of employment we have entered into with you.
- viii. Conducting performance reviews and determining performance requirements.
- ix. Making decisions about salary reviews and remuneration.
- x. Assessing qualifications / suitability for a particular job or task, including decisions about promotion { demotion }.
- xi. Gathering evidence for possible grievance or disciplinary hearings.
- xii. Making decisions about your continued employment or engagement.
- xiii. Making arrangements for the termination of our working relationship.
- xiv. Development and training requirements.
- xv. Dealing with legal disputes involving you or other employees, workers and contractors including accidents at work.
- xvi. Ascertaining your fitness to work.
- xvii. Managing sickness and absence.
- xviii. Complying with health and safety obligations.
- xix. To prevent fraud.
- xx. To monitor your use of our information and communication systems.
- xxi. To ensure network and information security.
- xxii. To monitor equal opportunities.

Some of the above will overlap and there may be several grounds which justify the use of your personal information.

3.5 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 providing benefits or we may be prevented from complying with our legal obligations such as to ensure the health and safety of our workers.

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

We may process your personal information without your knowledge or consent in compliance with the above rules where this is required by law.

3.7 HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. in limited circumstances, with your explicitly written consent;
2. where we need to carry out our legal obligations or exercise rights in relation to your employment with us;
3. where it is needed in the public interest, such as for equal opportunities monitoring (for in relation to our occupational pension scheme).
4. less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interest (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public. (We may also process such information about staff or former staff in the course of legitimate business activities with the appropriate safeguards).

3.8 OUR OBLIGATIONS AS AN EMPLOYER

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

1. Information relating to absence which may include sickness absence or family related leaves to comply with employment and other laws;
2. information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to access and take advice on your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence to include taking legal advice on how to manage sickness absence to administer benefits;
3. information about your race or national or ethnic origin, religious philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
4. trade union membership professional body membership information to premiums, register the status of a protected employee and to comply with employment law obligations.

3.9 DO WE NEED YOUR CONSENT?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstance, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

3.10 INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection protocols.

Less commonly we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

3.11 DATA SHARING

We may need to share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. "Third parties" includes third-party service providers such as pension administration, benefits provision and administration, IT services and customers.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with legislation. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

3.12 DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request. 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 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, 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 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.

3.13 DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collect it for, including for the purposes of satisfying any legal, accounting or reporting 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 Group we will retain and securely destroy your personal information.

3.14 RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal information we hold about you is accurate and current. Please keep your line manager informed if your personal information changes during your working relationship with us.

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 another party, please contact our DPO in writing. You will not have to pay a fee however we may charge a reasonable sum if your request for access is clearly unfounded or excessive. Alternatively we may refuse to comply with your request in such circumstances.

In limited circumstances where you have provided your consent to the collecting, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent please contact our DPO

4.0 OTHER INDIVIDUALS AND ORGANISATIONS

We hold other information on our suppliers, manufacturers, hauliers, waste transporters, customers, clients as well as organisations within whom we may have a contract relationship.

4.1 PERSONAL INFORMATION WE HOLD/COLLECT ABOUT YOU

We may automatically collect the following personal information: Our web servers store as established as standard details of your browser and operating system, the website from which you visit our websites, the pages that you visit on our websites, the dates of your visits and for security reasons e.g. to identify attacks on our sites, the internet protocol { IP } addresses signed to you by your internet service. Some information is collected using cookies and we may also collect any personal information which you allow to be shared that is part of your public profile on any third party social network. We may obtain certain personal information about you from sources outside our businesses or third party companies.

4.2 HOW WE USE YOUR PERSONAL INFORMATION

4.2.1 WHERE YOU HAVE PROVIDED CONSENT

We may use and process your personal information where you have consented for us to do so for the following purposes:

- a. To share your personal information between the group to allow us to provide you with legitimate services.
- b. to supply quotations or material or information you have specifically requested from us, or receive specifications, quotation requests or information from you.
- c. to contact you via email, text message, post or telephone with information about our products and services.

You may withdraw your consent for us to use your information in any of these ways at any time, by contacting the DPO.

If you withdraw your consent, our use of your personal information before you withdraw is still lawful.

4.3 WHERE REQUIRED TO PERFORM A CONTRACT WITH YOU

We may use and process your personal information where it is necessary for the performance of a contract or other agreement with you.

4.4 WHERE IT IS IN YOUR VITAL INTEREST.

We may use your personal information to contact you if there are any urgent notices to communicate to you relevant to your relationship with us and relevant to the types of services we deliver or professional relationship that we have with you.

4.5 WHERE REQUIRED TO COMPLY WITH OUR LEGAL OBLIGATIONS

We will use your personal information to comply with our legal obligations including:

- (i) to assist HMRC, the Police, or any other public authority or criminal investigation body;
- (ii) to identify you when you contact us; and
- (iii) to verify the accuracy of data that we hold about you.

