



The Association for Project Safety Limited – Privacy Policy

1. Introduction

- 1.1 We are The Association for Project Safety Limited (referred to as **APS, we, us** and **our** in this Privacy Policy), a company incorporated in Scotland with company number SC155374 and whose registered office is at Suite 3, 5 New Mart Place, Edinburgh, EH14 1RW.
- 1.2 The information set out in this Privacy Policy is provided to individuals whose personal data we process (**you** or **your**) as data controller, in compliance with our obligations under Articles 13 and 14 of the General Data Protection Regulation 2016/679 (**GDPR**).
- 1.3 To make this information clear, we have divided the data we receive into the following groups and corresponding Schedules, where each of which refers to: the particular category of information we collect and retain; from where we obtain the information from; the purpose and legal basis of processing and to whom we will (if applicable) disclose the information:

Schedule 1 Data about our members, and all individuals in respect of whom we have acquired personal information in connection with any products or services offered by us (including, where applicable, directors, shareholders, consultants, employees or other personnel of our members)

Schedule 2 Data about our suppliers and supplier personnel

Schedule 3 Data collected about staff and visitors to our offices

2. Data controller details

- 2.1 We are the data controller in relation to the processing of the personal information that you provide to us. Our contact details are as follows:
 - 2.1.1 Address: Suite 3, 5 New Mart Place, Edinburgh, EH14 1RW.
 - 2.1.2 Telephone number: 0044 (0)131 442 6600.
 - 2.1.3 Email address: info@aps.org.uk (please include “Personal Data Request” in your subject heading to ensure it receives the correct attention).
- 2.2 Our Data Protection Officer is Nicola Lally, whose contact details are as follows:

2.2.1 Telephone number: 0044 (0) 131 442 6600.

2.2.2 Email address: info@aps.org.uk

2.2.3 International transfers

We will not transfer personal data relating to you to a country which is outside the European Economic Area (**EEA**) unless:

- 2.3 the country or recipient is covered by an adequacy decision of the European Commission under GDPR Article 45;
- 2.4 appropriate safeguards have been put in place which meet the requirements of GDPR Article 46 (for example using the European Commission's Standard Model Clauses for transfers of personal data outside the EEA); or
- 2.5 one of the derogations for specific situations under GDPR Article 49 is applicable to the transfer. These include (in summary):
 - 2.5.1 the transfer is necessary to perform, or to form, a contract to which we are a party:
 - 2.5.1.1 with you; or
 - 2.5.1.2 with a third party where the contract is in your interests;
 - 2.5.2 the transfer is necessary for the establishment, exercise or defence of legal claims;
 - 2.5.3 you have provided your explicit consent to the transfer; or
 - 2.5.4 the transfer is of a limited nature, and is necessary for the purpose of our compelling legitimate interests.

3. Retention of personal data

Our retention and deletion policy can be found within schedule 4.

4. Your rights in respect of your personal data

- 4.1 You have certain rights under existing data protection laws, including the right to (upon written request) access a copy of your personal data that we are processing. From 25 May 2018, in accordance with the GDPR:
 - 4.1.1 you will have the following rights:
 - 4.1.1.1 **right to access:** the right to request certain information about, access to and copies of the personal information about you that we are holding (please note that you are entitled to request one copy of the personal information that we hold about you at no cost, but for any further copies, we reserve the right to charge a reasonable fee based on administration costs); and
 - 4.1.1.2 **right to rectification:** the right to have your personal information rectified if it is inaccurate or incomplete; and
 - 4.1.2 in certain circumstances, you will also have the following rights:
 - 4.1.2.1 **right to erasure/right to be forgotten:** the right to withdraw your consent to our processing of the data (if the legal basis for processing is based on your consent) and the right to request that we delete or erase your personal information from our

systems (however, this will not apply if we are required to hold on to the information for compliance with any legal obligation or if we require the information to establish or defend any legal claim);

4.1.2.2 **right to restriction of use of your information:** the right to stop us from using your personal information or limit the way in which we can use it;

4.1.2.3 **right to data portability:** the right to request that we return any information you have provided in a structured, commonly used and machine-readable format, or that we send it directly to another company, where technically feasible; and

4.1.2.4 **right to object:** the right to object to our use of your personal information including where we use it for our legitimate interests or for marketing purposes.

4.2 Please note that if you withdraw your consent to the use of your personal information for purposes set out in our Privacy Policy, we may not be able to carry out our contractual obligations to you or provide you with access to all or certain parts of our services.

