

BROOKGATE ("Brookgate Ltd and all Group Companies")

PRIVACY POLICY

INTRODUCTION

- This Privacy Policy explains what we do with your personal data. It describes how we collect, use and process your personal data, and how, in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.
- This Privacy Policy applies to the personal data of [Website Users](#), [Customers](#), [Suppliers](#), and [other people whose personal data Brookgate may process](#), such as the emergency contacts and dependents of our [Staff](#). If you are a member of Brookgate [Staff](#), you should refer to the Brookgate Staff Privacy Policy which is available on the Brookgate S Drive.
- For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the "[GDPR](#)")), the company responsible for your personal data ("Brookgate" or "**us**") is Brookgate Ltd and all Group Companies, Two Station Place, Cambridge CB1 2FP.
- It is important to point out that we may amend this Privacy Policy from time to time. Please visit this page if you want to stay up to date.
- If you are dissatisfied with any aspect of our Privacy Policy, you may have legal rights. We have described these as well where relevant.

WHAT KIND OF PERSONAL INFORMATION DO WE COLLECT?

The information described below is in addition to any personal data we are required by law to process in any given situation.

- **CUSTOMER DATA:** We will collect contact details or the details of individual contacts at your organisation (such as names, telephone numbers, job title and email or postal addresses) in order to ensure our relationship runs smoothly. We will also collect date of birth, payment details, tax residence information, copies of photo identifications such as your driving licence and/or passport/identity card, information about nationality/citizenship/place of birth, your national identification number and identity verification documents in order to comply with our legal and regulatory obligations. We also hold information relating to your online engagement with material published by Brookgate, which we use to ensure that our marketing communications to you are relevant, timely and in accordance with your marketing preferences. Where relevant, we may also hold extra information that someone in your organisation has chosen to tell us or that you have chosen to tell a Brookgate [Staff](#) member. In certain circumstances, calls with you may be recorded, depending on the applicable local laws and requirements. If we need any additional personal data for any reason, we will let you know.
- To the extent that you access our website, we will also collect certain data from you. If you would like more information about this, please click [here](#).
- **SUPPLIER DATA:** We will collect your contact details or the details of individual contacts at your organisation (such as names, telephone numbers, job title and email or postal addresses) in order to ensure our relationship runs smoothly. We will also collect bank details, so that we can pay you. We may also hold extra information that someone in your organisation has chosen to tell us.
- To the extent that you access our website we will also collect certain data from you. If you would like more information about this, please click [here](#).
- **JOB APPLICANT DATA:** Please see the Staff Privacy Policy for further details.
- To the extent that you access our website we will also collect certain data from you. If you would like more information about this, please click [here](#).

- **PEOPLE WHOSE DATA WE RECEIVE FROM JOB APPLICANTS AND STAFF, SUCH AS REFEREES AND EMERGENCY CONTACTS:** To ask for a reference, we need the referee's contact details (such as name, email address and telephone number). We will also need these details if a [Job Applicant](#) or a member of our [Staff](#) has put you down as their emergency contact so that we can contact you in the event of an accident or an emergency.
- We will collect your date of birth, postal address and potentially some health information if a member of our [Staff](#) has put you down as a dependent for a benefit connected with their employment or if a member of our [Staff](#) exercises certain employment rights. We may also be provided with information about your sexual orientation if a member of our [Staff](#) identifies you as a spouse or partner when putting you down as a dependent or next of kin.
- To the extent that you access our website we will also collect certain data from you. If you would like more information about this, please click [here](#).
- **WEBSITE USERS:** We collect a limited amount of data from our [Website Users](#) which we use to help us to improve your experience when using our website and to help us manage the services we provide. This includes information such as how you use our website, the frequency with which you access our website, your browser type, the location you view our website from, the language you choose to view it in and the times that our website is most popular. If you contact us via the website, we will collect any information that you provide to us, for example your name and contact details.
- If you would like to find out more information about what data we collect about you when you visit our website, please click [here](#).

