

## CLIENT PRIVACY NOTICE

In this privacy notice, the terms 'we', 'us' and 'our' are references to Ambipar Response Ltd, whilst 'you' and 'your' may refer to any individual and/or your organisation or business.

### What is the purpose of this document?

- 1.1 Ambipar Response is committed to protecting the privacy and security of your information.
- 1.2 This privacy notice describes how we collect and use personal or company information about you during and after our working relationship, in accordance with the Data Protection Act 2018 (DPA) and the EU General Data Protection Regulation (GDPR). This notice applies to any data that we collect from you or you provide to us through our website (<https://www.ambipar-response.com/>), or as a client via any official communications (email, telephone, skype, in person etc.)
- 1.3 Ambipar Response Ltd – Company Registration Number 05723743. Having a registered address of Hartley Fowler Llp, Tuition House, 27-37 St. Georges Road, London, England, SW19 4EU is a 'data controller'. This means that we are responsible for deciding how we hold and use information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.
- 1.4 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 information about you as a client, so that you are aware of how and why we are using such information.

### 2 Our privacy promise to you

- We promise to collect data only for lawful purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- We promise to keep your data safe and private;
- We promise not to sell your data;
- We give you ways to manage your data, and your marketing choices with us at any time used lawfully, fairly and in a transparent way.

### 3 The kind of information we hold about you

- 3.1 Personal or company information, means any data about an individual or organisation from which they can be identified. It does not include data where the identity has been removed (anonymous data). There are "special categories" of more sensitive data which require a higher level of protection.
- 3.2 We may collect, store, and use the following categories of information about you and your organisation:
  - contact details such as name, title, addresses, telephone numbers, and email addresses;
  - operational information such as projects and the location of assets and equipment;
  - emergency contact information;
  - bank account details;
  - information shared through our information and communications systems;
  - operational photographs;
  - plans and procedures for incident response.
- 3.3 We may also collect, store and use the following 'special categories' of more sensitive information:
  - information about incidents which Ambipar Response have attended;
  - information on past incidents or near misses.

### 4 How is your information collected?

- 4.1 We typically collect information which had been voluntarily provided by you or your organisation, however we may also obtain data from other publicly available sources, such as:
  - Companies House;
  - Experian.
- 4.2 We will also collect additional information in the course of job-related activities throughout the period of us working together.

### 5 How do we define processing?

- 5.1 'Processing' means any operation which is performed on information such as:
  - collection, recording, organisation, structuring or storage;
  - adaption or alteration;
  - retrieval, consultation or use;
  - disclosure by transmission, dissemination or otherwise making available;
  - alignment or combination; and
  - restriction, destruction or erasure.
- 5.2 This includes processing data which forms part of a filing system and any automated processing.

## **6 How we will use information about your organisation**

- 6.1 We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances:
- where we need to perform the contract, we have entered into with you;
  - where we need to comply with a legal obligation; or
  - 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
- 6.2 We may also use your information in the following situations, which are likely to be rare:
- where we it is needed in relation to a legal matter or to protect your interests (or someone else's interests);
  - where it is needed in the public interest.

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

- 7.1 We need all the categories of information in the list above (see *the kind of information we hold about you*) 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 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 information are listed below:
- sending statements, invoices and payment reminders to you or any other company/person representing you, or to collect payments from you
  - administering the contract, we have entered into with you;
  - business management and planning, including accounting and auditing;
  - documenting case studies and producing marketing content;
  - assessing qualifications for a particular job or task;
  - identifying education, training and development requirements;
  - complying with health and safety obligations;
  - to prevent fraud;
  - to conduct data analytics studies to review and better understand our operations;
  - for other reasons which we may notify you of from time to time;
  - making arrangements for the termination of our working relationship;
  - Reference requests and testimonials.
- 7.2 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your information.
- 7.3 In some circumstances we may anonymise your information so that it can no longer be associated with you, in which case we may use such information without further notice to you ie. photographs.

## **8 If you fail to provide access to information**

- 8.1 If you fail to provide certain information or authorisation when requested, we may not be able to perform the contract we have entered into with you (such as responding to an incident or offering training) or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## **9 Change of purpose**

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

## **10 Do we need your consent?**

- 10.1 We do not need your consent if we use special categories of your information in accordance with our written policy to carry out our legal obligations. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

## **11 Data sharing**

We may have to share your data with third parties, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law. All third-party companies have signed a data security document with Ambipar Response Ltd.

## **12 Why might we share your information with third parties?**

12.1 We may share your 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.

## **13 Which third-party service providers process your information?**

13.1 "Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers; waste handling and disposal, IT and telephony, and response support. Details of all the above companies are available on request.

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

14.1 All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your information in line with our policies. We do not allow our third-party service providers to use your data for their own purposes. We only permit them to process your data for specified purposes and in accordance with our instructions.

## **15 When might we share your information with other entities in the group?**

15.1 We will share your information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

## **16 What about other third parties?**

16.1 We may share your 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 information with a regulator or to otherwise comply with the law.

## **17 Transferring information outside the EU**

17.1 We will not transfer information outside of the EU knowingly, in order to perform our contract with you. There is an adequacy decision by the European Commission in respect of all EU member states. This means that the EU countries to which we may transfer your data are deemed to provide an adequate level of protection for your information. This excludes necessary communication with the Ambipar Group.

## **18 Data security**

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

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

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

18.4 We have in place procedures to deal with any suspected data security breach (NCSC national cyber security centre 0300 123 2040. Website - [actionfraud.police.uk](http://actionfraud.police.uk)) and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. If you are aware of any data breach, you must contact the Data Protection Officer immediately and keep any evidence you have in relation to the breach.

## **19 Data retention - how long will we use your information for?**

19.1 We will only retain your 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 data, we consider the amount, nature, and sensitivity of the data, the potential risk of harm from unauthorised use or disclosure of your data, the purposes for which we process your data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Ambipar Response will hold your data for the duration of our working relationship and thereafter unless requested otherwise.

## **20 Rights of access, correction, erasure, and restriction**

20.1 It is important that the information we hold about you is accurate and current. Please keep us informed if your information changes during your working relationship with us.

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

- **Request access** to your information (commonly known as a "data subject access request"). This enables you to receive a copy of the information we hold about you and to check that we are lawfully processing it;
- **Request correction** of the 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 information. This enables you to ask us to delete or remove information where there is no good reason for us continuing to process it;
- **Object to processing** of your 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;
- **Request the restriction of processing** of your information. This enables you to ask us to suspend the processing of information about you, for example if you want us to establish its accuracy or the reason for processing it;
- **Request the transfer** of your information to another party.

20.3 If you want to review, verify, correct or request erasure of your information, object to the processing of your data, or request that we transfer a copy of your information to another party, please contact the HR Administrator in writing.

20.4 You will not normally have to pay a fee to access your 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.

20.5 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 information is not disclosed to any person who has no right to receive it.

## **21 Right to withdraw consent**

21.1 In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. 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. This means we would not be able to continue with your employment.

## **22 Data Protection officer**

22.1 We have appointed a Data Protection officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your information, please contact them. *Stacey Walker*, [stacey.walker@ambipar.com](mailto:stacey.walker@ambipar.com), 02039814395

## **23 Complaints to the Information Commissioner's Office (ICO)**

23.1 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. You can do this by contacting the Information Commissioner's Office directly. Full contact details, including a helpline number, can be found on the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)). This website has further information on your rights and our obligations.

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

24.1 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 information.

If you have any questions about this privacy notice, please contact the Data Protection Officer.

This Policy has been approved and authorised by:

**Zäl Rustom**

A handwritten signature in blue ink, appearing to be "Zäl Rustom".

Chief Executive Office

Issued February 2020

Reviewed Annually February 2021  
Next Review February 2022