

Konvergent Privacy Policy

Who Is This Privacy Notice Aimed At?

Suppliers, customers, prospective suppliers and customers, others who contact us

What Is The Purpose Of This Privacy Notice?

Konvergent Limited ('**Konvergent**', with '**we**', '**our**' or '**us**' being interpreted accordingly) collects, receives and processes certain information relating to you from which you can be identified ('**Personal Data**').

When we do so we are regulated under the EU General Data Protection Regulation (2016/679) and the UK Data Protection Act 2018 together with other applicable UK and EU laws that govern the collection, processing, and privacy of your Personal Data (collectively, '**Data Protection Law**'), as a 'controller' of Personal Data.

This privacy notice ('**Privacy Notice**') tells you about the Personal Data we collect or receive, how we process it, and whom we share it with. It also provides information on your legal rights about your Personal Data.

What Kind Of Personal Data Do We Collect And Process?

The Personal Data that we collect and use, includes the following:

- ▶ Your full name;
- ▶ Your email address, business or home address, phone number or other contact details;
- ▶ Details of your professional online presence;
- ▶ Records and details of your interactions with us face-to-face, or via phone, email or another method of communication;
- ▶ Information about how you use our website, IT, correspondence and other systems; as well as any other Personal Data that you may provide to us from time to time.
- ▶ Details of you qualifications, experience, employment history (including job titles, salary / daily rate and working hours) and interests;
- ▶ Details of your professional online presence;
- ▶ Records and details of your interactions with us face-to-face, or via phone, email or other method of communication;
- ▶ Details of your referees;
- ▶ Your nationality and immigration status and information from related documents;
- ▶ A copy of your passport;
- ▶ Results of Baseline Personnel Security Standard ('BPSS') Screening Checks;

Please note that Personal Data may be required to provide you with our services, to perform obligations under a contract with you or respond to a request. If you do not provide Personal Data when we request it, it may delay or prevent us from providing our services to you, performing contractual obligations or responding to a request.

How Is Your Personal Data Collected?

We collect Personal Data about you in various ways as follows:

- ▶ Through your direct communications with us e.g. when you interact with us by email while Konvergent is providing you with services, or your employer is providing services to Konvergent
- ▶ From a third party e.g. credit reference agencies, customer due diligence providers;
- ▶ From publicly available sources e.g. your LinkedIn profile
- ▶ From our access control system if you visit our offices.

How And Why Do We Use Your Personal Data?

We will typically collect and use your Personal Data for the following purposes:

- ▶ **For the performance of a contract with you, or to take steps to enter into a contract**, including, providing our services to your employer, performing obligations under contracts with our suppliers, contacting you in response to requests or queries before entering into a contract, recording details of contractual performance.
- ▶ **For compliance with a legal obligation**, including conducting checks to identify our customers and verify their identity, screening for financial and other sanctions or embargoes, gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies e.g. tax enquiries, preventing unauthorised access and modifications to systems, ensuring safe working practices, staff administration and assessments, or as otherwise required by applicable law, regulation, court or regulatory authority.
- ▶ **For the purposes of our legitimate interests** or those of a third party, but only if these are not overridden by your interests, rights or freedoms. Collection and use of Personal Data for our legitimate interests includes ensuring business policies are adhered to e.g. policies covering IT security, improving efficiency, training and quality control, preventing unauthorised access and modifications to systems, maintaining customer records, credit reference checking via external credit reference agencies, and sending you marketing updates and invites to our events.

If we process sensitive Personal Data we will only do this with your explicit consent, where needed to comply with applicable social security or social protection laws, to protect your vital interests (or those of someone else) in an emergency, where you have already publicised such information, where we need to use such sensitive Personal Data in connection with a legal claim that we have or may be subject to.

We seek to ensure that Personal Data collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

Who Do We Share Your Personal Data With?

We may also need to share some of the above categories of personal information with other parties, such as our group companies, clients, external contractors and our professional advisers and with potential purchasers of some or all of our business or on a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We may also be required to share some personal information as required to comply with the law.

In all cases we always aim to ensure that your Personal Data is only used by third parties for lawful purposes and in compliance applicable Data Protection Law.

Where Do We Store Your Personal Data?

Personal Data may be held at our offices and those of our service providers. In particular, some of your Personal Data maybe be located as follows:

- ▶ **Eploy** Recruitment CRM system
- ▶ **Sage** Our Accounting System
- ▶ **Metrobank** Our banks
- ▶ **SharePoint / Office 365** Our file storage and email & calendar system
- ▶ **Hubspot** Marketing / CRM software

We do not transfer any of your Personal Data outside the United Kingdom/ European Union

Keeping Your Personal Information Secure

We employ appropriate technical and organisational security measures to protect your Personal Data from being accessed by unauthorised persons and against unlawful processing, accidental loss, destruction and damage.

We also endeavour to take all reasonable steps to protect Personal Data from external threats such as malicious software or hacking. However, please be aware that there are always inherent risks in sending

information by public networks or using public computers and we cannot 100% guarantee the security of all data sent to us (including Personal Data).

How Long Do We Keep Your Personal Data?

