

### 1. Introduction

- 1.1 This External Privacy Policy ('Policy') is used by On Garde ('BauWatch'), legally registered in Reading, having offices in Reading as well, at the address Bdo, R+, 2, Blagrove Street Reading, Berkshire, England, RG11AZ. BauWatch can be reached via [privacy@Bauwatch.co.uk](mailto:privacy@Bauwatch.co.uk)
- 1.2 When using BauWatch, camera images are created. It is possible that natural persons will be identified on the basis of this imagery or that this imagery can be used to identify someone. This type of data is called 'Personal Data'. The persons that these Personal Data regard are called the 'Data Subjects'.
- 1.3 To the processing of Personal Data, the General Data Protection Regulation ('GDPR') is applicable. The GDPR prescribes how Personal Data must be treated.
- 1.4 There are various ways in which you as Data Subjects may get to deal with BauWatch. You may get to deal with the cameras that are placed by BauWatch, for example, because you live in a neighbourhood where a camera was installed, or you may work in an area where our cameras have been installed. This Policy is intended for all these Data Subjects and it indicates how you as Data Subjects can expect BauWatch to handle your Personal Data. In addition, you are informed about where you can refer to if you have questions with regard to your Personal Data.
- 1.5 BauWatch can change this Policy at any time. When this happens, the Policy will be published in a modified form on the website of BauWatch: [BauWatch.co.uk/privacystatement](https://BauWatch.co.uk/privacystatement) and where relevant on the relevant Construction Sites as well. In addition, this Policy can be requested via [privacy@BauWatch.co.uk](mailto:privacy@BauWatch.co.uk)

### 2. Processing of Personal Data by BauWatch

- 2.1 BauWatch sells its product 'BauWatch' to Clients, so that Clients are able to secure the sites they are responsible for. BauWatch creates camera images on behalf of the Client. On these images can possibly be seen:
  - 2.1.1 Whether a Data Subject finds himself on the Construction Site;
  - 2.1.2 When a Data Subject enters the Construction Site and when the Data Subject leaves the Construction Site again;
  - 2.1.3 The physical characteristics of the Data Subjects;
  - 2.1.4 The possible physical defects of a Data Subject.

### 3. Operation BauWatch

- 3.1 When BauWatch is deployed by a Client, this means that the product, also referred to as the 'mast', of BauWatch is installed visibly at the Construction Site. To this mast, various cameras are attached. These cameras film the Construction Site for the benefit of the Client. In this manner, Personal Data are processed in an automatic manner.
- 3.2 When the cameras perceive something that must be reported, Personal Data are sent to the Client by BauWatch, that is, to a control room affiliated with BauWatch, depending on the arrangement with the Client. Analysis of the imagery, and thereby of Personal Data, occurs, after which action is taken by the Client where necessary.

## 4. Client

- 41 BauWatch always works for the benefit of a client of ours ('Client') who engages BauWatch for the security of a delimited area ('Construction Site'). The Client and Construction Site that are relevant in this case are listed below:

<b>Client:</b>
<b>Construction Site:</b>

- 42 The Client always deploys BauWatch for the purposes he establishes himself. The Client also establishes the means himself. That is why the Client is the 'data controller' in the sense of the GDPR. This means that the Client ultimately is the party as well that decides where, why, for how long, and when the cameras of BauWatch process Personal Data. It is also the party that you must inform regarding the purposes chosen and the legal grounds for the processing of your Personal Data. We therefore advise you to browse through the privacy statement of the Client.
- 43 Besides the Client, BauWatch wants to inform you, as stated, as the 'processor' in the sense of the GDPR and inform you how we take care of the protection of Personal Data in this manner. What must be kept in mind is that this document only applies as additional information to the information provided by Client.
- 44 On grounds of the GDPR, a so-called 'data controller' and 'processor' are obliged to conclude a so-called processor agreement. In this agreement, that BauWatch enters into with its Clients, BauWatch commits itself to comply with the provisions of article 28

GDPR. That means, for example, that BauWatch follows the instructions of Client, observes the level of security that the GDPR obliges, and removes Personal Data after the end of the processing of Personal Data for the benefit of Client or returns such and removes existing copies.

## 5. Grounds and purposes

- 51 The GDPR prescribes that Personal Data may only be processed for well-defined, expressly described, and legitimate purposes. This is called the limitation of purpose.
- 52 The GDPR also prescribes that the processing is only lawful if and to the extent there are legal grounds for such processing.
- 53 The establishment of the purpose of the processing and the establishment of the legal grounds is a task of the so-called 'data controller.' As indicated, this is the Client, that is, the party that establishes the purpose of and means for the processing of Personal Data. BauWatch in no event establishes the grounds for the processing and does not determine the purpose either.
- 54 For most of their Clients, however, the purpose that applies is being able to secure a Construction Site. For most of the Clients it applies that the legal grounds taken recourse to is the necessity of processing Personal Data to defend the legitimate interests of the Client or of a third party.
- 55 For more information about the Client relevant to you, the privacy statement of the Client, and specific information about the purposes and legal grounds that the Client has established, you can contact Client or consult the privacy statement of the Client. Were you unable to reach the relevant Client, then BauWatch is able to assist you with this. In that case, you can contact BauWatch via the contact details included in this Policy.