HOW DO WE COLLECT YOUR PERSONAL DATA?

- **CUSTOMER DATA** We collect [Customer](#) personal data in three ways:

1. Personal data that we receive directly from you;
2. Personal data that we receive from other sources; and
3. Personal data that we collect automatically.

Personal data that we receive directly from you

- We will receive data directly from you in two ways:
 - Where you contact us proactively, usually by phone or email; and/or
 - Where we contact you, whether by phone or email or any other form of communication.

Personal data we receive from other sources

- Where appropriate and in accordance with any local laws and requirements, we may seek more information about you or your colleagues from other sources generally by way of due diligence or other market intelligence including:
 - From third party market research and by analysing online and offline media (which we may do ourselves, or employ other organisations to do for us);
 - From delegate lists at relevant events; and
 - From other limited sources and third parties, to the extent that they provide us with your details in accordance with any regulatory requirements.

Personal data we collect automatically

- To the extent that you access our website or read or click on an email from us, where appropriate and in accordance with any local laws and requirements, we may also collect your data automatically or through you providing it to us. For more information please click [here](#).

- **SUPPLIER DATA** We collect [Supplier](#) personal data in three ways:

1. Personal data that we receive directly from you;
2. Personal data that we receive from other sources; and
3. Personal data that we collect automatically.

Personal data that we receive directly from you

- We will receive data directly from you in two ways:
 - Where you contact us proactively, usually by phone or email; and/or
 - Where we contact you, either by phone or email or any other form of communication.

Personal data we receive from other sources

- Where appropriate and in accordance with any local laws and requirements, we may seek more information about you or your organisation from other sources generally by way of due diligence or other market intelligence including:
 - From third party market research and by analysing online and offline media (which we may do ourselves, or employ other organisations to do for us); and
 - From other limited sources and third parties.

Personal data we collect automatically

- To the extent that you access our website or read or click on an email from us, where appropriate and in accordance with any local laws and requirements, we may also collect your data automatically or through you providing it to us. For more information please click [here](#).
- **WEBSITE USERS:** When you visit our website there is certain information that we may automatically collect, whether or not you decide to use our services. This includes your IP address, the date and the times and frequency with which you access the website and the way you browse its content. We will also collect data from you when you contact us via our website, for example when you submit a query.
- We collect your data automatically via cookies, in line with cookie settings in your browser. If you are also a [Customer](#) of Brookgate, we may use data from your use of our websites to enhance other aspects of our communications with or service to you. If you would like to find out more about cookies, including how we use them and what choices are available to you, please click [here](#).

HOW DO WE USE YOUR PERSONAL DATA?

Having obtained data about you, we then put it to good use.

- **CUSTOMER DATA:** We use [Customer](#) information for:
 - [Trading Activities;](#)
 - [Marketing Activities;](#) and
 - [To help us to establish, exercise or defend legal claims.](#)

Here are some more details about each:

Trading Activities

- Below are the various ways in which we use your data in order to ensure the smooth running of our agreements and dealings with you:
 - Processing your data in order to carry out anti-money laundering and "Know Your Customer" checks in accordance with our legal and regulatory obligations;
 - Storing your details (and updating them when necessary) on our database, so that we can contact you in relation to our relevant activities; and

- Keeping records of our conversations and meetings, so that we can provide targeted services to you and in order to comply with our legal and regulatory obligations.
- We may use your personal data for these purposes if we deem this to be necessary for our legitimate interests. If you would like to know more about what this means, please click [here](#).
- If you are not happy about this, in certain circumstances you have the right to object and can find out more about how and when to do this [here](#).

Marketing Activities

- We may process your data for the purpose of targeting you with appropriate marketing campaigns. Subject to any applicable local laws and requirements, we will only send you marketing information when you have consented to receive direct marketing information from us.
- If you are not happy about this, you have the right to opt out of receiving marketing materials from us and can find out more about how to do so [here](#).