Konvergent only retains Personal Data identifying you for as long as you have a relationship with us and thereafter, we will keep your Personal Data for as long as necessary:

- ▶ to respond to any questions, complaints or claims made by you on your behalf;
- ▶ to show that we treated you fairly; or
- ▶ to keep records required by law.

We have a Data Back-Up and Retention Policy (which we may make available on request) that sets out the different periods we retain Personal Data for in respect of relevant purposes in accordance with our duties under Data Protection Law. The criteria we use for determining these retention periods is based on various legislative requirements, the purpose for which we hold data, and guidance issued by relevant regulatory authorities including but not limited to the UK Information Commissioner's Office (ICO).

Personal Data we no longer need is securely disposed of and/or anonymised so you can no longer be identified from it.

Your Personal Data Rights

In accordance with your legal rights under applicable law, you have a 'subject access request' right under which you can request information about the Personal Data that we hold about you, what we use that Personal Data for and who it may be disclosed to as well as certain other information.

Under Data Protection Law you also have the following rights, which are exercisable by making a request to us in writing to **mydata@konvergent.co.uk**

- ▶ that we correct Personal Data that we hold about you which is inaccurate or incomplete;
- ▶ that we erase your Personal Data without undue delay if we no longer need to hold or process it;
- ▶ to object to any automated processing (if applicable) that we carry out in relation to your Personal Data e.g. if we conduct any automated credit scoring;
- ▶ to object to our use of your Personal Data for direct marketing;
- ▶ to object and/or to restrict the use of your Personal Data for purpose other than those set out above unless we have a legitimate reason for continuing to use it; or
- ▶ that we transfer Personal Data to another party where the Personal Data has been collected with your consent or is being used to perform contact with you and is being carried out by automated means.

All of these requests may be forwarded on to a third party provider who is involved in the processing of your Personal Data on our behalf.

Usually we will have a month to respond to all such requests. We reserve the right to verify your identity if you make such a subject access request and we may, in case of complex requests, require a further two months to respond. We may charge for administrative time in dealing with any manifestly unreasonable or excessive requests for access. We may also require further information to locate the specific information to which request relates before we can respond in full and apply certain legal exemptions when responding to your request.

GDPR

Our website and internal processes are in line with the General Data Protection Regulation (GDPR). The Data Protection Act (DPA), Privacy and Electronic Communications Regulations (PECR) and The General Data Protection Regulation (GDPR) rights cover the safeguarding of personal data, protection against the unlawful processing of personal data and the unrestricted movement of personal data within the EU. GDPR does not apply to information already in the public domain (e.g. Company House data). Recital 47 of the GDPR explains that direct marketing as a legitimate use of personal information. Our Legitimate Interest Assessment below has examples about what Konvergent means by legitimate interests, and when we process data for legitimate interests. You have the right to object to this and if you wish to do so please email info@konvergent.co.uk.

Legitimate Interest Assessment

- ▶ Konvergent has an interest in informing those either in/or related to architecture, IT and technology and associated industries about our architecture services, as our support services should be of interest. This may include: product & service information, the latest industry information, knowledge sharing, the latest guidelines and regulation changes, best practice within the industry and white papers.
- ▶ The individuals concerned are likely to be people within the industry who would expect to be contacted with such business communications.
- ▶ Konvergent limits marketing data to the name, job title, company address, company telephone numbers, email addresses.
- ▶ When Konvergent receives a request from a data subject that their data is removed from our database it is completed as a matter of urgency and cannot be added again at a later date.
- ▶ Konvergent have an interest in promoting and marketing the architecture services we offer; and to fulfill our own contractual obligations.
- ▶ Konvergent have an interest in making sure our marketing is relevant to individuals, so we may process a subjects information to send them information that is tailored to the interests of them and their industry.

- ▶ Data processing enables Konvergent to modify, personalize or otherwise improve our services & communications for the benefit of our customers and wider target audience.
- ▶ Data processing enables Konvergent to determine the effectiveness of our campaigns and advertising.
- ▶ It is reasonable to consider legitimate interest as grounds for the processing of personal data for business to business (b2b) direct marketing purposes, given the very limited amount of data collected and personal information being processed; the fact that it is being used solely for the purposes of marketing to the business for which the individual works, but there may be cases where contractors use a non-business domain email address. In the context of b2b direct marketing our communications relate to business services rather than the personal life of the individuals receiving the communications. This interest could not be achieved without requiring disproportionate effort and without having to use the personal data.
- ▶ By offering organisations advice regarding architecture, IT, technology and our services, Konvergent provides a valuable business to business service that contributes to the success of businesses and the wider economy.

How To Raise A Complaint On How We Have Handled Your Personal Data

If you wish to raise a complaint on how we have handled your Personal Data, you can contact our data protection lead, Ben Clark at mydata@konvergent.co.uk so that we can investigate the matter further.

If you are not satisfied with our response or believe we are processing your Personal Data not in accordance with the law, you can complain to the Information Commissioner's Office (ICO) who may be contacted at <https://ico.org.uk/concerns> or telephone: **0303 123 1113**.