

PRIVACY POLICY FOR BALFOUR BEATTY LIVING PLACES LIMITED AS AGENT FOR AND ON BEHALF OF BALFOUR BEATTY GROUP LIMITED Contract Engagement App

Balfour Beatty Living Places Limited of Pavillion B, Ashwood Park, Ashwood Way, Basingstoke, Hampshire, RG23 8BG company: 02067112 (“Balfour Beatty Living Places”) acting as an agent for and on behalf of Balfour Beatty Group Limited (“Parent Company”) as its principal Parent Company registered at 5 Churchill Place, Canary Wharf, London E14 5HU company number: 00101073, Privacy Policy for your use of the **Contract Engagement App**.

1. Introduction

This document sets out the policy of Balfour Beatty Living Places (“Balfour Beatty or “We”), its Parent Company, Balfour Beatty plc and/or its Affiliates on privacy and regulates the use by Balfour Beatty of personal data you may provide when using the Contract Engagement app.

Balfour Beatty Living Places provides highways and infrastructure maintenance services under a number of long term contracts and projects to Local Authority clients. The app allows authorised officers and elected members and councillors of such clients overseeing and monitoring the services being provided by Balfour Beatty Living Places to access updates on programmes of work, performance information and guidance on contract activity for Balfour Beatty Living Places services and projects being carried for such Local Authority clients, as applicable to the contracts and/or projects that you are authorised to oversee and/or monitor.

This policy is to be read in conjunction with the End-User Licence Agreement for the App (“EULA”).

“Affiliates” means Balfour Beatty plc or any person which is from time to time controlled by Balfour Beatty plc and for this purpose a person is controlled or operated by Balfour Beatty plc if Balfour Beatty plc, either directly or through one or more intermediaries, beneficially owns shares (or their equivalent) carrying the majority of votes at a general meeting of shareholders (or its equivalent) of the person.

Balfour Beatty plc, Balfour Beatty Group Limited and Balfour Beatty Living Places each hold all applicable registrations required under the Data Protection 1998 and/or with effect from 25th May 2018 the EU General Data Protection Regulations (EU 2016/679) (“GDPR”) (“Data Protection Legislation”) and have each given all appropriate notifications to the Information Commissioner to the extent required by such laws. We are committed to protecting and respecting your privacy.

For queries on data protection contact Balfour Beatty’s Group Data Protection Officer at: dataprotection@balfourbeatty.com.

2. Scope of the Privacy Policy

2.1 This privacy policy (together with our End-User Licence Agreement (EULA) applies to your use of the App.

2.2 The App is intended for use on mobile or tablet devices for users which Balfour Beatty has issued valid account details to (“Devices”) to enable authorised officers and/or elected members or councillors of Balfour Beatty Local Authority clients to access Balfour Beatty’s Contract Engagement App to access updates on programmes of work, performance information and guidance on contract activity for Balfour Beatty Living Places services and projects being carried for such Local Authority clients, as applicable to the contracts and/or projects that you are authorised to oversee and/or monitor.

2.3 This policy and any EULA shall apply when you download a copy of the App onto your device.

2.4 This policy regulates how we collect personal data from you, or that you provide to us, and how your personal data will be processed by us. For the purpose of the Data Protection Legislation, to the extent that Balfour Beatty receives any personal data from you pursuant to the EULA and this policy, the data controller is Balfour Beatty and where the form is

submitted to a Balfour Beatty Affiliate, the named Balfour Beatty Affiliate.

3. Information we and the relevant Balfour Beatty Affiliates will collect from you

Personal data that may be collected and processed by Balfour Beatty as reasonably required by Balfour Beatty for the administration of the App and associated services, includes:

Information you give us (Submitted information)

- You may give us information about you by registering your details on the Balfour Beatty Mobile Authentication site enabled for use with the App (“the App Site”) or by corresponding with us by e-mail. This includes information you provide when you download or register an App, use the App or correspond with information or when you report a problem with the App.
- The information you give us may include, your registered account and login details, contact information, email address, telephone number, address and/or details of any complaints or inquiries submitted by you

Information we collect about you and Your Device.

Each time you use the App we shall automatically collect the following information:

- data regarding your use of the App and Balfour Beatty contract engagement updates accessed.
- If you contact us, we may keep a record of that correspondence.

By providing us with your personal data and using the App, you confirm that your personal data is accurate and expressly consent to us processing your personal data in accordance with this privacy policy and the Data Protection Legislation. If you do not consent to Balfour Beatty’s processing of your personal information, please cease and refrain from using the App.