To help us to establish, exercise or defend legal claims

- In more unusual circumstances, we may use your personal data to help us to establish, exercise or defend legal claims.
- **SUPPLIER DATA:** We will only use your information:
 - To store (and update when necessary) your details on our database, so that we can contact you in relation to our agreements or our dealings with you;
 - To offer services to you or to obtain support and services from you;
 - To perform certain legal and regulatory obligations, such as carrying out anti-money laundering and "Know Your Customer" checks;
 - Facilitating our payroll and invoicing processes
 - To help us to target appropriate marketing campaigns and
 - In more unusual circumstances, to help us to establish, exercise or defend legal claims.
- We may use your personal data for these purposes if we deem this to be necessary for our legitimate interests. If you want to know more about what this means, please click [here](#).
- We will not, as a matter of course, seek your consent when sending marketing messages to a corporate postal or email address.
- If you are not happy about this, in certain circumstances you have the right to object and can find out more about how to do so [here](#).
- **PEOPLE WHOSE DATA WE RECEIVE FROM JOB APPLICANTS AND STAFF, SUCH AS REFEREES, EMERGENCY CONTACTS AND DEPENDENTS:** We will only use the information about you for the following purposes:
 - If a [Job Applicant](#) or [Staff](#) member put you down on our form as an emergency contact, we will contact you in the case of an accident or emergency affecting them; or
 - If you were put down by a [Job Applicant](#) as a referee, we will contact you in order to take up a reference; or
 - If you were put down by a [Staff](#) member as a next of kin or dependent, we will store your personal data to ensure the personnel records of the [Staff](#) member are correct and disclose your information to the relevant benefits provider.
- We may use your personal data for these purposes if we deem this to be necessary for our legitimate interests. If you would like to find out more about what this means, please click [here](#).

- If you are not happy about this, you have the right to object and can find out more about how to do so [here](#).
- **WEBSITE USERS:** We use your data to help us to improve your experience of using our website, for example by analysing your recent search criteria to help us to present information to you that we think you will be interested in.
- If you would like to find out more about cookies, including how we use them and what choices are available to you, please click [here](#).

WHO DO WE SHARE YOUR PERSONAL DATA WITH?

- Where appropriate and in accordance with local laws and requirements, we may share your personal data, in various ways and for various reasons, with the following categories of people:
 - Any of our group companies;
 - Individuals and organisations who hold information related to a [Job Applicant's](#) reference or application to work with us, such as current or prospective employers, educators and examining bodies and employment and recruitment agencies;
 - Prospective employers (for example, when providing references);
 - Tax, audit, regulatory bodies or other authorities, when we believe in good faith that the law or other regulation requires us to share this data (for example, because of a request by a tax authority, in connection with any anticipated litigation or in compliance with our legal and regulatory obligations);
 - Third party service providers (including [Suppliers](#)) who perform functions on our behalf (including benefit providers such as pension providers, private medical insurance, dental insurance and childcare providers, external consultants, business associates and professional advisers such as lawyers, auditors and accountants, transport and distribution suppliers, technical support functions and IT consultants carrying out testing and development work on our business technology systems);
 - Third party outsourced IT and document storage providers where we have an appropriate processing agreement (or similar protections) in place;
 - Marketing technology platforms and suppliers;
 - In the case of [Job Applicants](#) and their referees, we may share your personal data with third parties who we have retained to provide services such as reference, qualification and criminal convictions checks, to the extent that these checks are appropriate and in accordance with local laws; and
 - If Brookgate merges with or is acquired by another business or company in the future, we may share your personal data with the new owners of the business or company (and provide you with notice of this disclosure).

HOW DO WE SAFEGUARD YOUR PERSONAL DATA?

- We are committed to taking all reasonable and appropriate steps to protect the personal information that we hold from misuse, loss, or unauthorised access. We do this by having in place a range of appropriate technical and organisational measures. These include measures to deal with any suspected data breach.
- If you suspect any misuse or loss of or unauthorised access to your personal data please let us know immediately by contacting us at amanda.smith@brookgate.eu

HOW LONG DO WE KEEP YOUR PERSONAL DATA FOR?