4.3 If you consider our use of your personal information to be unlawful, you have the right to lodge a complaint with the UK's supervisory authority, the Information Commissioner's Office. Please see further information on their website: www.ico.org.uk

5. Automatic decision making

We do not make decisions based solely on automated data processing, including profiling.

6. Security

6.1 We keep your information protected by taking appropriate technical and organisational measures to guard against unauthorised or unlawful processing, accidental loss, destruction or damage. For example:

6.1.1 where appropriate, data is encrypted when transiting on our system or stored on our databases;

6.1.2 we have implemented safeguards in relation to access and confidentiality in order to protect the information held within our systems; and

6.1.3 we frequently carry out risk assessments and audits to monitor and review threats and vulnerabilities to our systems to prevent fraud.

6.2 However, while we will do our best to protect your personal information, we cannot guarantee the security of your information which is transmitted via an internet or similar connection. It is important that all details of any username, password and/or other identification information created to access our servers are kept confidential by you and should not be disclosed to or shared with anyone.

7. Cookies

This website uses cookies to distinguish you from other users of the website. A cookie is a small file of letters and numbers that is stored on your device. The cookies may obtain information about you, your computer, your use of our website and your general internet usage. Find out more about the cookies we use <https://www.aps.org.uk/cookies>

8. **Third party websites**

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

9. **Changes to this Privacy Policy**

We may amend this Privacy Policy from time to time, for example to keep it up to date, to implement minor technical adjustments and improvements or to comply with legal requirements. We will always update this Privacy Policy on our website, so please try to read it when you visit the website (the “last updated” reference tells you when we last updated our Privacy Policy).

Last updated 1 February 2022

Schedule 1

Data about our members, and all individuals in respect of whom we have acquired personal information in connection with any products or services offered by us (including, where applicable, directors, consultants, employees or other personnel of our members)

What we collect:	We may use your information for the following purposes, based on the following legal grounds:	Recipients:
• Contact details such as your name, home/work addresses, email address, landline/mobile phone or fax numbers. • Employment information such as your position/title, employment history, professional specialisms and qualifications.	• If it is necessary for the performance of our contract or for the purposes of entering into a contract: for the purpose of negotiating and entering into contractual agreements with you, in the course of providing our services e.g. contacting individuals to obtain instructions and discuss work involved. • If it is in our legitimate business interests to do so: for internal record keeping for administration purposes, for the purpose of communications in relation to establishing a relationship, obtaining evidence of identity of our members, communications regarding our service and fees, for insight purposes (e.g. to analyse market trends and demographics, and develop the service which we offer to you or other individuals in the future) and sending information to you about products and services which we think may be of interest to you for marketing purposes. • Compliance with a legal obligation: in order to prevent fraud or money laundering or to comply with any other legal or regulatory requirements. • Consent: where you have specifically consented to us sharing your information with a third party.	How we share information outside APS Please note that personal information we are holding about you may be shared with and processed by: 1. regulators or other third parties for the purposes of monitoring and/or enforcing our compliance with any legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts; 2. credit reference and fraud prevention agencies; 3. any third party in the context of actual or threatened legal proceedings, provided we can do so lawfully (for example in response to a court order); 4. other parties and/or their professional advisers involved in a matter where required as part of the conduct of the services; 5. our own professional advisers and auditors for the purpose of seeking professional advice or to meet our audit responsibilities; 6. our service providers and agents (including their subcontractors) or third parties which process information on our behalf (e.g. internet service and platform providers, our bank, payment processing providers and those organisations we engage to help us send communications to you) so that they may help us to provide you with the applications, products, services and information you have requested; 7. third parties as part of the arrangements for any event for which you have expressed an interest in attending; 8. third parties for marketing purposes (with your consent), e.g. our partners and other third parties with whom we work and whose products or services we think will interest you; and
• Payment information such as bank details and transaction history.	• If it is necessary for the performance of our contract: for the purpose of making or receiving payments in the course of providing our services. • If it is in our legitimate business interests to do so: for internal record keeping for administration purposes, for the purpose of retaining evidence of payment transactions, for insight purposes (e.g. to analyse	

What we collect:	We may use your information for the following purposes, based on the following legal grounds:	Recipients:
	market trends and demographics in relation to our fees), for establishing our member's ability to pay costs and to develop the service which we offer to you or other individuals in the future). • Compliance with a legal obligation: in order to prevent fraud or money laundering or to comply with any other legal or regulatory requirements.	9. another organisation to whom we may transfer our agreement with you or if we sell or buy (or negotiate to sell or buy) our business or any of our assets (provided that adequate protections and safeguards are in place).

