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Applies To: Employees, Workers, Suppliers, Visitors
Company Value(s) this relates to: Respect

Policy Statement

On the 25th May 2018 the Data Protection Act 2018, which is based on the General Data Protection Regulations (GDPR) replaced the Data Protection Act 1998 in its entirety. It replaces the existing Data Protection Laws to make them fit for the digital age in which ever increasing personal data is being processed. The Act sets new standards for protecting personal data. Gives people more control over the use of their data and assists in the preparation for a future outside of the EU.

There are 4 main matters provided for, these are:

- General Data Processing
- Law Enforcement Data processing
- Data Processing for National Security Purposes
- Enforcement

All of the above need to be set in the context of international, national and local data processing systems which are increasingly dependent upon internet usage for exchange and transit of data.

The UK must lock into international data protection arrangements, systems and processes and this Act updates and reinforces the mechanism to enable this to take place.

For an overview of the act please visit:

<https://ico.org.uk/for-organisations/guide-to-data-protection/?q=Overview+of+the+Act>

PLEASE NOTE

Consent within this policy relates only to data processing.

1. Data protection principles

The Company is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest,

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scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

2. General provisions

This policy applies to all personal data processed by Pelican Engineering Group.

The Responsible Person shall take responsibility for the Pelicans ongoing compliance with this policy.

This policy shall be reviewed at least annually and shall register with the Information Commissioner’s Office as an organisation that processes personal data.

3. Lawful, fair and transparent processing

To ensure its processing of data is lawful, fair and transparent, the Company shall maintain a Data Protection Register.

The Data Protection Register shall be reviewed at least annually.

Individuals have the right to access their personal data and any such requests made to Pelican shall be dealt with in a timely manner.

4. Lawful purposes

All data processed by Pelican must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests (**see ICO guidance for more information**).

Pelican shall note the appropriate lawful basis in the Data Protection Register.

Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.

Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in Pelican’s systems.

5. Data minimisation

Pelican will ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy

Pelican shall take reasonable steps to ensure personal data is accurate.

Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

To ensure that personal data is kept for no longer than necessary, Pelican shall put in place an archiving policy for each area in which personal data is processed and review this process annually. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

Pelican will ensure that personal data is stored securely using modern software that is kept-up-to-date.

Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.

When personal data is deleted this should be done safely such that the data is irrecoverable. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Pelican will promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO (more information on the ICO website).

OUR PRIVACY POLICY

This document explains how we use your personal data

Our commitment to you;

We are committed to ensuring the privacy of our staff, potential employees and other website visitors. In this policy we explain how we hold, process and retain your personal data.

We take our duty to protect personal information and confidentiality very seriously and we are committed to comply with all relevant legislation and to take all reasonable measures to ensure the confidentiality and security of the personal data we are responsible for.

Pelican Engineering is the data controller in respect to all personal data collected.

1. How we use your personal data

1.1 This section provides you with information about:

- (a) what personal data we hold and process;
- (b) in respect of personal data that we did not collect from you directly, where we obtained that data from, and what types of data we have collected;
- (c) the purposes for which we may process your personal data; and
- (d) the legal grounds on which we process your data.

We will not pass on your information to any third party without your explicit consent.

Our receivers and users of our services

1.2 Contact data.

We may process information that you or your referrer provide to us "**contact data**". This contact data may include your name, address, telephone number, email address, date of birth, and may be provided to us in person, over the phone or through our website. We may use this data during the course of your employment, in conjunction with our partners and suppliers to you.

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The legal basis for this processing is for the purposes of performing our contract with you, or in taking steps at your request prior to entering into a contract.

Where you have provided your consent for us to do so, we may contact you regarding the latest promotions and offers regarding our products and services, and those of our partner organisations, and to send you newsletters.

1.3 **Transaction and financial data.**

We may process information relating to any payments made to us by you, or on your behalf "**transaction data**". The transaction data may include your contact details, your bank account details, and the transaction details. The transaction data may be processed for the purposes of processing these payments and keeping proper records of those transactions.

The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of our website and business.

1.4 **Shared data.**

The company may only share data when approached by authorities other than this the company never shares data.

At the end of the contract, if the data is to be stored by another external company brought in to help, we will forward on your details and inform you of this data transfer. You may object to our sending this data by contacting us at **07719 053 525**.

These organisation will be a Data Controller in their own rights, and where they process your data will inform you directly or through their services such as a website about the data they hold and what processing they undertake.

Referrers to our Services

1.5 **Contact data.**

We may process information that you provide to us "**contact data**". This contact data may include your name, telephone number and email address, and may be provided to us in person, over the phone or through our website. We may use this contact data during the course of your employment, in conjunction with our partners and suppliers.

