

CONTRACTOR PRIVACY POLICY

THE COMPANY'S LEGAL OBLIGATIONS

Momentum Instore Limited (referred to in this document as “we” or the “Company”) is committed to protecting the privacy and security of your personal information. This privacy policy includes privacy notices and describes how we collect and use personal information about you during and after your working relationship with us, in accordance with data protection laws and the General Data Protection Regulation (GDPR).

It applies to all contractors working with the Company. This privacy policy does not form part of any contract to provide services. It is important that you read this Policy, 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.

CONTACT DETAILS

The Company's contact details are:

Momentum Instore Limited, Beechwood Court, Springwood Way, Tytherington Business Park, Tytherington, Macclesfield, SK10 2XG.

For enquiries regarding this Policy, see Contact Us at the end of this document.

The Company is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

CCTV - When you attend the premises of our clients in order to carry out your service, our client may collect personal data relating to your delivery of service (for example monitoring via CCTV). The processing of such data is the responsibility of our client. We are not responsible for the processing of such data.

GDPR AND DATA PROTECTION PRINCIPLES

GDPR, which takes effect from 25 May 2018, will establish a single pan-European law for data protection and will enable individuals to better control their personal data, regardless of where this data is sent, stored or processed.

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Company has to comply with the provisions of GDPR when keeping or processing personal data about contractors and when we obtain, use, disclose or otherwise process such data.

The Company collects and processes personal data relating to contractors to manage the working relationship. The Company is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

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

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

DATA PRIVACY MANAGER

The Data Privacy Managers for the business are:

Danielle Dixon (Senior HR Advisor) and Mike Lockey (IT Manager)

The Data Privacy Managers will inform and advise on GDPR, monitor compliance within The Company, cooperate & liaise with the ICO and be the point of contact for data subjects.

WHAT PERSONAL DATA DO WE PROCESS?

We collect, store and process a range of personal information about you. This includes:

CONTACT

- your name, business address and contact details, including email address and telephone number;
- emergency contact details

FINANCIAL

- your bank account details;

TERMS

- the terms of service between you and the Company;

TECHNICAL

- your business insurance for your vehicle;
- your public liability insurance;

SERVICE DELIVERY AND WORK HISTORY

- details of your qualifications, skills, experience and work history;
- details of your work schedule and attendance when working on projects with the Company;
- details of any transgressions or complaints procedures in which you have been involved;

HOW WE COLLECT PERSONAL DATA?

The Company may collect this information in a variety of ways. For example, data might be collected from forms completed by you e.g. contractor form, from correspondence with you or through meetings.

WHERE WE STORE PERSONAL DATA?

Data will be stored in a range of different places, including in your contractors/business file (stored at Head Office under lock and key), in The Company's accounts software and in other IT systems such as our in-house project tracking system, Insite. Data will be held in both hard format and electronically.

Records may also be kept in places other than the contractors file. For example, the HR/Onboarding department may keep central records and Field Managers may also hold some records about a contractor.

USE OF DATA

HOW WE USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances (each of these circumstances can also be referred to as a “basis” of processing:

1. Where we need to perform the contract we have entered into with you.

2. Where we need to comply with a legal obligation.

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

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

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

2. Where it is needed in the public interest or for official purposes.

3. Where we have obtained your consent.

We process the categories of information in the list above (see Paragraph headed "What personal data do we process?") for a number of purposes:

- to perform the agreement for services with you. For example, we need to process your data to pay you in accordance with this agreement; and/or
- to comply with our legal obligations. For example, we are required to comply with health and safety laws
- to pursue legitimate interests of our own or those of third parties before, during and after the end of the work relationship, provided your interests and fundamental rights do not override those interests.

Our **legitimate interests** would include, for example: to detect and prevent fraud and crime; administrative purposes; reporting potential crimes to relevant authorities; intra group transfers; contractor administration, operations and onboarding of contractors; ensuring network, information and system security; participate and comply with industry watch-lists and industry self-regulatory schemes; corporate operations and due diligence (reporting of management information, operation of financial/risk/credit models, back office operation, managing third party service providers, corporate reorganisations); to carry out our core business and supply services to our customers; bringing or responding to legal claims or proceedings to protect the Company's tangible or intangible assets or interests.