We will process your personal data for the following purposes and/or as necessary to protect Balfour Beatty's legitimate interests in relation to:

- a) Implementing and maintaining a record of your use of the App and Balfour Beatty contract engagement updates accessed;
- b) Administration and maintenance of the App Site, your App account and access to the App Site.
- c) Enabling authorised officers and elected members and councillors of Local Authority clients of Balfour Beatty Living Places overseeing and monitoring the services being provided by Balfour Beatty Living Places to access updates on programmes of work, performance information and guidance on contract activity for Balfour Beatty Living Places services and projects being carried for such Local Authority clients, as applicable to the contracts and/or projects that you are authorised to oversee and/or monitor.

We will not use your personal data for the purposes of making automated decisions, profiling or direct marketing purposes.

4. Disclosure of your information

We are part of the Balfour Beatty group and any Affiliate or member of the Group may disclose your personal data to another Balfour Beatty Affiliate or member of Balfour Beatty plc or the Balfour Beatty Group. Group means any Balfour Beatty 'holding company' or 'subsidiary', as defined in section 1159 of the Companies Act 2006 (as amended from time to time).

We may disclose your personal data to third parties where required for the purposes of allowing such third parties to perform functions on our behalf, where required, for the purposes of administering the App Site, where we are required or permitted to do so by law or where we are required to share or disclose this to other companies who provide a service to us or to any successors in title to our business or our Affiliate's business.

In the event that We sell or buy any business or assets, in which case We may disclose your personal data to the prospective seller or buyer of such business or assets.

If Balfour Beatty plc or substantially all of its assets are acquired by a third party, in which case personal data held by it will be one of the transferred assets.

If we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation or request or in order to apply the EULA, to investigate potential breaches.

You acknowledge and consent to Balfour Beatty processing, transferring and/or storing personal data at a destination outside of the European Economic Area (“EEA”) where required for the purposes of administration of the App Site and/or for the purposes of Balfour Beatty disclosing such information to third parties as set out above. Whenever we transfer personal data to countries outside of the EEA we will take all reasonable steps necessary to ensure that data is treated securely and in accordance with this privacy policy. If you do not consent to or wish to withdraw your consent to Balfour Beatty’s processing of your personal data outside of the EEA in this manner, please inform us in writing at either of the email contact addresses set out in the Contact section details below and cease and refrain from using the App.

5. Where we store your personal data & Retention of personal data

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data; any data transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

Unless provided for under separate Balfour Beatty privacy policies or terms and conditions, we will not collect and store personal data held on your Device which is not uploaded to the App Site via use of the App.

In accordance with the Data Protection Legislation, Balfour Beatty will only process and/or store your personal data for as long as necessary for Balfour Beatty to process such personal data for the purposes set out in this privacy policy and Balfour Beatty’s UK

Document Retention & Disposal Guidance policy as made available to you and as updated by Balfour Beatty from time to time.

6. Categories of Data Subject

Balfour Beatty will only process personal data that it receives in relation to the management and administration of the App and/or for your use of the App for the following categories of data subject for the purposes of the Data Protection Legislation: authorised officers, elected members, councillors and/or employees or personnel of Local Authority clients of Balfour Beatty Living Places who are authorised to access updates and information on Balfour Beatty Living Places works programmes or projects via the App.

7. Legal Basis for Processing

In relation to personal data which is not 'sensitive personal data' or 'special categories of personal data' under Data Protection Laws, unless otherwise notified, we rely on a condition known as "legitimate interests" in order to process your personal data for the above specified purposes. For example, it is in our legitimate interests to process your personal data in order to ensure appropriate administration of the App and management and facilitation of requests from users of the App. We will ensure that we keep the amount of data collected and the extent of any processing to a minimum to meet this legitimate interest.

8. Your Rights In Relation to Your Personal Data

If any of the personal data that we hold is inaccurate or out of date, please let us know by contacting either of the email addresses in the Contract section below.

You have a number of rights under Data Protection Laws in relation to the way we process your personal data, namely:

- to access your personal data (by way of a subject access request);

- to have your personal data rectified if it is inaccurate or incomplete (right to rectification);
- in certain circumstances and from 25th May 2018, to have your personal data deleted or removed (right to be forgotten);
- in certain circumstances, to restrict the processing of your personal data;
- from 25th May 2018, a right of data portability, namely to obtain and reuse your personal data for your own purposes across different services;
- to object to direct marketing;
- not to be subject to automated decision making (including profiling), where it produces a legal effect or a similarly significant effect on you; and
- to claim compensation for damages caused by a breach of the Data Protection Laws.

You may contact us in relation to any of the above rights by contacting Balfour Beatty's group Data Protection Officer at: dataprotection@balfourbeatty.com. Up to 24th May 2018 requests for subject access to personal data may be subject to a small administration fee of up to £10, however, from 25th May 2018 such requests will be administered free of charge.

9. Changes to privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you when you next start the App. The new terms may be displayed on-screen and you may be required to read and accept them to continue your use of the App or associated services.

10. Contact

Questions, comments and requests regarding this privacy policy are welcomed and should be emailed only to: dataprotection@balfourbeatty.com.