The legal basis for this processing is and our legitimate interests, namely our interest in the proper administration of our website and business.

Where you have provided your consent for us to do so, we may contact you regarding the latest promotions and offers regarding our products and services, and those of our partner organisations, and to send you newsletters.

1.6 **Transaction data.**

We may process information relating to any payments made to us by you "**transaction data**". The transaction data may include your contact details, your bank account details, and the transaction details. The transaction data may be processed for the purposes of processing these payments and keeping proper records of those transactions.

The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of our website and business.

Our Professional contacts

1.7 Contact data.

We may process information that you provide to us "**contact data**". This contact data may include your name, telephone number, email address, employment details and professional information and may be provided to us in person, over the phone or by email. We may use this contact data during the course of our professional relationship.

The legal basis for this processing is and our legitimate interests, namely our interest in the proper administration of our business.

Where you have provided your consent for us to do so, we may contact you regarding the latest promotions and offers regarding our products and services, and those of our partner organisations, and to send you newsletters.

Potential Employees

1.8 Profile data.

We may process employment information that you provide to us "**profile data**". This profile data may include your name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, interests and hobbies, educational details, employment history, curriculum vitae, job preferences and employment details. We will process your profile data in relation to job vacancies that you have applied for, generally processing any job applications, facilitating the recruitment process and furthering our relationship with you. The legal basis for this processing is our legitimate interests in finding an appropriate person for a particular role.

We may consider you for opportunities that you did not specifically apply for but which we think might be a good fit for your skillset. The legal basis for this processing is our legitimate interests in finding an appropriate candidate for particular roles and vacancies.

Where you have given us consent to process your information for the purposes detailed above, we will enter the profile data into our central recruitment database "**talent pool**". The legal basis for this is our legitimate interests in maintaining a viable talent pool.

1.9 External data.

We may collect your details from third-party sources such as social media sites including Facebook and LinkedIn, job boards or similar websites, this information may include your name, email address or telephone number "**external data**". We may do this where we identify that you are suitable for an available vacancy. We may use the external data to contact you to ask whether you would like us to provide you with an opportunity to apply for a vacancy. Our use of the contact data in these circumstances is limited to making contact with you to determine whether you are interested in receiving our services. The legal basis for this processing is our legitimate interest as a business to maintain a viable talent pool.

Other processing that we may carry out

1.10 Website data.

We may process data about your use of our website "**website data**". The website data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the website data is our analytics tracking system. This website data may be processed for the purposes of analysing the use of the website.

1.11 **Enquiry data.**

We may process information contained in any enquiry you submit to us regarding our residential, specialist transition, and any other services "**enquiry data**". The enquiry data may be processed for the purposes of offering, marketing and selling relevant services to you.

The legal basis for this processing is our legitimate interests in responding to your enquiry appropriately.

1.12 **Other processing activities.**

In addition to the specific purposes for which we may process your personal data set out above, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

[Please do not supply any other person's personal data to us, unless we prompt you to do so or have entered into a written data processing agreement with you.]

2. **Providing your personal data to others**

2.1 **Our partner service providers.** We may share your data to our partners who manage and support us in providing our services including:

- 1) HR Department
- 2) I.T company used to help store data

2.2 **Our insurers/professional advisers.**

We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining and maintaining insurance coverage, managing risks, obtaining professional advice and managing legal disputes.

2.3 **Social Media Platforms.**

We operate several social media pages, if you join one of these pages, please note that the provider of the social media platforms have their own privacy policies and we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data on our social media pages.

2.4 **Where we provide your personal data to any third party.**

Where we share your personal data with any third party, we will ensure this processing is protected by appropriate safeguards including a suitable data processing agreement with that third party.

2.5 **To comply with legal obligations.**

In addition to the specific disclosures of personal data detailed above, we may also disclose your personal data where such disclosure is necessary for compliance with a legal obligation we have to comply with, or in order to protect your vital interests or the vital interests of another individual.

3. **Transfers of your personal data outside of the European Economic Area**

All of the personal data that we collect is processed within the United Kingdom.

If in the future your personal data is transferred outside of the EEA, we will ensure that either (a) The European Commission has made an "adequacy decision" with respect to the data protection laws of

the country to which it is transferred, or (b) we have entered into a suitable data processing agreement with the third party situated in that country to ensure the adequate protection of your data. In all cases, transfers outside of the EEA will be protected by appropriate safeguards.

4. Retaining and deleting personal data

- 4.1 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 4.2 We may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

5. Amendments

- 5.1 We may update this policy from time to time by publishing a new version on our website.
- 5.2 You should check this page occasionally to ensure you are happy with any changes to this policy.
- 5.3 We may notify you of changes to this policy by email.

