

Privacy Policy

Your privacy and security is important to us. This Privacy Policy (the “Policy”) sets out how we will treat your personal information and is intended to help you understand how we deal with any personal information we may obtain from you and how you may access, alter, rectify and/or remove it. Under data protection legislation we are the Data Controller and we are required to notify you of the information contained in this Policy. A “Data Controller” is a person or organisation who alone or jointly determines the purposes for which, and the manner in which, any personal data is, or is likely to be, processed. It is important that you read this Policy so that you are aware of how and why we are using such information.

This Policy only relates to the collection, protection, disclosure and use of personal data belonging to individuals who visit www.aquind.co.uk (our “Site”) or who otherwise provide us with their personal information. It does not relate to data which comes from companies or other entities, although the general principles regarding our collection and use of data is broadly the same irrespective of whoever is the user of our website. We will use your information only for the purposes for which it was collected.

This Policy has been prepared to meet the requirements of all relevant laws and regulations relating to data protection including (i) the Data Protection Act 2018 (ii) the Privacy and Electronic Communications Regulations (EC Directive) Regulations 2003 and the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2018, (iii) the General Data Protection Regulation ((EU) 2016/679) (the “GDPR”) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time in the UK unless and until the GDPR is no longer directly applicable in the UK and then (iii) any successor legislation to the GDPR (the “Acts”).

By providing your personal information to us, you agree that we may collect and use all personal information you provide to us in the ways described in this Policy. If you do not agree with the terms of this Policy, please do not provide personal details to us.

Please note that we may need to update this Policy from time to time to reflect changes in the law. Any changes we may make to our Policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. We recommend that you check this page regularly to ensure that you have read the most recent version and are happy with any changes.

This Policy was last revised on 19 September 2018.

1. INFORMATION WE MAY COLLECT FROM YOU

1.1 Subject to legal requirements, it is your choice whether or not to provide us with personal information. Personal information (or 'personal data') 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).

1.2 The information we may collect from you includes, but is not limited to:

1.2.1 personal contact details such as name, title, address, telephone number, email address, or if you request information from us or when telephoning us;

1.2.2 details of your visits to our Site (including, but not limited to, traffic data, location data, weblogs and other communication data, whether this is required for our own purposes or otherwise) and the resources that you access;

1.2.3 correspondence, or a record of it if you should contact us.

1.3 It is important that the personal data we hold about you is accurate and current. Please advise us if your personal information changes during your relationship with us.

2. HOW DO WE COLLECT YOUR INFORMATION?

2.1 Ways in which you may be providing us with personal information include, for example,

2.1.1 contacting us with an enquiry;

2.1.2 signing up to receive a newsletter or news;

2.1.3 reporting a problem;

2.1.4 completing a survey which contains your personal information;

2.1.5 giving us some feedback; and/or

2.1.5 when, as a promoter of a Development Consent Order for designated Nationally Significant Infrastructure Projects, we are legally required by the Planning Act 2008 and Regulations made pursuant to it to obtain personal information in a Land Interest Questionnaire or otherwise.

2.2 The information we may collect from you includes, but is not limited to, data concerning traffic on our Site, location data, weblogs and other communication data, and the resources that you access.

2.3 By providing any personal information to us, you fully understand and clearly consent to the transfer, collection and processing of such personal information in accordance with the terms of this Policy.

3. COOKIES

Aquind Limited does not currently use cookies on the Site or collect personal data via the Site by any other means. In the event that we do start using cookies of any sort we will amend this Privacy Policy accordingly. We will place a warning message on the Site if we make any material alterations to this Policy but we recommend that you revisit the Policy from time to time to ensure that you are fully aware of the contents.

4. USES MADE BY US OF THE INFORMATION

4.1 We will only use personal information collected from you for the purposes for which it was collected (or for related purposes), to provide specific services that you request and to provide additional services that may be of interest to you, or in the following circumstances:

4.1.1 Ease of Use – To ensure that content from our Site is presented in the most effective manner for you and for your computer.

