



Data Protection – Privacy Notice

RSE-GDPR-001 (Rev 3 June 2019)

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1.0 Statement

RSE Group of companies (Ross-shire Engineering, Ross-shire Engineering Chemical dosing division & Prime Pumps) are a specialist engineering service group. We are market leaders in 3D BIM design, fabrication, manufacturing, clean factory assembly, pre-commissioning, delivery, installation, final commissioning and handover of a complete range of modular transportable plants. With over three decades of knowledge and experience, we pride ourselves in being recognised as a centre of excellence for bespoke water treatment technologies, whether for Potable Water or Waste Water applications, specialising in a full range of treatment processes and technologies. Our industry leading off-site manufacture and modular assembly delivers cost savings and programme certainty alongside exceptional HSEQ (Health and Safety, Quality and Environmental) benefits.

We have a depth of engineering skills, in-house enabling us to extend our comprehensive service and support to a range of cross-sector corporate clients throughout the Water Utilities, Renewable, Oil & Gas and Industrial sectors. Whether delivering small value reactive maintenance services on-call 24/7 or designing and building large multi-million pounds capital projects, RSE maintains an ongoing focus upon delivery and Customer Satisfaction.

RSE are a performance driven group, where every project is reputational. Core Values of Integrity, Respect, Opportunity, Innovation, Humility, Quality, Safety and Well-Being sit at the heart of our business and our people, cascading down to full operational policies and procedures. They define who we are and how we work, they guide our actions, the way we treat others and, in turn, the way we ourselves expect to be treated.

2.0 Document Details

2.1 Purpose

The **RSE Group of companies** are committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

2.2 Scope

The RSE Group 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 legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers, contractors, customers, suppliers, business contacts and other individuals the business has a relationship with or may need to contact. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

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3.0 GDPR Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and where necessary, kept up to date.
- Kept for no longer than is necessary.
- Processed and kept in a manner that ensures appropriate security.

4.0 The kind of Information we hold about you

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 will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, address, telephone numbers and personal email addresses
- Date of Birth
- Gender
- Marital Status and Dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank Account details, Payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Start date, End date & Location of employment or workplace
- Copy of driving licence and driving licence summary including: driving licence number; a licence check code; Driving status; Driving penalties and disqualifications; and vehicles you have permission to drive.
- Recruitment information (including copies of the Right to Work & Licence documentation, References, Identification (Inc. Passport or Birth Certificate) Country Entry Visas and other information included in a CV or cover letter or as part of the application process).
- Certificates, Qualifications & Verification documents
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Compensation history
- Performance information
- Disciplinary and grievance information
- CCTV Footage and other information obtained through electronic means such as swipe card records
- Information about your use of our information and communication systems
- Photographs
- Benefactors and their contact details.

Some Personal Data is considered to be of a “Special Category”. This data is more personally sensitive and requires a higher level of protection.

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

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health, sickness and absence records.
- Information about criminal convictions and offences.

5.0 How is your personal Information collected?

We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

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

Information under “special categories” may be collected under our Group wide, planned, Health Surveillance programme or under random “Drug and Alcohol” screening. With vehicle and driver movement data being captured using our C-Track vehicle tracking system.

6.0 How will RSE use Information about you?

The company will only use your personal information when the law allows us to. We will collect personal information that is necessary for us to effectively and efficiently conduct and manage our business, to develop and promote our services and to assist us with complying with our legal and regulatory obligations. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract, we have entered into with you.
- Where we need to comply with a legal obligation.
- 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.
- To update your details and keep our records up to date
- To provide you with access to protected areas of our website/intranet
- For any of the purposes set out in this Privacy Statement

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

- Where we need to protect your interests (or someone else’s interests).
- Where it is needed in the public interest or for official purposes.

6.1 Situations in which RSE will use your personal information

The RSE Group will always collect basic contact information from you at the start of our working relationship. The other information that we collect about you will vary, dependent on the nature of the contract and working relationship with you. The situations in which we will process and use your personal information are listed below;

- During the recruitment and engagement of employees and staff, including reference checking and agency searches
- As part of training, induction and on-boarding programs
- Checking your eligibility to legally work in the UK
- During dealings with government agencies
- Paying you and, if you are an employee, deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering the contract, we have entered into with you
- Business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions

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- Gathering evidence for possible grievance or disciplinary proceedings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with Health and Safety obligations
- Incident and accident investigations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- Equal opportunities monitoring
- During dealings with clients, contractors, subcontractors, suppliers and other service providers
- During conversations between you and our representatives
- Through access to our website, social media web sites and blogs
- Monitoring and surveillance systems, including CCTV systems
- Access control systems and registers for individuals accessing our sites and premises
- During random drug and alcohol testing on operatives on our sites and premises
- Through third party companies engaged to undertake credit reference and due diligence checks on individuals and organisations with whom we engage in the operation of our business
- Vehicle movement disclosure at the request of HMRC
- Monitoring and addressing RSE Group vehicle speed limit / traffic violations

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

If we receive your personal information and we did not request it, then we will determine, within a suitable time after receiving that information (6-12 months), whether it is reasonably necessary for us to retain that information and in the case of sensitive information, whether you consented to the collection. If not, we will de-identify or destroy the information.

