

## Privacy Policy

### 1. Our Details

- a. In this policy, “we”, “us” and “our” refer to **BAM Construction Training Ltd.**
- b. This website is owned and operated by **BAM Construction Training Ltd.**
- c. We are registered in England and Wales under **registration number 8605885**, and our registered office is at **4 Warren Farm, Forest Road, Wokingham, Berkshire, RG40 5QY**, which is also our principal place of business.
- d. Our data protection officer is Vanessa Santos and you can contact her by calling our office on 01189 790030.
- e. We are committed to safeguarding the privacy of our website visitors and service users.

### 2. Information Held

- a. We may process data about your use of our website (“**usage data**”) which may include your IP address, geographical location, browser type and version, operating system, length of visit, website journey, times of visit and frequency of visits. The source of this usage data is google analytics and our legal basis for this processing is our legitimate interests, namely monitoring and improving our website, website content and visitor experience.
- b. We will process your personal data (“**personal data**”) which may include your name, address, accreditation numbers (eg: cpcs registration number), date of birth, telephone number, email address and employment details. The source of this personal data is from you, your employer, or a third party (such as a broker) who make a booking with us on your behalf. The legal basis for this processing is our legitimate interests, namely for the proper administration of our business, and to enter into a contract which enables us to provide you with our services.
- c. We will process your service data (“**service data**”) which may include bookings you make with us. The type of service data information we process may include course names, course dates, course locations, course results, course providers, and any other course related information. The source of this service data is from you, your employer, or a third party (such as a broker) who make a booking with us on your behalf. The legal basis for

this processing is our legitimate interests, namely for the proper administration of our business, and to enter into a contract which enables us to provide you with our services.

- d. We will process information relating to transactions (**“transaction data”**) which may include purchases of goods and services, that you enter into with us through our website, by telephone, by email, or through a third party (such as a broker). The transaction data may be processed for the purpose of supplying the purchased goods and/or services and to keep proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us, and also for our legitimate interests, namely for the proper administration of our business.
- e. We may process information contained in any enquiry you submit to us regarding our business or business services (**“enquiry data”**). The enquiry data may be processed for the purpose of offering, marketing and selling relevant services to you. The legal basis for this processing is consent using a positive opt-in.
- f. We may process information contained in or relating to any communication that you send to us (**“correspondence data”**) which may include the communication content and any metadata associated with the communication content made using contact forms on our website or software provider(s). The correspondence data may be processed for the purpose of communicating with you and keeping records. The legal basis for this processing is our legitimate interests, namely for the proper administration of our business.
- g. We will process your account data (**“account data”**) which will include your **“personal data”**, **“service data”** and **“transaction data”**, and may include your **“enquiry data”** and **“correspondence data”**. The source of this account data is you, your employer, or a third party (such as a broker). The account data may be processed for the purpose of operating our business, providing our services, maintaining backups of our databases, adhering to accreditator rules/regulations, and communicating with you. The legal basis for this processing is consent we receive through a positive opt-in on our internal GDPR sheet, our legitimate interests, namely the proper administration of our business, and accreditator rules/regulations regarding the duration we’re required to hold candidate information and course information for.

- h. We may process any data identified in this policy where necessary for the defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- i. We may process any data identified in this policy where necessary for the purpose of obtaining or maintaining insurance coverage, managing risk, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- j. We may process any data identified in this policy where necessary for compliance with a legal obligation to which we are subject, in order to protect your interests or the interests of another natural person.

### **3. Information Sharing**

- a. We may disclose your account data ("**account data**") to any company we use as a supplier of courses we do not carry out (such as SSSTS/SMSTS courses), or to your employer, or a third party (such as a broker), who have been involved in booking you onto a course with us. The source of this account data is you, your employer, or a third party (such as a broker). The legal basis for this processing is for our legitimate interests, namely the proper administration of our business.
- b. We may disclose your account data ("**account data**") to our insurers and/or advisors insofar as reasonably necessary for the purpose of maintaining insurance coverage, managing risk, or obtaining professional advice, whether in court proceedings in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- c. We may disclose your account data ("**account data**") to our suppliers and/or subcontractors insofar as reasonably necessary for the purpose of providing you with our services. The source of this account data is you, your employer, or a third party (such as a broker). The legal basis for this processing is for our legitimate interests, namely the proper administration of our business.

- d. Financial transactions relating to our products and services may be handled by our payment service providers. We will share transaction data (**“transaction data”**) with our payment service providers only to the extent necessary for the purposes of processing payments, refunding payments, or dealing with complaints and/or queries.
  
- e. Bookings and any corresponding data relating to our products and services may be handled by our software provider, Cnstruction Tech Ltd, who are registered in England and Wales under registration number 11316558, and whose registered office is at Hamilton House, 87-89 Bell Street, Reigate, Surrey, RH27PL. This provider will act as a data controller in relation to all account data (**“account data”**) for the purpose of processing, managing, storing and backing-up our data. The source of this account data is you, your employer, or a third party (such as a broker). The legal basis for this processing is consent we receive through a positive opt-in on our internal GDPR sheet, our legitimate interests, namely the proper administration of our business, and accreditor rules/regulations regarding the duration we’re required to hold candidate information and course information for.
  