Schedule 2
Data about suppliers and supplier personnel

What we collect:	We may use your information for the following purposes, based on the following legal grounds:	Recipients:
• Contact details such as your name, home/work addresses, email address, landline/mobile phone or fax numbers. • Employment information such as your position/title, employment history, professional specialisms and qualifications.	• If it is necessary for the performance of our contract or for the purposes of entering into a contract: for the purpose of negotiating and entering into contractual agreements with you, in the course of receiving services from you e.g. contacting individuals where we need to do so to provide instructions and discuss work involved. • If it is in our legitimate business interests to do so: for internal record keeping for administration purposes, for the purpose of communications in relation to establishing a supplier relationship, obtaining evidence of identity of our suppliers. • Compliance with a legal obligation: in order to prevent fraud or money laundering or to comply with any other legal or regulatory requirements.	How we share information outside APS Please note that personal information we are holding about you may be shared with and processed by: 1. our members, if your services are supplied to us so that we can provide services for and/or performing our contractual obligations to such members; 2. regulators or other third parties for the purposes of monitoring and/or enforcing our compliance with any legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts; 3. credit reference and fraud prevention agencies; 4. any third party in the context of actual or threatened legal proceedings, provided we can do so lawfully (for example in response to a court order); 5. our own professional advisors and auditors for the purpose of seeking professional advice or to meet our audit responsibilities; 6. our service providers and agents (including their subcontractors) or third parties which process information on our behalf (e.g. internet service and platform providers, our bank, payment processing providers); 7. another organisation to whom we may transfer our agreement with you or if we sell or buy (or negotiate to sell or buy) our business or any of our assets (provided that adequate protections and safeguards are in place).
• Payment information such as bank details and transaction history.	• If it is necessary for the performance of our contract: for the purpose of making or receiving payments in the course of the supplier's services. • If it is in our legitimate business interests to do so: for the purpose of enquiring, requesting or purchasing goods or services, for internal record keeping for administration purposes, for the purpose of retaining evidence of payment transactions and for insight purposes (e.g. to analyse market trends and demographics in relation to our suppliers' fees). • Compliance with a legal obligation: in order to prevent fraud or money laundering or to comply with any other legal or regulatory requirements.	

What we collect:	We may use your information for the following purposes, based on the following legal grounds:	Recipients:

Schedule 3
Data about visitors to our offices

What we collect:	We may use your information for the following purposes, based on the following legal grounds:	Recipients:
• Monitoring information such as entrance/exit dates/times, movement within the relevant building via security card system. • Identification information provided to us by the visitor. This may include details included in copy personal photo and residential ID documents we receive.	• If it is in our legitimate business interests to do so: for security purposes and pursuant to our legitimate interest in maintaining a safe environment, for the purpose of confirming attendance/location of the individual, for determining contract performance (in the case of employees and suppliers), for use where catering is arranged (in the case of dietary preferences), and for security purposes in order to maintain a safe environment. • Compliance with a legal obligation: in order to prevent fraud or money laundering or to comply with any other legal or regulatory requirements.	How we share information Please note that personal information we are holding about you may be shared with and processed by: 1. building management and law enforcement authorities, or other regulators or other third parties for the purposes of monitoring and/or enforcing our compliance with any legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts; and 2. the relevant individual's employer or agent.

Schedule 4 Retention and deletion policy

Unless we are required or permitted by law to hold on to your information for a specific retention period, we may retain your information for the following purposes and periods:

Category of personal data	Period for which personal data will be stored
Data about our members, business contacts, and third parties involved in matters in relation to which we provide services to our members.	Contracts and general correspondence (emails, post and other communications) obtained in the course of providing our services: Such information will be stored for 8 years following completion of the services or termination or expiry of the contract with our member (whichever is later). Contact details for marketing purposes: Contact information relating to members and contacts will be held for so long as we believe the information to remain accurate and the individual concerned remains a genuine connection of ours, or of one of our directors and staff. We have a programme for reviewing our contacts regularly, and removing any information which is considered to be out of date or no longer relevant.
Data about our suppliers and supplier personnel.	Contracts and general correspondence (emails, post and other communications) obtained in the course of providing your services: Such information will be stored for 8 years following completion of the services or termination or expiry of your contract (whichever is later).