

## **Privacy Notice: All Breedon Group Drivers**

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This privacy notice describes how the Breedon Group (**We/Us**) collects and uses information about its drivers, before, during and after the contractual relationship, to the extent such information is personal data in accordance with the EU Regulation 2016/679 General Data Protection Regulation (**GDPR**). This document also satisfies our obligations under Article 30 of the GDPR. It applies to all drivers to the Breedon Group (**You**) being those persons engaged to transport construction materials on behalf of Breedon. A driver may be a permanent or temporary employee, on work experience, on an apprenticeship, an agency worker, a consultant, a contractor or an individual working for a third party supplier of haulage services.

### **Data Controller Details**

The Company is a data controller for the purposes of the GDPR and every supplier on behalf of itself and any of its directors, shareholders, members, employees, servants and agents (“associates”) acknowledges the use and processing of personal data described in this privacy notice.

**Company** means the member of the Breedon Group buying goods and/or associated services from the relevant supplier. **Breedon Group** means any of the companies within the Breedon group of companies, including, without limitation, Breedon Trading Limited, Breedon Cement Limited, Lagan Materials Limited, Lagan Asphalt Limited, Whitemountain Quarries Ltd, Breedon Cement Ireland Limited and/or Breedon Brick Limited further details of which can be found at [www.breedongroup.com](http://www.breedongroup.com).

### **Categories of Data Subjects**

The majority of our drivers are employees or sole traders or part of a partnership. We may therefore collect personal data from those types of drivers and any employees or individuals working for a third party provider of haulage services (collectively “drivers”).

### **Categories of Personal Data**

We may collect the following categories of personal data about drivers:

- Personal details including name, title, address, email, telephone number including mobile phone or other contact information;
- Date of birth and/or age;
- Gender, nationality, marital status, dependants, next of kin and emergency contact information;
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- Trade Union membership;
- Information about your health and wellbeing;
- Criminal convictions and offences;
- Copy of passport, driving licence and insurance certificates;
- Employment information or terms of engagement including start date, annual leave, contract hours, training records, disciplinary and grievance information;
- Banking, taxation and financial information including VAT details:

- Credit information (through an external third party);
- Electronic identification data including IP address collected through our websites;
- Contractual details including the goods and services provided, trading history with the Company, insurance details and frequency of use;
- Audio recordings of all telephone enquiries and driver communications (**Audio Data**);
- Images (still or video) from the closed circuit television (**CCTV**) on the Company's sites or from onboard vehicle monitoring (**CCTV Data**);
- Telemetry data from onboard tracking systems (**Telemetry Data**); and/or
- Real time location tracking from our onboard tracking systems (**Live Tracking Data**).

Due to the Coronavirus pandemic, in addition to the collection of personal data as mentioned above, Breedon may also be required to collect the following information from suppliers when attending at one of our Breedon sites in order to comply with the Government's legislation/guidelines in respect of any track and trace system:

- information to determine whether a supplier has experienced or are maybe experiencing Covid-19 symptoms (which may include temperature checks) or are in any of the high-risk categories which are most vulnerable to become infected and seriously ill (**Health Information**); and/or
- a positive result for Covid-19; details of anyone a supplier may have been in contact with who has tested positive for Covid-19 or presented with symptoms; whether a supplier has been asked to self-quarantine within the preceding 14 days; and/or where a supplier has travelled to in the preceding 14 days (**Contact History**).

### **Source of personal data**

Most of the information we obtain comes directly from the driver. In the case of Audio Data and CCTV Data from our IT systems and Live Tracking Data and Telemetry Data from our vehicle tracking systems. Some information may come from external third party credit reference agencies or credit insurers. If you don't provide us with this data we may be unable to enter into or conclude a contract with you.

### **Purposes of Data Processing**

The Company collects and processes data about drivers, some of which may be personal data as defined under GDPR, Audio Data, CCTV Data, Live Tracking Data and Telemetry Data, for purposes which include:

- As necessary to **perform a contract** with a driver including:
  - To take steps at the driver's request prior to entering into a contract;
  - To decide whether to enter into a contract;
  - To make credit decisions about the driver or its associates regarding the contract or the entering into of a new contract with us;
  - To manage, perform and operate the contract and the driver's account;
  - To update our records;
  - To resolve any complaints in relation to the contract;
  - To pay a driver, including any overtime;
  - Conducting performance reviews, managing performance and determining performance requirements;
  - Assessing qualifications for a particular job or task, including decision making about the driver;
  - Making arrangements for the termination of our working relationship;
  - Education, training and development requirements.

- As necessary for our own **legitimate interests** or those of other persons and organisation, for example:
  - For good governance, accounting and managing and auditing our business operations;
  - To search credit reference agencies;
  - To protect the health and safety of workers and others;
  - Maintaining, monitoring, improving and enhancing our goods and services;
  - To monitor Audio Data, CCTV Data, Live Tracking Data and Telemetry Data for:
    - quality control and training;
    - improvements in the systems;
    - the detection and prevention of crime or unauthorised use of our systems;
    - updating our customers as to the location of a driver;
    - dealing with legal disputes involving You, or other workers, including but not limited to verification of information provided and accidents at work;
    - conducting data analytics studies to review and better understand job management performance and route mapping optimisation.
  