- We will ordinarily process your data throughout the course of our interactions and will then generally retain it for an appropriate amount of time after we have parted ways, depending on local law requirements and our legitimate business and risk-management needs. The periods of time for which we retain your data will vary depending on the type of data in question and any overarching legal, regulatory or risk-management requirements to retain it

for certain minimum periods. We may, for example, be required to retain certain data for the purposes of tax reporting or responding to tax queries. In other instances, there may be some other legal, regulatory or risk-management requirements to retain data, including where certain data might be relevant to any potential litigation (bearing in mind relevant limitation periods).

- In determining the appropriate retention period for various types of personal data, in addition to ensuring that we comply with our legal, regulatory and risk-management obligations, 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 need to process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

HOW CAN YOU ACCESS, AMEND OR TAKE BACK THE PERSONAL DATA THAT YOU HAVE GIVEN TO US?

- One of the [GDPR's](#) main objectives is to protect and clarify the rights of EU citizens and individuals in the EU with regards to data privacy. This means that you retain various rights in respect of your data, even once you have given it to us. These are described in more detail below.
- To get in touch about these rights, please contact us at amanda.smith@broogktae.eu. We will seek to deal with your request without undue delay, and in any event within one month (subject to any extensions to which we are lawfully entitled). Please note that we may keep a record of your communications to help us resolve any issues which you raise.
- **Right to object:** this right enables you to object to us processing your personal data where we do so for one of the following four reasons: (i) our [legitimate interests](#); (ii) to enable us to perform a task in the public interest or exercise official authority; (iii) to send you direct marketing materials; and (iv) for scientific, historical, research, or statistical purposes.
- The "legitimate interests" and "direct marketing" categories above are the ones most likely to apply. If your objection relates to us processing your personal data because we deem it necessary for our legitimate interests, we must act on your objection by ceasing the activity in question unless:
 - we can show that we have compelling legitimate grounds for processing which overrides your interests; or
 - we are processing your data for the establishment, exercise or defence of a legal claim.
- If your objection relates to direct marketing, we must act on your objection by ceasing this activity.
- **Right to withdraw consent:** Where we have obtained your consent to process your personal data for certain activities, you may withdraw this consent at any time and we will cease to carry out the particular activity that you previously consented to unless we consider that there is an alternative reason to justify our continued processing of your data for this purpose in which case we will inform you of this condition.
- **Data Subject Access Requests (DSAR):** You may ask us to confirm what information we hold about you at any time, and request us to modify, update or [Delete](#) such information. We may ask you to verify your identity and for more information about your request. If we provide you with access to the information we hold about you, we will not charge you for this unless your request is "manifestly unfounded or excessive". If you request further copies of this information from us, we may charge you a reasonable administrative cost where legally permissible. Where we are legally permitted to do so, we may refuse your request. If we refuse your request we will always tell you the reasons for doing so.
- **Right to erasure:** You have the right to request that we erase your personal data in certain circumstances. Normally, the information must meet one of the following criteria:

- the data are no longer necessary for the purpose for which we originally collected and/or processed them;
- where previously given, you have withdrawn your consent to us processing your data, and there is no other valid reason for us to continue processing;
- the data has been processed unlawfully (i.e. in a manner which does not comply with the [GDPR](#));
- it is necessary for the data to be erased in order for us to comply with our legal obligations as a data controller; or
- if we process the data because we believe it necessary to do so for our legitimate interests, you object to the processing and we are unable to demonstrate overriding legitimate grounds for our continued processing.
- We would only be entitled to refuse to comply with your request for erasure for one of the following reasons:
 - to exercise the right of freedom of expression and information;
 - to comply with legal obligations or for the performance of a public interest task or exercise of official authority;
 - for public health reasons in the public interest;
 - for archival, research or statistical purposes; or
 - to exercise or defend a legal claim.
- When complying with a valid request for the erasure of data we will take all reasonably practicable steps to [Delete](#) the relevant data.
- **Right to restrict processing:** You have the right to request that we restrict our processing of your personal data in certain circumstances. This means that we can only continue to store your data and will not be able to carry out any further processing activities with it until either: (i) one of the circumstances listed below is resolved; (ii) you consent; or (iii) further processing is necessary for either the establishment, exercise or defence of legal claims, the protection of the rights of another individual, or reasons of important EU or Member State public interest.
- The circumstances in which you are entitled to request that we restrict the processing of your personal data are:
 - where you dispute the accuracy of the personal data that we are processing about you. In this case, our processing of your personal data will be restricted for the period during which the accuracy of the data is verified;
 - where you object to our processing of your personal data for our legitimate interests. Here, you can request that the data be restricted while we verify our grounds for processing your personal data;
 - where our processing of your data is unlawful, but you would prefer us to restrict our processing of it rather than erasing it; and
 - where we have no further need to process your personal data but you require the data to establish, exercise, or defend legal claims.
- If we have shared your personal data with third parties, we will notify them about the restricted processing unless this is impossible or involves disproportionate effort. We will, of course, notify you before lifting any restriction on processing your personal data.
- **Right to rectification:** You also have the right to request that we rectify any inaccurate or incomplete personal data that we hold about you. If we have shared this personal data with third parties, we will notify them about the rectification unless this is impossible or involves disproportionate effort. Where appropriate, we will also tell you which third parties we have disclosed the inaccurate or incomplete personal data to. Where we think that it is reasonable for us not to comply with your request, we will explain our reasons for this decision.

- **Right of data portability:** If you wish, you have the right to transfer your personal data between data controllers. In effect, this means that you are able to transfer your Brookgate account details to another online platform. To allow you to do so, we will provide you with your data in a commonly used machine-readable format that is password-protected so that you can transfer the data to another online platform. Alternatively, we may directly transfer the data for you. This right of data portability applies to: (i) personal data that we process automatically (i.e. without any human intervention); (ii) personal data provided by you; and (iii) personal data that we process based on your consent or in order to fulfil a contract.
- **Right to lodge a complaint with a supervisory authority:** You also have the right to lodge a complaint with the Information Commissioner. The relevant contact details are:
 - Phone: 0303 123 1113
 - Email: casework@ico.org.uk
 - [Live chat](#)
 - Post: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
- If you would like to exercise any of these rights, or withdraw your consent to the processing of your personal data (where consent is our legal basis for processing your personal data), please contact amanda.smith@brookgate.eu . Please note that we may keep a record of your communications to help us resolve any issues which you raise.
- It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the period for which we hold your data.

WHO IS RESPONSIBLE FOR PROCESSING YOUR PERSONAL DATA ON THE BROOKGATE WEBSITE?

- Brookgate is responsible for processing your personal data. It is located at Two Station Place, Cambridge CB1 2FP.
- If you have any comments or suggestions concerning this Privacy Policy please contact amanda.smith@brookgate.eu . We take privacy seriously and will get back to you as soon as possible.

HOW DO WE STORE AND TRANSFER YOUR DATA INTERNATIONALLY?

- In order to provide you with the best service and to carry out the [purposes](#) described in this Privacy Policy, your data may be transferred:
 - to third parties (such as regulatory authorities, advisers or other [Suppliers](#) to the Brookgate business);
 - to overseas [Customers](#);
 - to [Customers](#) within your country who may, in turn, transfer your data internationally;
 - to a cloud-based storage provider; and
 - to other third parties, as referred to [here](#).
- We want to make sure that your data are stored and transferred in a way which is secure. We will therefore only transfer data outside of the European Economic Area or EEA (i.e. the Member States of the European Union, together with Norway, Iceland and Liechtenstein) where it is compliant with data protection legislation and the means of transfer provides adequate safeguards in relation to your data, for example:

- by way of data transfer agreement, incorporating the current standard contractual clauses adopted by the European Commission for the transfer of personal data by data controllers in the EEA to data controllers and processors in jurisdictions without adequate data protection laws; or
 - by signing up to the EU-U.S. Privacy Shield Framework for the transfer of personal data from entities in the EU to entities in the United States of America or any equivalent agreement in respect of other jurisdictions; or
 - transferring your data to a country where there has been a finding of adequacy by the European Commission in respect of that country's levels of data protection via its legislation; or
 - where it is necessary for the conclusion or performance of a contract between ourselves and a third party and the transfer is in your interests for the purposes of that contract (for example, if we need to transfer data outside the EEA in order to meet our obligations under that contract if you are a [Customer](#) of ours); or
 - where you have consented to the data transfer.
- To ensure that your personal information receives an adequate level of protection, we have put in place appropriate procedures with the third parties we share your personal data with to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the law on data protection.

COOKIES POLICY

What's a cookie?

- A "cookie" is a piece of information that is stored on your computer's hard drive and which records your navigation of a website so that, when you revisit that website, it can present tailored options based on the information stored about your last visit. Cookies can also be used to analyse traffic and for advertising and marketing purposes.
- Cookies are used by nearly all websites and do not harm your system. If you want to check or change what types of cookies you accept, this can usually be altered within your browser settings.

How do we use cookies?

- We use cookies to do two things:
 - To track your use of our website. This enables us to understand how you use the site and track any patterns that emerge individually or from larger groups. This helps us to develop and improve our website and services in response to what our visitors want and need.
 - To help us advertise jobs, products or services to you that we think you will be interested in. Hopefully this means less time for you trawling through endless pages and will get you to the information you want more quickly.
- Cookies are either:
 - Session cookies: these are only stored on your computer during your web session and are automatically deleted when you close your browser – they usually store an anonymous session ID allowing you to browse a website without having to log in to each page but they do not collect any information from your computer; or
 - Persistent cookies: a persistent cookie is stored as a file on your computer and it remains there when you close your web browser. The cookie can be read by the website that created it when you visit that website again. We use persistent cookies for Google Analytics and for personalisation (see below).
- Cookies can also be categorised as follows:
 - **Strictly necessary cookies:** These cookies are essential to enable you to use the site effectively, such as when applying for a job, and therefore cannot be turned off.

Without these cookies, the services available to you on our site cannot be provided. These cookies do not gather information about you that could be used for marketing or remembering where you have been on the internet.

- **Performance cookies:** These cookies enable us to monitor and improve the performance of our site. For example, they allow us to count visits, identify traffic sources and see which parts of the site are most popular.
- **Functionality cookies:** These cookies allow our website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced features. For instance, we may be able to provide you with news or updates relevant to the services you use. These cookies can also be used to remember changes you have made to text size, font and other parts of web pages that you can customise. They may also be used to provide services you have requested such as viewing a video or commenting on a blog. The information these cookies collect is usually anonymised.
- **Personalisation cookies:** These cookies help us to advertise details of potential services that we think may be of interest. These cookies are persistent (for as long as you are registered with us) and mean that when you log in or return to the website, you may see advertising for services that are similar to services that you have previously browsed.

The table at [Annex 1](#) lists the cookies we use in your jurisdiction, why we use them and what types of cookies they are.

OUR LEGAL BASES FOR PROCESSING YOUR DATA

LEGITIMATE INTERESTS

- Article 6(1)(f) of the [GDPR](#) says that we can process your data where it "*is necessary for the purposes of the legitimate interests pursued by [us] or by a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of [you] which require protection of personal data.*"
- You have the right to object to us processing your personal data on this basis. If you would like to know more about how to do so, please click [here](#).
- **CUSTOMER DATA:**
- To ensure that we provide you with the best service possible, we use and store your personal data and/or the personal data of individual contacts at your organisation as well as keeping records of our conversations and meetings.
- We want to provide you with relevant information and articles to read which we believe you may be interested in. We therefore think it's reasonable for us to process your data to make sure that we send you the most appropriate content.
- We think this is reasonable – we deem these uses of your personal data to be necessary for our legitimate interests in order to carry out our business activities.
- We have to make sure our business runs smoothly, so that we can carry on providing services. We therefore also need to use your data for our internal administrative activities, such as invoicing where relevant.
- We have our own obligations under the law, which is a legitimate interest of ours to insist on meeting. If we believe in good faith that it is necessary, we may therefore share your data in connection with crime detection or tax collection.