Regardless of how we obtain the information, we will take reasonable steps to ensure that you are aware of the way we are collecting the information, any laws requiring the collection, who we usually disclose it to and any consequences for you if we are not provided with the information.

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7.0 Why does RSE need the Information about you?

For all of the information you provide, RSE have a legal basis for processing the data. In almost all cases, RSE's legal basis for processing your data will be one or a combination of the following:

- **Legal Obligation** – your information is required for RSE to comply with any laws and/or regulations to which RSE is subject.
- **Legitimate Interests** – your information is required for the purposes of legitimate interests pursued by RSE or a Third Party.
- **Contractual Necessity** – your information is required for RSE to take steps at your request with a view to entering in to a contract OR for RSE to perform the contract to which you are a party.
- **Consent** – you have freely given your consent for RSE to process the information.
- **Vital Interests** – processing of your information is necessary in order to protect the vital interests of the data subject, or another person, where the data subject is incapable of giving consent

RSE have indicated the legal basis behind the request for each item of personal information you supply on our Data Inventory.

7.1 How long does RSE keep the information about you?

Different pieces of information required by RSE have different retention periods attached to them. Some of these are dictated by law i.e. basic contact and tax information must be retained for up to 20 years under UK Tax Law. Some others are dictated by the type of information i.e. records of incidents, accidents, occupational health problems and complaints will depend on whether there are outstanding legal proceedings and may be retained indefinitely. RSE has created our Records Retention Matrix, as a guide to how long we store personal information. This can be requested from your RSE Representative or the RSE QHSE & Compliance Lead at any time.

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

7.2 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 a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

7.3 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 we will explain the legal basis which allows us to do so.

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

8.0 How RSE 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 have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent

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- Where we need to carry out our legal obligations or exercise rights in connection with employment
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

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 interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

8.1 RSE's obligations as an employer

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

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

8.2 Do RSE 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 circumstances, 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.

9.0 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 policy.

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 do not envisage that 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. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- Criminal conviction information is detailed within the application process currently used to access secure Third Party /Client sites. The RSE group will not retain any of this information for our records, however we will forward your data on to the Third Party /Client as part of the security clearance process.

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

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10.0 Sharing your Personal Data

We may have to share your data with third parties, including third-party service providers and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law. If necessary, in the course of business we may transfer your personal data outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

10.1 Why might RSE share my personal information with third parties?

We will share, disclose or transfer your personal information with third parties where required by law. The transfer of Private Data to third parties will be limited to that which is necessary to support and administer the working relationship with you or where we have another legitimate interest in doing so.

10.2 Which third-party service providers process my personal information?

“Third parties” includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers:

- Payroll
- Pension administration
- Benefits provision and administration
- IT services

10.3 How secure is my information with third-party service providers and other entities in our group?

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

10.4 When might RSE share my personal information with other entities in the group?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

10.5 What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

10.6 Transferring information outside the UK

The RSE group conducts business with international clients and may therefore be required to transfer personal data across borders. At all times, RSE shall ensure that the transfer of personal data over an international border is protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission OR through binding corporate rules, a copy of which can be obtained via your group contact: Steven McLachlan, Commercial Director, at any time.

11.0 Data Security

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

If you would like further details of these measures, then you can request further information by contacting, in writing, **Steven McLachlan, RSE, Commercial Director.**

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

12.0 Data Retention

12.1 How long will RSE use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

If we have a relationship with you, we hold your personal information for a maximum of 7 years from the date our relationship ends, exception to this will include;

- For Audit Purposes, your Personal Data may be retained for up to 7 Years
- Under the UK Tax Law, we may be required to retain your Income Tax records for up to 20 years
- Under the Health & Safety at Work Act 1974, we must retain essential Health and Safety record information for a minimum of 40 years
- Where the law requires us to hold your personal information for a longer period, or delete it sooner
- Where you exercise your right to have the information erased (where it applies) and we do not need to hold it in connection with any of the reasons permitted or required under the law.

We hold your personal information for this period to establish, bring or defend legal claims. Our relationship ends when the employment contract is terminated.

Where we have obtained your personal information following a recruitment enquiry, we will hold your personal information for up to 12 months, from the date we collect that information, unless during that period you retract the recruitment query.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

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

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13.0 Right of Access, Correction, Erasure and Restriction

13.1 Your duty to inform us of changes

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

13.2 Your rights in connection with personal information

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

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

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact, in writing, **Steven McLachlan, RSE, Commercial Director**.

13.3 No fee usually required

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

13.4 What RSE 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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14.0 Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, 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, in writing, **Steven McLachlan, RSE, Commercial Director**.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

15.0 Data Protection Officer

We have not appointed a Data Protection Officer however if you have any questions about this privacy notice or how we handle your personal information, contact RSE in writing at:

Mansfield House
Muir of Ord Industrial Estate
Muir of Ord
IV6 7UA

15.1 ICO Scotland contact details

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.

The Information Commissioner's Office (ICO) is the UK's supervisory authority for data protection issues. An independent body set up to uphold information rights.

The Information Commissioner's Office - Scotland
45 Melville Street
Edinburgh
EH3 7HL

Telephone: 0303 123 1115
Email: Scotland@ico.org.uk

16.0 Changes to this Policy Notice

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

A full, up to date version of the Privacy Notice, can be obtained from the RSE website and on the company's intranet.