- As necessary to comply with our **legal obligations** for example:
  - Where disclosure is necessary for or in connection with any legal proceedings (including prospective legal proceedings), for obtaining legal advice or for establishing, exercising or defending legal rights;
  - For tax collection purposes;
  - To comply with any regulatory obligations to which we are subject;
  - Where we are required to do so by law (including under any legislation, or by a court or tribunal in any jurisdiction);
  - All Health Information and Contact History will be obtained in order that we can keep you and others safe and/or where we are required to comply with Government legislation/guidelines in respect of any track and trace system as part of a response to Covid-19;
  - For fraud prevention and money laundering purposes in compliance with our statutory obligations.

Where a driver is also an employee we also process personal data in accordance with the [GDPR Privacy Notice All Breedon Group Workers](#).

### **Categories of Personal Data Recipients**

We disclose personal data to a number of recipients which includes the following categories of persons:

- Other companies within the Breedon Group;
- Auditors and professional advisors, such as our bankers, lawyers and consultants;
- Law enforcement officials and statutory or regulatory authorities and courts;
- Third party service providers, such as providers of CCTV management; Audio Data management; IT system management; on board tracking systems; credit checks; contractors or subcontractors or associated services necessary to perform the contract;
- Customers to inform them of your location via Live Tracking Data.

We may use and replace any third party which we wish to use to assist us in meeting its obligations under the contract, and where such third party is a processor of personal data, this constitutes prior general written authorisation as envisaged by Article 28(2) of the GDPR.

We may transfer personal data outside the EEA in accordance with the principles of the GDPR.

### **Data Protection Principles**

We will comply with data protection law which includes the GDPR (**Data Protection Laws**) applicable in the country in which the Company operates. This says that the personal information we hold must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that have been clearly explained 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.

### **Personal Data Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, we only retain personal data for as long as necessary to fulfil the purposes we collected it for, as required to satisfy any legal, accounting, or reporting obligations, or as necessary to resolve disputes.

We typically retain personal data obtained from suppliers for 6 years after the completion or termination of the contract, save for Audio Data and Live Tracking Data which is retained for 6 months and Telemetry Data or CCTV Data which is retained for 30 days.

### **Technical and Organisational Security Measures**

We have implemented technical and organisational security measures to protect personal data.

### **Duty to inform us of changes**

It is important that the personal information we hold about suppliers is accurate and current. We ask all our suppliers to keep us informed if personal information changes during your contractual relationship with us.

### **Suppliers' rights in connection with personal information**

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

- **Request access** to personal information.
- **Request correction** of the personal information that we hold.
- **Request erasure** of personal information.
- **Object to processing** of personal information where we are relying on a legitimate interest (or those of a third party) and there is something about the particular situation which makes you want to object to processing on this ground.

- **Request the restriction of processing** of personal information.
- **Request the transfer** of personal information to another party.

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 the Breedon Group.

You may make a complaint to the local data commissioner's office in which the Company operates if you are dissatisfied as to how your personal data is being processed.

### **Data Processors**

For the purposes of the contract and GDPR, we are of the view that it is the Company which is the data controller. However, if the Company is deemed to be acting as data processor for the purposes of the contract (or the supplier is held to be a data processor in relation to any of the Company's personal data they receive during the contract) then the relevant processor shall:

- act only on the written instructions of the controller (unless required by law to act without such instructions);
- ensure that people processing the data are subject to a duty of confidence;
- take appropriate measures to ensure the security of processing;
- only engage a sub-processor with the prior consent of the data controller and a written contract;
- assist the data controller in providing subject access and allowing data subjects to exercise their rights under the GDPR;
- assist the data controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments;
- delete or return all personal data to the controller as requested at the end of the contract; and
- submit to audits and inspections, provide the controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state.

Each of the parties, shall, comply with its obligations under the GDPR, shall co-operate with the relevant supervisory authorities and upon request provide the other with reasonable assistance, information and cooperation, at its own expense, to ensure the other party's compliance with their respective obligations.

### **Changes to this Record of Processing Activities**

We reserve the right to amend this Privacy Notice from time to time consistent with the GDPR and other applicable data protection requirements.

### **Make a complaint**

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)) or the Irish Data Commissioner's Office ([www.dataprotection.ie](http://www.dataprotection.ie)). We would, however, appreciate the chance to deal with your concerns before you approach them so please contact us in the first instance.

## Compliance Team

We have appointed a Compliance Team who are responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice please contact the Compliance Team using the details set out below.

### Contact details

| Name   | Office  | Telephone and e-mail   |
|--|---|--|
| <b>James Atherton-Ham</b><br>Group General Counsel | Pinnacle House,<br>Breedon Quarry,<br>Breedon on the Hill,<br>Derby, DE73 8AP | D: 01332 694404<br>M: 07514 315949<br><a href="mailto:James.Atherton-Ham@breedongroup.com">James.Atherton-Ham@breedongroup.com</a> |
| <b>Lorna Coxon</b><br>Company Solicitor            | Hope Works,<br>Hope Valley,<br>Derbyshire,<br>S33 6RP                         | D: 01433 622323<br>M: 07802 873723<br><a href="mailto:lorna.coxon@breedongroup.com">lorna.coxon@breedongroup.com</a>               |

**Breedon Group plc**

**11 May 2022**