- **SUPPLIER DATA:**

- We use and store the personal data of individuals within your organisation in order to facilitate the receipt of services from you as one of our [Suppliers](#). Where you are a sole trader, we also hold your financial details, so that we can pay you for your services.
- We deem all such activities to be necessary within the range of our legitimate interests as a recipient of your services.

- **PEOPLE WHOSE DATA WE RECEIVE FROM JOB APPLICANTS AND STAFF, SUCH AS REFEREES AND EMERGENCY CONTACTS:**

- If you have been put down by a [Job Applicant](#) or a member of Brookgate [Staff](#) as one of their referees, we use your personal data in order to contact you for a reference. This is necessary for our legitimate interests as an organisation to ensure we appoint the best applicants to join Brookgate.
- If a [Staff](#) member has given us your details as an emergency contact, we will use these details to contact you in the case of an accident or emergency. We have a legitimate interest to store this data and use it in appropriate circumstances on behalf of our [Staff](#).
- If a [Staff](#) member has given us your details as a dependent or a next of kin, we will use your personal data as appropriate for the purpose of benefits (e.g. death in service, private medical insurance or childcare funding) or employment rights (e.g. maternity or paternity leave or a flexible working request). We have a legitimate interest to store this data and use it in appropriate circumstances on behalf of our [Staff](#).

CONSENT

- In certain circumstances, we are required to obtain your consent to the processing of your personal data in relation to certain activities. Depending on exactly what we are doing with your information, this consent will be opt-in consent or soft opt-in consent.
- Article 4(11) of the [GDPR](#) states that (opt-in) consent is "*any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.*" In plain language, this means that:
 - you have to give us your consent freely, without us putting you under any type of pressure;
 - you have to know what you are consenting to – so we'll make sure we give you enough information;
 - you should have control over which processing activities you consent to and which you do not. and
 - you need to take positive and affirmative action in giving us your consent – we're likely to provide a tick box for you to check so that this requirement is met in a clear and unambiguous fashion.
- We will keep records of the consents that you have given in this way.
- In some cases, we will be able to rely on soft opt-in consent. We are allowed to market products or services to you which are related to the services we provide as long as you do not actively opt-out from these communications.
- As we have mentioned, you have the right to withdraw your consent to these activities. You can do so at any time, and details of how to do so can be found [here](#).

LEGAL OBLIGATIONS

- We also have legal and regulatory obligations that we need to comply with. Article (6)(1)(c) of the [GDPR](#) states that we can process your personal data where this processing "*is necessary for compliance with a legal obligation to which [we] are subject*".

- If we believe in good faith that it is necessary, we may share your data in connection with crime detection or tax collection.
- We also may share your data with regulatory agencies or other relevant bodies in order to comply with our regulatory obligations.
- We will keep records of your personal data (including personal data contained in communications and calls) in accordance with our legal and regulatory obligations.

ESTABLISHING, EXERCISING OR DEFENDING LEGAL CLAIMS

- Sometimes it may be necessary for us to process personal data and, where appropriate and in accordance with local laws and requirements, sensitive personal data, in connection with exercising or defending legal claims. Article 9(2)(f) of the [GDPR](#) allows this where the processing "*is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity*".
- This may arise for example where we need to take legal advice in relation to legal proceedings or are required by law to preserve or disclose certain information as part of the legal process.