# BauWatch

## 6. Retention and transmission Personal Data

- 6.1 BauWatch has your Personal Data at their disposal for as long as is necessary to comply with the arrangements with the Client. When BauWatch is subject to a legal obligation to keep Personal Data any longer, BauWatch will do so.
- 6.2 Even though BauWatch creates imagery of the Construction Site, and these images may be well usable for a different purpose, BauWatch in principle does not provide these images to third parties. In some cases, we do, for example when Client gives instruction to do so, BauWatch is subject to a legal obligation to do, or for example if the oversight agency 'Autoriteit Persoonsgegevens' imposes this on us. In addition, we naturally transmit the Personal Data to the relevant Client, and where necessary we engage a party that takes care, jointly with BauWatch, of the processing of Personal Data for the benefit of the Client.
- 6.3 BauWatch does not process any Personal Data outside the European Union and does not transmit such outside the European Union.

## 7. Security

- 7.1 BauWatch takes the protection of Personal Data quite seriously. On behalf of Client, but also because BauWatch is obliged to do so itself, appropriate technical and organisational measures are taken to assure a level of security that is aligned to the risk. When determining these measures, we take into account the state of the art, the implementation costs, and the nature, scope, the context, and the purposes of the processing. We also take into account the risks to the rights and liberties of the Data Subjects that vary according to probability and gravity.
- 7.2 Because this may render security rather weaker, BauWatch will not render available all measures taken. The following measures are applied by BauWatch in any case:

- 7.21 The encryption of (the transmission of) Personal Data;
  - 7.22 The assurance of the confidentiality, integrity, availability, and resilience of the processing systems and services;
  - 7.23 The assurance of the possibility of restoral of the availability of and access to Personal Data in case of a physical or technical incident;
  - 7.24 The maintaining of a procedure for the testing, assessment, and evaluation at set times of the efficacy of the technical and organisational measures to secure the processing;
  - 7.25 The securing of access to Personal Data in the mast;
  - 7.26 The application of an adequate policy with regard to possible violations in connection with Personal Data.
- 7.3 The security measures taken by BauWatch are regularly reassessed. We thereby take into account the processing risks, especially as a result of the possible destruction, loss, alteration, or unauthorised provision of or unauthorised access to forwarded, stored or otherwise processed Personal Data. It makes no difference whether this has occurred accidentally or illegally.
  - 7.4 On top of the measures listed above, BauWatch takes measures to make sure that every natural person who acts under the authority of BauWatch and has access to Personal Data only processes such by order of Client, unless this person is obliged to do so pursuant to Union Law or member state legislation.

## 8. Data protection officer

- 8.1 BauWatch has appointed a data protection officer ('DPO'). The DPO can be contacted for all matters that are related to the processing of Personal Data and to the exercise of rights on account of the GDPR.
- 8.2 The contact details of the DPO are as follows: E-mail address: [privacy@bauwatch.co.uk](mailto:privacy@bauwatch.co.uk)

# BauWatch

## 9. Your rights

- 9.1** Under the GDPR you have, depending on the circumstances of the case, various rights with regard to your Personal Data:
- 9.1.1** The right to ask for the perusal of the Personal Data;
  - 9.1.2** The right to request the rectification of Personal Data;
  - 9.1.3** The right to ask for the removal of the Personal Data;
  - 9.1.4** The right to ask if the processing can be limited;
  - 9.1.5** The right to object against the processing;
  - 9.1.6** The right to data portability;
  - 9.1.7** Wherever the processing is based on consent: the right to withdraw the consent at any time, without prejudice to the legitimacy of the processing prior to this withdrawal;
  - 9.1.8** The right to submit a complaint to an oversight agency, for example the 'Autoriteit Persoonsgegevens'.
- 9.2** BauWatch has made an arrangement with its Clients to be able to implement requests of Data Subjects, based on the rights mentioned above. This arrangement may vary per Client. In case you wanted to exercise your rights, you can contact BauWatch via the contact details that are listed in this Policy, or Client directly.

## 10. Questions

- 10.1** In case you had questions about this Policy, the relevant Client, or other matters that regard your Personal Data, you can contact BauWatch via [privacy@bauwatch.co.uk](mailto:privacy@bauwatch.co.uk) or our DPO via the contact details listed above.