4.1.2 Communication – To notify you about changes to information we place on our Site or to our services.

4.1.3 Compliance – To comply with a legal duty or regulatory obligation to which we are subject.

4.1.4 Legitimate Interests – Where it is necessary for our legitimate interests, and when your interests and fundamental rights do not override those interests. Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by any adverse impact on you (unless we have your consent or are otherwise required or permitted to by law).

4.2 Any information or statistics relating to our business that we disclose to others shall not identify you personally. We may, for example, perform statistical analyses of the behaviour of the users of our website in order to measure interest in the various areas of our Site. This information, and any other general information about our users that we share with others, will not contain personal information about you.

4.3 We will not, under any circumstances, sell your personal information to anyone else.

5. CHANGE OF PURPOSE

5.1 We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us by sending an email to us at dataprotection@aquind.co.uk or writing to us at Aquind Limited, OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL.

5.2 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

6. LINKS TO OTHER WEBSITES

Our Site 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 Site, we encourage you to read the privacy notice of every website you visit.

7. HOW AND WHERE DO WE STORE YOUR PERSONAL INFORMATION?

7.1 All personal information we collect from you is stored on secure servers.

7.2 The personal information that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (“EEA”). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Such staff may be engaged in, among other things, the provision of support services. If your personal information is shared, you can expect a similar degree of protection in respect of your personal information as we require third parties to respect the security of your data and to take appropriate measures to protect your personal information in line with this Policy.

7.3 Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our Site; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

8 HOW LONG DO WE KEEP YOUR INFORMATION?

We will only retain your personal information for as long as necessary for the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements, and for the uses set out in this Policy. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. DISCLOSURE BY US OF YOUR INFORMATION

9.1 We may disclose your personal information:

- 9.1.1 to third parties to assist us in connection with any of our legal, administrative or business functions, (including, but not limited to, companies who support and maintain our Site and our business systems, and/or our data processing);
- 9.1.2 to third parties to whom you have provided your consent in order that they will be able to prepare or send any communications to you;
- 9.1.3 in the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer;
- 9.1.4 if Aquind Limited, or substantially all of its assets, are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets;
- 9.1.5 if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, for example, when the data subject is part of a public consultation process; or
- 9.1.6 to protect the rights, property, or safety of Aquind Limited, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

9.2 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not permit our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

10. DATA SECURITY

10.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third

parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

11. YOUR RIGHTS

- 11.1 How can I access the information that you hold about me?

Under the GDPR you have the right to access information we hold about you (commonly known as a "data subject access request") free of charge. If you would like a copy of this information, please email us at dataprotection@aquind.co.uk or writing to us at Aquind Limited, OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL.

- 11.2 What if I don't want you to hold my information any more?

You have the right to ask us not to process your personal data for marketing purposes. You can exercise your right to prevent such processing by marking your preferences on the forms we use to collect your data. You can also exercise the right at any time by contacting us at dataprotection@aquind.co.uk or writing to us at Aquind Limited, OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL.

- 11.3 Can I change the information you hold about me?

Where you 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. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent. To withdraw your consent, please contact us on dataprotection@aquind.co.uk or writing to us at Aquind Limited, OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL. 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.

11.4 Under certain circumstances you also have the right to:

- 11.4.1 Request access to the personal information that we hold about you. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 11.4.2 Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.
- 11.4.3 Request erasure of your personal information where there is no good reason for us continuing to process it.
- 11.4.4 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 as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes.
- 11.4.5 Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - (a) if you want us to establish the data's accuracy;
 - (b) where our use of the data is unlawful but you do not want us to erase it;
 - (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
 - (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- 11.4.6 Request the transfer of your personal information to you or to a third party.
- If you want to contact us with regards to the information we hold about you as above, please do so by emailing us at dataprotection@aquind.co.uk or writing to us at Aquind Limited, OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL.

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

- 11.5 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.

12. TIME LIMIT TO RESPOND TO YOU

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or if you have made a number of requests. In this case, we will notify you and keep you updated.

13. COMPLAINTS

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.

14. CONTACT

Questions, comments and requests regarding this Policy are welcomed and should be addressed to dataprotection@aquind.co.uk or writing to us at Aquind Limited, a company registered in England and Wales with company number 06681477 and whose registered office is at OGN House, Hadrian Way, Wallsend, Tyne and Wear, NE28 6HL.