ANNEX 1 – COOKIES LIST

Cookie Name	Purpose of the cookie	Data collected	How this data is shared	Duration of cookie	Cookie provider Privacy Policy
<u>DYNSRV</u>	<u>Used for load balancing to manage server traffic demand</u>	<u>This data contains no personally identifiable information</u>	<u>Not Shared</u>	<u>Session Cookie (erased when the user closes the web broser)</u>	<u>https://www.tsohost.com/legal/privacy-policy</u>
<u>Exp_csrf_token</u>	<u>Expression Engine security token</u>	<u>This data contains no personally identifiable information</u>	<u>Not Shared</u>	<u>1 hour</u>	<u>https://expressionengine.com/privacy</u>
<u>Exp_last_activity</u>	<u>Expression Engine member data tracking</u>	<u>This data contains no personally identifiable information</u>	<u>Not Shared</u>	<u>1 year</u>	<u>https://expressionengine.com/privacy</u>
<u>Exp_last_visit</u>	<u>Expression Engine member data tracking</u>	<u>This data contains no personally identifiable information</u>	<u>Not Shared</u>	<u>1 year</u>	<u>https://expressionengine.com/privacy</u>
<u>Exp_tracker</u>	<u>Expression Engine member data tracking</u>	<u>This data contains no personally identifiable information</u>	<u>Not Shared</u>	<u>Session Cookie (erased when the user closes the web broser)</u>	<u>https://expressionengine.com/privacy</u>

Cookie Name	Purpose of the cookie	Data collected	How this data is shared	Duration of cookie	Cookie provider Privacy Policy

GLOSSARY

- **Customers** – this category covers individual and corporate purchasers of Brookgate's goods or services, any ultimate beneficial owners or trust beneficiaries, any officers or representatives of any corporate entity or intermediaries, directors, members, shareholders and other beneficial owners of corporate entities.
- **Delete** – it is virtually impossible to guarantee the permanent and irretrievable deletion of electronic data. In addition, sometimes we may be obliged by law or regulation, or need for risk-management reasons, to retain the ability to access certain elements of personal data. However, once personal data reaches the end of its nominal retention period, or where we receive a valid request to erase it, we will put in place specific operational and systems measures to ensure that the data is "put beyond use". By this we mean that while the data will still technically exist on an archive system, we will ensure that it cannot be accessed by any of our operational systems, processes or [Staff](#). Only a very (and we mean exceptionally) small number of senior [Staff](#), in very (and, again, we mean exceptionally) limited and carefully prescribed situations, will be able to restore your personal data so that it can be viewed for those legitimate purposes. Once we are clear that all relevant legally mandated retention periods have expired (which, for present purposes, we expect to be the period of seven years), we will go the additional final step of undertaking a "hard delete", whereby not even that very limited number of senior [Staff](#) would be able to restore your personal data.
- **General Data Protection Regulation (GDPR)** – a European Union statutory instrument which aims to harmonise European data protection laws. It has an effective date of 25 May 2018, and any references to it should be construed accordingly to include any national legislation implementing it.
- **Job Applicants** – includes applicants for all roles advertised or promoted by Brookgate, including permanent, part-time and temporary positions with Brookgate as well as people who have supplied a speculative CV to Brookgate not in relation to a specific job.
- **Other people whose personal data Brookgate may process** – these may include Brookgate [Staff](#) emergency contacts and next of kin, referees and dependents for the purpose of benefits (e.g. private medical insurance or childcare funding). It also includes referees provided by [Job Applicants](#).
- **Staff** – includes current and former employees and interns engaged directly in the business of Brookgate (or who have accepted an offer to be engaged) as well as other workers currently or previously engaged in the business of providing services to Brookgate (even though they are not classed as employees). Independent contractors and consultants performing services for Brookgate fall within the definition of a '[Supplier](#)' for the purposes of this Privacy Policy.
- **Suppliers** – refers to partnerships, companies (including sole traders), third party service providers (including administrators and distributors), and atypical workers such as independent contractors and freelance workers, who provide services to Brookgate. For the purposes of this Privacy Policy, regulatory agencies and external bodies will be treated as [Suppliers](#).
- **Website Users** – any individual who accesses the Brookgate website.