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

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Purpose/Activity	Type of Data	Lawful basis for processing including basis of legitimate interest
<p>Process invoices in accordance with the fee agreement.</p>	<p>More detail about each type of data listed in this column below are explained under "What Personal Data do we process?"</p> <p>Contact Financial Technical Service Delivery and Work History</p>	<p><i>Processing personal data for this purpose is necessary to perform the agreement between you and the Company.</i></p>
<p>Operate and keep a record of contractor skill levels and related processes for work scheduling purposes.</p> <p>We will keep a record of your skill level to ensure we contact you with the right projects in accordance with your knowledge and experience. This information will be kept on a contractors file and on Insite.</p>	<p>Contact Terms and History Service Delivery Technical Financial</p>	<p>Processing personal data for this purpose is necessary to perform the agreement between you and the Company and for our legitimate interests (to carry out our core business and supply services to our customers; contractor administration, operations and onboarding of contractors)</p>
<p>Maintain accurate and up-to-date contact details (including details of who to contact in the event of an emergency).</p>	<p>Contact Terms and History Service Delivery Technical Financial</p>	<p>Processing personal data for this purpose is necessary to perform the agreement between you and the Company and protect the vital interests of the contractor and for our legitimate interests (contractor administration,</p>

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This information will be kept on a contractors file and on Insite.		operations and onboarding of contractors)
Ensure the contractor has the necessary insurance documents.	Terms	<i>This information will be kept on a contractors file. Processing personal data for this purpose is necessary for the Company to comply with its health & safety/legal obligations.</i>
Operate and keep a record of transgressions to ensure acceptable standards within the workplace.	Contact Terms and History Service Delivery Technical Financial	<i>Records and documents relating to this are kept on contractor's files. Processing personal data for this purpose is necessary to perform the agreement between you and the Company, to comply with legal obligations and for our legitimate interests (contractor administration, operations and onboarding of contractors)</i>
Respond to and defend against legal claims.	Contact Terms and History Service Delivery Technical Financial	<i>Processing personal data for this purpose is necessary for the Company to comply with its legal obligations and for our legitimate interests (bringing or responding to legal claims or proceedings to protect the Company's tangible or intangible assets or interests).</i>

The Company's policy is to ensure that the information held on a contractors file is relevant, accurate and not excessive.

ACCESS TO DATA

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In order for the company to carry out the points listed above (under use of data), your information will be shared internally on a need to know basis. This includes with members of the HR/Onboarding and Accounts Team, H&S Manager, Project Teams, Field Management Team, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles. For example, the Project Teams will need access to your name, number, email and address for scheduling purposes and for sending you project information. Access to held information is restricted on a need to know basis.

THIRD PARTIES

We may 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. For example:

- We may share your name with clients prior to a project you are working on so they know who to expect on site for operational and health and safety reasons. Processing personal data for this purpose is necessary to perform the agreement between you and the Company and to protect the vital interests of the contractor.
- Your relevant personal data may be shared with HMRC and the Police should the Company receive any such requests in writing. Processing personal data for this purpose is necessary to for the Company to comply with its legal obligations.
- Project Teams may need to share your passport details when applying for permits/access to store. For example, if you are working at an airport it would be shared with the British Airport Authority. Processing personal data for this purpose is necessary to perform the agreement between you and the Company and for our legitimate interests (to carry out our core business and supply services to our customers).
- Project Teams may need to share your contact number &/or email address with other contractors or workers who are working on the same project(s) as you. This is necessary to coordinate times to meet, provide Microsoft 'Teams' training, or communicate project updates via WhatsApp etc. Processing personal data for this purpose is necessary to perform our contract for services with you and for our legitimate interests (to carry out our core business and supply services to our customers). Your mobile number &/or email address may be used in Microsoft Teams &/or WhatsApp & will be visible to other contractors or workers scheduled on the same project.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We will not transfer your data to countries outside the European Economic Area without your explicit consent.

PROTECTION OF DATA

The Company takes the security of your data seriously. The Company has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. The ability to access data is restricted on a need to know basis. AD security groups are used to permission sensitive server data and Access Control Groups are used on our extranets. For example, there are access authority levels on Insite (in house project tracking system) to ensure that internal employees only have access to contractor details on a need to know basis.

Where the Company engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

CONSENT

By entering into an agreement with the Company the contractor understands the need for the collection, storage and processing by the Company, or by any associated Company, or by our third party representatives of any personal data, relating to them as necessary as part of the working relationship for various reasons.

You confirm that you have read and understood our privacy policy which outlines **what personal data** we will process, **the ways** in which we will process it, **the reasons why** we are processing it and **for what purpose**, any **third parties** that we may need to **share** their personal data with and the **lawful basis** on which we process that data.

If we intend to use a contractor's data for any other purposes not outlined in this policy we will as required by data protection laws ask you to sign a separate consent form. For example, if we are sharing data with third parties not mentioned within this Policy or wanting to put your photograph or personal data on the company website/company newsletter etc. Where contractor has given consent to processing, the contractor can withdraw such consent at any time by contacting us at GDPR@momentuminstore.com.

Certain information, such as contact details and bank account details, have to be provided to enable the Company to enter into an agreement with you. If you do not provide other information, this will hinder The Company's ability to administer the obligations arising as a result of the working relationship efficiently.

DATA RETENTION PERIODS

The Company will hold your personal data for the duration of your time with the Company.

What Happens If You Leave?

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. Details of retention periods for different aspects of your personal information are available in our retention policy which information is available from our Data Privacy Managers at GDPR@momentuminstore.com.

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 a contractor with the Company we will retain and securely destroy your personal information in accordance with our data retention policy **or** applicable laws and regulations.

The Company may need to keep certain information to respond to and defend against legal claims for up to 6 years. Your contractor file will be kept securely and in any event destroyed after 6 years as the Company.

Contractor's files and bank account details will be reviewed regularly to check for inaccuracies, update old information and remove information that is no longer required.

RIGHTS OF INDIVIDUALS TO SEE THEIR DATA

As a data subject, under certain circumstances, you have a number of rights:

- **Request access** - You can access and obtain a copy of your data on request (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.
- **Correction** - You can require us to change incorrect or incomplete data we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Erasure** - You can require us to delete or stop processing your personal data, for example where the data is no longer necessary for the purposes of processing. 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** - You can object to the processing of your personal data where the organisation is relying on its legitimate interests (or those of a third party) as the legal ground for processing;
- **Request the restriction of processing** - You can request the restriction of processing. 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.;
- **Transfer request** - You can request the transfer of your personal information to another party;
- **Automated Decision- Making** You have the right not to be subject to a decision based solely on automated processing (Automated Decision-Making), which produces either legal or other significant effects. Automated Decision-Making takes place when an electronic system uses personal information to make a decision without human intervention.

Examples of this are:

- Automatic rejection of candidates when onboarding online if they do not have certain qualifications
- A 'trigger' in a procedure
- Bonus decision made on attendance data

We are allowed to use automated decision-making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

All data subject access requests from individuals to view their data being held by Momentum Instore should be addressed to GDPR@momentuminstore.com. The Company will firstly ask you to complete a Subject Data Access Request form for the purposes of properly verifying the identity of the individual making the request, ensuring it is lawful for us to provide the individual with the requested information and to understand specifically what data is being requested. The Company will then supply the electronic information requested within 1 month from the date of request for standard information requests. More complex information requests may take up to 3 months.

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 the Data Protection Manager in writing at GDPR@momentuminstore.com

RIGHT TO COMPLAIN

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

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.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access 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.

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 the Data Protection Manager at GDPR@momentuminstore.com. 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.

The Company recognises an individual's "Right to be Forgotten", and such requests should be sent to GDPR@momentuminstore.com.

CONTRACTORS DUTIES

To help the Company keep accurate information, you must tell us about changes to contact, bank account or other personal details. You also have a role to play in helping the Company meet its

obligations to handle personal data relating to other contractors or workers in accordance with GDPR.

If you receive a request for disclosure of information about another contractor or worker, you must be careful. You should take all reasonable steps to establish the identity of the person seeking the information, obtain a written request or phone number and then pass the request to a member of the HR Department.

Contractors in doubt about handling personal information relating to other contractors or workers should seek guidance. Accessing, keeping, disclosing or otherwise using records of other contractors or workers without authority is a serious offence (and in some cases may constitute a criminal offence) which may result in the Company no longer using your services.

RESPONSE TO DATA BREACH

Responsibilities

All users (including but not limited to; Employees, Workers, Contractors, Owners Momentum Instore and any third party users have an obligation to be aware of, follow and comply with this procedure in the event of a personal data breach caused by themselves or another.

Once a breach has been reported by an Employee, Worker, Contractor, Owner of Momentum Instore or any third party, The Company must comply with the procedures outlined below.

The Data Privacy Managers are responsible for ensuring this procedure is reviewed and updated in line with GDPR requirements

Personal Data Breach

A personal data breach means a breach of security leading to the destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

Procedure – Reporting a Breach Internally

Any user who negligently, intentionally, accidentally or otherwise causes a breach, should report this breach to The Data Privacy Managers or to their manager should the Data Privacy Managers be out of the office, by way of email detailing when the breach occurred, who the breach was made by, the full details of the breach, who the data subject is that the breach concerns and any other relevant information.

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Any user who becomes aware of a breach whether by themselves, another individual or system etc. should report the breach in the same way

No attempt should be made to mitigate the breach by any person unless advice has first been sought from the Data Privacy Managers or unless they have undertaken the relevant training which has authorised them to do so in the absence of this advice

As soon as any person becomes aware of a breach, this must be reported as soon as possible but as a minimum, within 24 hours of becoming aware of the breach occurring

A failure to report a breach in compliance with this procedure could result in the Company disposing of the services of any Contractor with or without notice

CHANGES TO THIS PRIVACY NOTICE

Changes to the privacy notice will be communicated with reasons for such changes (for example changes in law or changes in approach/uses).

CONTACT US

Please direct any queries to our Data Privacy Managers on GDPR@momentuminstore.com.