4.6 WHERE THERE IS A LEGITIMATE INTEREST

We may use and process your personal information where it is necessary for us to pursue our **legitimate interests** as an organisation for the following purposes:

- a. For analysis, and profiling to inform our marketing strategy, and to enhance and personalise your experience with us;
- b. for market research in order to continually improve the products and services that we and our authorised partners deliver to you;
- c. To administer our websites and for internal operations including troubleshooting, testing, statistical purposes;
- d. for marketing activities { other than where we rely on your consent } e.g. to tailor marketing communications or send targeted marketing messages via social media and other third-party platforms;
- e. for the prevention of fraud and other criminal activities;
- f. to undertake credit checks for finance;
- g. to correspond and communicate with you;
- h. to create a better understanding of you with regards to your relationship with Extons and all companies within our group.
- i. for network and information security in order for us to take steps to protect your information against loss or damage, theft or unauthorised access;
- j. to comply with a request from you in connection with the exercise of your rights (for example where you have asked us not to contact you for marketing

purposes, we will keep a record of this on our suppression lists in order to be able to comply with your request);

k. for efficiency, accuracy or other improvements of our databases and systems;

l. to enforce or protect our contractual or other legal rights or to bring or defend legal proceedings; and

m. for general administration including managing your queries, complaints, or claims, and to send service messages to you.

5.0 YOUR RIGHTS

5.1 YOUR 'DATA SUBJECT' RIGHTS:

You have a number of rights in relation to your personal information under data protection law. In relation to certain rights, we may ask you for information to confirm your identity and, where applicable to help us to search for your personal information. Except in rare cases, we will respond to you within 30 days after we have received this information or, where no such information is required, after we have received your request.

5.2 ACCESSING YOUR PERSONAL INFORMATION

You have the right to ask for a copy of the information that we hold about you by emailing or writing to Marc Dalrymple at marc@extons.co.uk { DOP }. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

5.3 CORRECTING AND UPDATING YOUR PERSONAL INFORMATION

The accuracy of your information is important to us and we are working on ways to make it easier for you to review and correct the information that we hold about you. In the meantime, if you change your name or address/email address, or you discover that any of the other information we hold is inaccurate or out of date please let us know by contacting Marc Dalrymple at marc@extons.co.uk { DPO }.

5.4 ERASING YOUR PERSONAL INFORMATION OR RESTRICTING ITS PROCESSING

In certain circumstances you may ask for your personal information to be removed from our systems by contacting the DPO. Unless there is a reason that the law allows us to use that information for longer we will make reasonable efforts to comply with your requests.

You may also ask us to restrict processing your personal information in the following situations :

- * where you believe it is unlawful for us to do so ;
- * you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings.

In these situations we may only process your personal information whilst its processing is restricted if we have your consent and are legal permitted to do so, for example for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

5.5 COMPLAINING TO THE UK DATA PROTECTION REGULATOR

You have the right to complain to The Information Commissioners Office { ICO } if you are concerned about the way we have processed your personal information. Please visit the ICO's website for further details.

6.0 SECURITY / COOKIES / LINKS

6.1 SECURITY MEASURES TO PROTECT YOUR PERSONAL INFORMATION

We use the best security measures available to us to protect your personal information. Our security measures are continually monitored and improved where possible in line with technological developments. We shred and or destroy all paper written information not needed after transactions unless relevant.

Unfortunately the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your information whilst in transit to our websites and any transmission is at your own risk.

6.2 USE OF " COOKIES "

' Cookies ' are small pieces of information sent to your device and stored on its hard drive to allow our website to recognise you when you visit.

7.0 MARKETING

We may collect your preferences to send you relevant information directly from us by email/SMS/social media.

We will only do so if you have consented to receiving such information directly from us.

We may contact you with targeted advertising delivered online through social media and platforms (operated by other companies) by using your personal information or use your personal information to tailor marketing to improve its relevance to you, unless you object.

You have the right to opt-out of our use of your personal information to provide marketing to you by using the unsubscribe mechanisms, or by emailing the Group.

8.0 CHANGES TO THIS NOTICE

We may review this notice from time to time and any changes will be notified to you by posting an updated version on our websites and/or by contacting you by email. Any changes will take effect 30 days after the date of our email or the date on which we post the modified terms on our website, whichever is the earlier.

We recommend you regularly check for changes and review this notice when you visit our website. If you do not agree with any aspect of the updated notice, you must promptly notify us.

I _____ (print name)

acknowledge that on _____(date), I received a copy of the Data Protection Privacy Policy (with Bernard Exton (Sales) limited covering entities known as Bernard Exton (Sales) Limited, The Roofing Outlet and including Greetview Limited

Signature: _____