6. Your rights

- 6.1 You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:
 - (a) your request not being found to be unfounded or excessive, in which case a charge may apply; and
 - (b) the supply of appropriate evidence of your identity (for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address).
- 6.2 We may withhold personal information that you request to the extent permitted by law.
- 6.3 The rights you have under data protection law are:
 - (a) the right to access;
 - (b) the right to rectification;
 - (c) the right to erasure;
 - (d) the right to restrict processing;
 - (e) the right to object to processing;
 - (f) the right to data portability;
 - (g) the right to complain to a supervisory authority; and
 - (h) the right to withdraw consent.

6.4 Your right to access your data.

You have the right to ask us to confirm whether or not we process your personal data and, to have access to the personal data, and any additional information. That additional information includes the purposes for which we process your data, the categories of personal data we hold and the recipients of that personal data. You may request a copy of your personal data. The first copy will be provided free of charge, but we may charge a reasonable fee for additional copies.

6.5 Your right to rectification.

If we hold any inaccurate personal data about you, you have the right to have these inaccuracies rectified. Where necessary for the purposes of the processing, you also have the right to have any incomplete personal data about you completed.

6.6 **Your right to erasure.**

In certain circumstances you have the right to have personal data that we hold about you erased. This will be done without undue delay. These circumstances include the following: it is no longer necessary for us to hold those personal data in relation to the purposes for which they were originally collected or otherwise processed; you withdraw your consent to any processing which requires consent; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are certain general exclusions of the right to erasure, including where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for establishing, exercising, or defending legal claims.

6.7 **Your right to restrict processing.**

In certain circumstances you have the right for the processing of your personal data to be restricted. This is the case where: you do not think that the personal data we hold about you is accurate; your data is being processed unlawfully, but you do not want your data to be erased; it is no longer necessary for us to hold your personal data for the purposes of our processing, but you still require that personal data in relation to a legal claim; and you have objected to processing, and are waiting for that objection to be verified. Where processing has been restricted for one of these reasons, we may continue to store your personal data. However, we will only process it for other reasons: with your consent; in relation to a legal claim; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

6.8 **Your right to object to processing.**

You can object to us processing your personal data on grounds relating to your particular situation, but only as far as our legal basis for the processing is that it 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 our legitimate interests or those of a third party. If you make an objection, we will stop processing your personal information unless we are able to: demonstrate compelling legitimate grounds for the processing, and that these legitimate grounds override your interests, rights and freedoms; or the processing is in relation to a legal claim.

6.9 **Your right to object to direct marketing.**

You may instruct us at any time not to process your personal information for marketing purposes. In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes. You can object to us processing your personal data for direct marketing purposes. If you make an objection, we will stop processing your personal data for this purpose.

6.10 **Your right to object for statistical purposes.**

You can object to us processing your personal data for statistical purposes on grounds relating to your particular situation, unless the processing is necessary for performing a task carried out for reasons of public interest.

6.11 **Automated data processing.**

To the extent that the legal basis we are relying on for processing your personal data is consent, and where the processing is automated, you are entitled to receive your personal data from us in a

structured, commonly used and machine-readable format. However, you may not have this right if it would adversely affect the rights and freedoms of others.

6.12 Complaining to a supervisory authority.

If you think that our processing of your personal data infringes data protection laws, you can lodge a complaint with a supervisory authority responsible for data protection.

6.13 Right to withdraw consent.

To the extent that the legal basis we are relying on for processing your personal data is consent, you are entitled to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

6.14 Exercising your rights.

You may exercise any of your rights in relation to your personal data by written notice to us in addition to the other methods specified above.

7. Cookie Policy

For information about how we use Cookies please see our Cookie Policy.

8. Links to other websites

This Privacy Statement applies solely to personal data collected by Pelican. Our website may contain links to external sites, operated by other owners and third parties, over which we have no control. For this reason, we encourage our visitors to be aware when they leave our website to read their privacy policy applicable. Any access to such other websites or pages is entirely at your own risk. We are not responsible for the privacy policies, content or security of any third-party websites linked to our website.

9. Our details

9.1 This storage used is owned and operated by Pelican Engineering.

9.2 Pelican may upload some information to the Citation office based system

9.3 You can contact us:

(a) by emailing Steve Lindley <steve.lindley@pelican-eng.co.uk>

(b) Speaking to your manager and asking for a meeting over your data storage

(c) To ask data to be removed under 'the right to forget' after you leave the company.

10. Data Protection Officer / Data Controlled

Our data protection officer's contact details are **07719 053 525**, who can be contacted via email: Steve.Lindley@pelican-eng.co.uk