- f. We may disclose your personal data (**“personal data”**) where such disclosure is necessary for compliance with a legal obligation to which we are subject, or to protect your vital interests or the vital interests of others. We may also disclose your personal data, where necessary, for the establishment or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

#### 4. Information Retention

- a. Account data (**“account data”**) which may include your **“personal data”**, **“service data”**, **“transaction data”**, **“enquiry data”** and **“correspondence data”**, that we process for any purpose shall be retained on our online systems for a minimum of seven years.
  
- b. Service data (**“service data”**) that we process for any purpose shall be retained as hard copies in securely locked cabinets for a minimum of seven years.
  
- c. Transaction data (**“transaction data”**) that we process for any purpose shall be retained on our online systems for a minimum of five years.

## 5. Your Rights

- a. Your principal rights under data protection law are:
- i. the right to access;
  - ii. the right to rectification;
  - iii. the right to erasure;
  - iv. the right to restrict processing;
  - v. the right to object to processing;
  - vi. the right to data portability;
  - vii. the right to complain to a supervisory authority; and
  - viii. the right to withdraw consent.
- b. You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies are subject to a £10 administration fee. You can request your personal data ("**personal data**") by contacting our office on 01189 790 030 or by emailing [info@bamct.co.uk](mailto:info@bamct.co.uk).
- c. In some circumstances you have the right to the erasure of your personal data ("**personal data**") without undue delay. Those circumstances include: the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data has been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the exercise or defence of legal claims.

- d.** In some circumstances you have the right to restrict the processing of your personal data (**“personal data”**). Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- e.** You have the right to object to our processing of your personal data (**“personal data”**) on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the exercise or defence of legal claims.
- f.** You have the right to object to our processing of your personal data (**“personal data”**) for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- g.** To the extent that the legal basis for our processing of your personal data is consent; or that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract. Such processing is carried out by automated means and you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- h.** If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority

responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

- i. To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

## 6. Information Requests & Information Deletion

- a. You may exercise any of your rights in relation to your personal data by written notice to us. Please email [info@bamct.co.uk](mailto:info@bamct.co.uk).
- b. We will process all information requests within 30 working days of receiving a written notice from you. We will provide you with all digital account data ("**account data**") that we hold on record for you. Please note that requests for digital account data will be subject to a £10 administration fee. If you would like to request a hard copy (paper files relating to your account data) of data we hold on record for you, this request will be subject to a £25 administration fee.
- c. We will process all information deletion requests within 30 working days of receiving a written notice from you. We will delete all your digital account data ("**account data**") that we hold on record for you. Please note that once we have deleted your account data, it cannot be recovered. Furthermore, any paperwork we hold on record for you which relates to training provided through an accreditation scheme (eg: CPCS, NPORS, etc) is the intellectual property of that accreditor and cannot be destroyed without written consent from the accrediting body. In such circumstances we will forward your request to the relevant accrediting body. You can obtain up-to-date privacy policies for the accrediting bodies we work with below:
  - i. CITB: <https://www.citb.co.uk/utility-links/privacy-policy-cookies/>
  - ii. NPORS: <http://npors.com/wp-content/uploads/2018/03/NPORS%C2%AE-Privacy-Policy.pdf>
  - iii. NOCN: <https://www.nocn.org.uk/privacy/>
- d. We will notify our software provider and data controller, Cnstruction Tech Ltd, who store and back-up your account data ("**account data**") on our behalf, of any digital

information deletion requests we receive from you. You will then have the opportunity to confirm that you would like your account data to also be deleted from their records. This deletion request can be requested free of charge. Please note that once your account data has been deleted, it cannot be recovered.

## **7. Cookies**

- a.** We use cookies for authentication on our website so that we can identify you when you visit our website and as you navigate our website.
- b.** We use cookies to determine if you are logged into our website and online portal.
- c.** We use cookies to store information about your preferences and to personalise the website for you.
- d.** We use cookies as an element for security to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website in general.
- e.** We use cookies to help us analyse the use and performance of our website and online portal.
- f.** Our service providers use cookies and those cookies may be stored on your computer when you visit our website.
- g.** We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.
- h.** We use Facebook to analyse the use of our website. Facebook gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Facebook's privacy policy is available at: <https://en-gb.facebook.com/policy.php>.

- i.** We use Tawk to communicate with website visitors on our website. Tawk collects non-personally identifying information about website use by means of cookies. Tawk's privacy policy is available at: <https://www.tawk.to/privacy-policy/>.
  
- j.** Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

  - i.** Google Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
  - ii.** Mozilla Firefox: <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
  - iii.** Opera: <http://www.opera.com/help/tutorials/security/cookies/>
  - iv.** Internet Explorer: <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies>
  - v.** Safari: <https://support.apple.com/kb/PH21411>
  - vi.** Edge: <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy>