



## UPECC Privacy Policy

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We take your privacy very seriously. Please read this Privacy Policy carefully as it contains important information on who we are and how and why we collect, store, use and share your Personal Data. It also explains your rights in relation to your Personal Data and how to contact us or the Information Commissioner’s Office in the event you have a complaint.

We collect, use and are responsible for certain Personal Data about you. When we do so we are subject to applicable data protection laws (“**Data Protection Law**”), including but not limited to the UK General Data Protection Regulation (“**UK GDPR**”).

**Key terms**

It would be helpful to start by explaining some key terms used in this Privacy Policy. All capitalized terms not defined in this Privacy Policy have the meaning given to them in other policies (E.g., Code of Conduct) or by Data Protection Law, as applicable

We, Us, Our	UPECC
You, Yours	Applicant members of UPECC, existing members of UPECC, former members of UPECC
Personal Data	Any information relating to an identified or identifiable Data Subject, as defined below.
Special Category Personal Data	Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health, sex life or sexual orientation.
Data Subject	The individual who the personal data relates to. A Data Subject can be identified, directly or indirectly, such as by reference to an identifier such as name, an UPECC membership number.
The Information Commissioner’s Office, the ICO	The ICO is the UK’s independent body set up to uphold the rights of Data Subjects.
Processing	Any operation or set of operations which is performed on Your Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasures or destruction.

## **Personal Data we collect about You**

The Personal Data we collect about You depends on the particular Services we provide to you. We will collect and use personal data about you, including but not limited to:

- your name and contact information, including email address and telephone number and company details, where applicable,
- information to check and verify your identity, e.g., your date of birth,
- your gender,
- location data, such as the places where you perform work at a particular time, if required as part of providing services to You as our Member,
- your billing information, transaction and payment card information,
- your professional interests,
- your professional online presence, e.g., LinkedIn profile,
- your responses to surveys.

We collect and use this personal data for the purposes described in the section '**How and why we use your personal data**' below. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

## **How your personal data is collected**

We collect most of this personal data directly from you—in person, by telephone, text or email and via our website and apps. However, we may also collect information:

- from publicly accessible sources, e.g., Companies House or HM Land Registry
- analytics from wix.com, but this does not include cookies

## **How and why we use your personal data**

Under Data Protection Law, we can only use your personal data if we have a proper reason, e.g.:

- where you have given consent;
- to comply with our legal and regulatory obligations;
- for the performance of contract with you or to take steps at your request before entering into;  
or

- for our legitimate interests or those of a third party.

The table below explains what we use your personal data for and why.

<b>What we use your personal data for</b>	<b>Our reasons</b>	<b>Categories of Personal Data Processed by Us (this is not an exhaustive list)</b>
Providing Services to you	To perform our obligations to you or to take steps at your request before granting membership	Your name, contact details, information required to process Your Membership application form such as Your Membership email
Communicating with You about Our Services, sending important notices to You	To perform Our obligations to You under the Code of Conduct or to comply with applicable laws and regulations, including but not limited to TULCRA, the Trade Union and Labour Relations Act 1992	Your name, contact details, Your Membership identifiers
Preventing and detecting criminal activity or fraud against you or us	For our legitimate interest and applicable laws in relation to the prevention of crime, i.e., to minimise fraud that could be damaging for you and/or us	Information relating to Your identity, such as Your name, Your date of birth, Your address; where applicable, Your vehicle registration number and CCTV footage
<p>Conducting checks to identify our customers and verify their identity</p> <p>Screening for financial and other sanctions or embargoes</p> <p>Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g., under health and safety law or rules issued by our professional regulator (this may include actions necessary to prevent Covid-19 in accordance with respective legislation or Government guidance)</p>	To comply with our legal and regulatory obligations, such as anti-money laundering obligations, health and safety legislation and similar	Information relating to Your identity, such as Your name, Your date of birth, Your address; information concerning Your health, such as information concerning an accident on Our premises or information concerning your vaccination status, and where applicable, Your vehicle registration number and CCTV footage

<b>What we use your personal data for</b>	<b>Our reasons</b>	<b>Categories of Personal Data Processed by Us (this is not an exhaustive list)</b>
To enforce legal rights or defend or undertake legal proceedings	Depending on the circumstances:  —to comply with our legal and regulatory obligations; or  —in other cases, for our legitimate interests, i.e. to protect our business, interests and rights	Information concerning Your identity and Your membership; where applicable, Your vehicle registration number and CCTV footage
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies, such as the Information Commissioner’s Office	To comply with our legal and regulatory obligations	Information concerning Your identity and Your membership
Ensuring our organization’s policies are adhered to, e.g., policies covering security and internet use	For our legitimate interests, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you	Information concerning Your identity and Your membership
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you at the best membership fee	Information concerning Your identity and Your membership, including but not limited to Your participation in any courses or training we offer
Ensuring the confidentiality of sensitive information	Depending on the circumstances,:  —for our legitimate interests, i.e. to protect our organisation’s information and interests,,  —to comply with our legal and regulatory obligations, and to protect the information pertaining to our [membership/Members]	Information concerning Your identity and Your membership

<b>What we use your personal data for</b>	<b>Our reasons</b>	<b>Categories of Personal Data Processed by Us (this is not an exhaustive list)</b>
Statistical analysis to help us manage our organisation and to measure efficiency	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you at the best membership fee	Information concerning Your identity and Your membership
Preventing unauthorised access and modifications to systems	Depending on the circumstances: —for our legitimate interests, i.e. to prevent and detect criminal activity; or  —to comply with our legal and regulatory obligations	Information concerning Your identity and Your membership; where applicable, Your vehicle registration number and CCTV footage
Protecting the security of systems and data used to provide the goods and services	Depending on the circumstances:  - for our legitimate interests, i.e. to protect our property and goods; or  - to comply with our legal and regulatory obligations	Information concerning Your identity and Your membership; where applicable, Your vehicle registration number and CCTV footage
<b>Updating and maintaining member records</b>	Depending on the circumstances:  —to perform our services for you or to take steps at your request before granting membership;  —to comply with our legal and regulatory obligations;  —for our legitimate interests, e.g. making sure that we can keep in touch with our members regarding elections and surveys	Information concerning your Identity and Your Membership

<b>What we use your personal data for</b>	<b>Our reasons</b>	<b>Categories of Personal Data Processed by Us (this is not an exhaustive list)</b>
Statutory returns	To comply with our legal and regulatory obligations	Information concerning your Identity and Your Membership, including Your payment history
Ensuring safe working practices, staff administration and assessments	<p>Depending on the circumstances:</p> <ul style="list-style-type: none"> <li>—to comply with our legal and regulatory obligations;</li> <li>—for our legitimate interests, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</li> </ul>	Information concerning your Identity and Your Membership, including, where applicable, details concerning Your career
Marketing our services	For our legitimate interests, i.e. to promote our organisation to future members	Information concerning your Identity and Your Membership, information on Your social media accounts, Your photograph
External audits and quality checks, e.g. for Certification or accreditation purposes and the audit of our accounts	<p>Depending on the circumstances:</p> <ul style="list-style-type: none"> <li>—for our legitimate interests, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards;</li> <li>—to comply with our legal and regulatory obligations</li> </ul>	Information concerning your Identity and Your Membership, including Your payment history

What we use your personal data for	Our reasons	Categories of Personal Data Processed by Us (this is not an exhaustive list)
To share your personal data with members of our group and third parties that will or may provide services and professional advisors acting on our or their behalf)	Depending on the circumstances:  —to comply with our legal and regulatory obligations;  —in other cases, for our legitimate interests, i.e. to protect, realise or grow the value in our organisation	Information concerning your Identity and Your Membership, information on Your social media accounts, Your photograph

More details about how we use your personal data and why are set out in the table below

Purpose	Processing operation	Lawful basis relied on under the UK GDPR[ and EU GDPR]	Relevant categories of personal data
Communications with you not related to marketing, including about changes to our terms or policies or changes to the services offered or other important notices (other than those addressed above)	Addressing and sending communications to you as required by data protection laws, i.e.:  —the UK GDPR or Data Protection Act 2018;  [—the EU GDPR]	Processing is necessary for compliance with a legal obligation to which we are subject (Article 6(1)(b))	—your name, address and contact information, including email address and telephone number [and company details;]  —your account details (username)
	Addressing and sending communications to you as required by TULCRA	Processing is necessary for compliance with a legal obligation to which we are subject (Article 6(1)(b))	—your name, address and contact information, including email address and telephone number [and company details;]  —your account details (username)



Purpose	Processing operation	Lawful basis relied on under the UK GDPR[ and EU GDPR]	Relevant categories of personal data
	Addressing and sending communications to you about changes to our terms or policies or changes to the services or other important notices	Our legitimate interests (Article 6(1)(f)), which is to be as efficient as we can so we can deliver the best service to you	—your name, address and contact information, including email address and telephone number [and company details]  —your account details (username)

### How and why we use your personal data—Special category personal data

Where we process Special Category Personal Data, we will do so on the basis of your explicit consent, unless otherwise required to do so, in accordance with applicable Data Protection Law. Also ensure we are permitted to do so under data protection laws, e.g.:

#### Our Marketing, Newsletters, and Surveys

We will use your Personal Data to send you updates (by email, text message, telephone or post) about our services, including marketing, newsletters, surveys and ballots . We will ask you for your consent to be included in such marketing, newsletters and surveys.

Where you have provided your consent, you have the right to opt out of receiving marketing communications, newsletters and surveys at any time by:

- contacting us at [info@upecc.co.uk](mailto:info@upecc.co.uk);
- using the 'unsubscribe' link in any email.

#### Who we share your personal data with

We share personal data with a number of persons and organisations in order to provide our Services to you, including but not limited:

- **Directors and staff** within UPECC
- third party service providers, which we use to help provide our services to you, e.g. payment service providers, website hosts or organizations, which dispatch our newsletters, insurers, brokers, legal advisors and financial institutions;
- our and their external auditors, e.g. in relation to our financial accounts;
- our and their professional advisors (such as lawyers and other advisors);

- law enforcement agencies, courts, tribunals and regulatory bodies to comply with our legal and regulatory obligations.

### How long your personal data will be kept

We will not keep your personal data for longer than we need it for the purpose for which it is used.

### Transferring your personal data out of the UK[ and EEA]

[The EEA, UK and other ][countries OR Countries] outside [the EEA and ]the UK have differing data protection laws, some of which may provide lower levels of protection of privacy.

It is sometimes necessary for us to transfer your personal data to countries outside the UK[ and EEA]. In those cases we will comply with applicable UK[ and EEA] laws designed to ensure the privacy of your personal data.

We will transfer your personal data to:

- our service providers located outside the UK

[As we are based in the UK we will also transfer your personal data from the EEA to the UK.]

Under data protection laws, we can only transfer your personal data to a country outside the UK[EEA] where:

- [in the case of transfers subject to UK data protection law, ]the UK government has decided the particular country ensures an adequate level of protection of personal data (known as an ‘**adequacy regulation**’) further to Article 45 of the UK GDPR. A list of countries the UK currently has adequacy regulations in relation to is available [here](#).
- [in the case of transfers subject to EEA data protection laws, the European Commission has decided that the particular country ensures an adequate level of protection of personal data (known as an ‘**adequacy decision**’) further to Article 45 of the EU GDPR. A list of countries the European Commission has currently made adequacy decisions in relation to is available [here](#).
- there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you; or
- a specific exception applies under relevant data protection law.

Where we transfer your personal data outside the UK, we do so on the basis of an adequacy regulation or (where this is not available) *[insert transfer mechanism, eg legally-approved standard data protection clauses recognised or issued further to Article 46(2) of the UK GDPR]*. In the event we cannot or choose not to continue to rely on either of those mechanisms at any time, we will not transfer your personal data outside the UK unless we can do so on the basis of an alternative mechanism or exception provided by UK data protection law and reflected in an update to this policy.

[Where we transfer your personal data outside the EEA we do so on the basis of an adequacy decision or (where this is not available) a legally-approved standard data protection clause issued further to

Article 46(2) of the EU GDPR]. In the event we cannot or choose not to continue to rely on either of those mechanisms at any time we will not transfer your personal data outside the EEA unless we can do so on the basis of an alternative mechanism or exception provided by applicable data protection law and reflected in an update to this policy.]

Any changes to the destinations to which we send personal data or in the transfer mechanisms we rely on to transfer personal data internationally will be notified to you in accordance with the section on '**Changes to this privacy policy**' below.

### **Transferring your personal data out of the UK[ and EEA]—further information**

If you would like further information about data transferred outside the UK[EEA], please contact [us OR our Data Protection Officer] (see '**How to contact us**' below).

### **Your rights**

You have the following rights, which you can exercise free of charge and in certain circumstances:

- The right to be provided with a copy of your personal data
- The right to require us to correct any mistakes in your personal data
- The right to require us to delete your personal data
- The right to require us to restrict processing of your personal data
- The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
- The right to object our continued processing of your personal data

If you would like to exercise any of those rights, please contact us using the “How to contact us” details below. We may require further information about You in order to process your request, such as information concerning your identity or additional information concerning the request.

### **Keeping your personal data secure**

We implement appropriate technical and organisational measures to prevent Your Personal Data from accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

## Changes to this Privacy Policy

We reserve the right to change this Privacy Policy from time to time and will inform you when this occurs.

## How to contact us

Our contact details are shown below:

Our contact details
Info@upecc.co.uk

You also have the right to lodge a complaint with the Information Commissioner's Office.

- However, if you have a complaint, We would appreciate if You first contacted Us so that We are afforded the opportunity to amicably resolve Your complaint. We strive to provide the best Service to our Members and would love to hear from You if You have any suggestions on how to improve our Service. The [UK's] Information Commissioner may be contacted using the details at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113.