

## **BRINKMAN (HORTICULTURAL SERVICE) U.K. LIMITED**

### **PRIVACY NOTICE - GENERAL**

Brinkman (Horticultural Service) U.K. Limited is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It is relevant to job applicants and work experience students, customers, suppliers and trading partners, and website users.

Brinkman (Horticultural Service) U.K. Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, 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.

#### **DATA PROTECTION PRINCIPLES**

We will comply with data protection law. This says that the personal information we hold about you must be:

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

#### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

Personal data, or personal information, 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).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

#### **If you are applying (or have applied) for a job or work experience placement with us:**

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.

- Marital status and dependants.
- Referee information such as name, title, telephone number, occupation, organisation, and address.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Compensation history.
- We may also collect, store and use the following “special categories” of more sensitive personal information:
  - Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
  - Trade union membership.
  - Information about your health, including any medical condition, health and sickness records.
  - Genetic information and biometric data.
  - Information about criminal convictions and offences.

**If you are (or have been) one of our customers:**

- Personal contact details such as name, title, address, telephone number, email address, fax number, bank account details, billing address, and delivery address.
- Details about payments from you and other details of products and services you have purchased from us.
- When you make a purchase or place an order with us, your payment card details.
- Your communication and marketing preferences.
- Your interests, preferences, and any feedback.
- Your correspondence, contracts and communications with us.

**If you are (or have been) one of our suppliers or trading partners:**

- Personal contact details such as name, title, address, telephone number, email address, fax number, bank account details, billing address, and delivery address.
- Details about products and services we have purchased from you.
- Bank account details, and details about payments to you.
- Your correspondence, contracts and communications with us.

**If you use (or have used) our website:**

- Personal contact details such as name, address, telephone number, and email address.
- Technical data including internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- Usage data including information about how you use our website.

The lists above are not exhaustive and, in specific instances, we may need to collect additional data for the purposes set out in this Policy. We may also collect personal data from third parties who have your consent to pass your details to us, or from publicly available sources.

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

### **If you are applying (or have applied) for a job or work experience placement with us:**

We may collect personal information about job applicants and work experience students through the application and recruitment process directly from job applicants and work experience students.

We may collect additional information from third parties including your referees, former employers, credit reference agencies or other background check agencies (including DBS checks or equivalent).

We may collect additional information from your online public social media presence.

### **If you are (or have been) one of our customers:**

We will collect personal information about customers through direct interactions.

You may give us your personal information by filling in forms or by corresponding with us by post, phone, email, or otherwise. This includes personal data you provide when you use/buy (or consider using/buying) our products or services, request marketing to be sent to you, or provide us with feedback.

We may receive credit related information when we process your personal data using a third party credit scoring software package.

### **If you are (or have been) one of our suppliers or trading partners:**

We will collect personal information about suppliers and trading partners through direct interactions.

You may give us your personal information by corresponding with us by post, phone, email or otherwise.

### **If you use (or have used) our website:**

You may give us your contact details by filling on any of our online forms, or by corresponding with us by post, phone, email or otherwise.

As you interact with our website, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies. Please see our cookie policy on our website for further details.

We may receive personal data about you from various third parties and public sources as set out below:

- Technical data from analytics providers such as Google.
- Identity and contact information from publicly available sources such as Companies House and the Electoral Register.

## **HOW WE WILL 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:

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 rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

### **Situations in which we will use your personal information**

We need all the categories of information referred to above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

### **If you are applying (or have applied) for a job or work experience placement with us:**

- Assessing your skills, qualifications, and suitability for the work.
- Carrying out background and reference checks, where applicable.
- Communicating with you about the recruitment process.
- Keep records relating to our hiring processes.
- Making a decision about your recruitment or appointment.
- Determining the terms on which you may work for us.
- Complying with legal or regulatory requirements.

### **If you are (or have been) one of our customers:**

- Taking preparatory steps before entering into a contract with you, such as providing you with a quote.

- Administering the contract we have entered into with you.
- To conduct a credit record check.
- To provide you with a credit account.
- To process and deliver your order including:
  - managing payments, fees and charges; and
  - collecting and recovering money owed to us.
- To manage our relationship with you including:
  - notifying you about changes to our terms of business or privacy policy; and
  - asking you for feedback.
- To provide you with updates and marketing materials.
- To provide you with our aftersales service, including forwarding your details to a suitable contractor/third party.
- To make suggestions and recommendations to you about goods or services that may be of interest to you.

**If you are (or have been) one of our suppliers or trading partners:**

- Taking preparatory steps before entering into a contract with you.
- Administering the contract we have entered into with you.
- To manage payments to you.
- To manage our relationship with you including notifying you about changes to our terms or privacy policy.
- To provide your contact details to our customers in the course of providing goods and services to our customers.

**If you use (or have used) our website:**

- To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).
- To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you.
- To use data analytics to improve our website, products/services, marketing, customer relationships and experiences.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

**If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (for example, to provide goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase or in other relevant circumstances.

### **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see the policy on our website.

### **Change of purpose**

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

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

## **DATA SHARING**

We may have to share your data with third parties, including third-party service providers and other entities in the group.

We will endeavour to ensure that third parties respect the security of your data and treat it in accordance with the law.

We may transfer your personal information outside the EU.

### **Why might you share my personal information with third parties?**

We will 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.

### **Which third-party service providers process my personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group (if any).

### **How secure is my information with third-party service providers and other entities in our group?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. They should only process your personal data for specified purposes and in accordance with our instructions.

### **When might you share my personal information with other third parties?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

We may share your personal data with third parties to fulfil our obligations to you or where you might reasonably expect us to do so given the nature of your relationship with us.

### **Data security**

We have put in place measures to protect the security of your information.

Third parties should only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we will seek to limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They should only process your personal information on our instructions and may be subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where necessary.

### **DATA RETENTION**

#### **How long will you use my information for?**

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.

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.

### **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

#### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (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.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. 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** 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. 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.
- **Request the transfer** of your personal information to another party.
- **Right to withdraw consent** where we are relying on consent to process your personal data.

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 us in writing.

#### **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.

#### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact us.**