
FORKERS GROUP PRIVACY POLICY

1. Introduction

- 1.1 Forkers Group and its subsidiary companies (the “Company”) are committed to respecting your privacy.
- 1.2 This privacy policy (the “Policy”) explains how we will collect, store, use and otherwise process any personal data you provide via our website (www.forkers.com), via any of our software applications however these are accessed including via email or when you otherwise communicate with us (including in the course of the services we provide or the running of our business).
- 1.3 This Policy may change from time to time and, if it does, the up-to-date version will always be available on our website and becomes effective immediately.
- 1.4 The data controller is the Company.
- 1.5 In this Policy, Data Protection Law means the GDPR and Data Protection Act 2018 (DPA 2018). Forkers Ltd, Forkers Scotland Ltd, and P. Forker Plant Hire Limited are registered with the Information Commissioner’s Office (ICO) under Z7049399, Z2425040, and Z1086081 respectively. Forkers Ltd, Forkers Scotland Ltd, and P. Forker Plant Hire Limited only collects or uses personal information for those purposes indicated in our notification with the Information Commissioner’s Office.

2. Scope

- 2.1 This Policy applies to any persons that provide personal data through the methods described in paragraph 1.2. This may include our current and prospective clients’ personnel; third parties with whom we have contact by virtue of providing our services (e.g. third party payers of invoices); contractors, subcontractors/ suppliers and their personnel; those with whom we work in the context of our corporate responsibility initiatives; those who submit correspondence to us or whose details are otherwise entered into our systems, servers, and portals; and any visitor to our offices and sites.
- 2.2 Where you provide personal data about you, your personnel or other third parties (e.g., if you are a recruitment agent), you warrant that you have the consent of the individual to do this, and that the information is accurate and up to date. You will inform us if the wishes of the individual or any information changes.
- 2.3 Pages of the Company website may, from time to time, contain links to and from the websites of advertisers and partners. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that the Company does not accept any responsibility or liability for these policies or use of the website. Please check these policies before you submit any personal data to these websites.

3. Collection and use of personal data

- 3.1 Your personal data will only be processed for the purposes set out below and in accordance with Data Protection Law. The Company will not process your personal data in any manner incompatible with these purposes unless we are required to do so by law.
- 3.2 The Company may hold and process your personal data for the following purposes:
 - record and respond to any communication you have made with us including by way of telephone, through the website, email address of the Company, by post, and any other electronic form of communication;

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- provide you with information that you have requested;
 - process any application you (or your representative) have submitted for an employment, temporary labour (Temporary Workers), or other opportunity (such as agency or volunteering work) with the Company;
 - equal opportunities monitoring information (including information about your gender, race, ethnicity, sexual orientation and disabilities);
 - on-boarding with the Company and pre-employment screening such as reference checks, right to work checks and criminal conviction checks (via DBS – Disclosure and Barring Service or delegated external agency registered with the DBS (known as an umbrella body));
 - for administration purposes and access to our systems, servers, and portals;
 - help us develop the website to be more useful to you, to keep it safe and secure;
 - to respond to any problems you report with our website;
 - to administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical purposes;
 - to allow you to participate in interactive features on our website when you choose to do so;
 - for the security of our business including photographic images, video recording (including CCTV and Body Worn Video Cameras), and administration of any attendance to our offices and sites;
 - to comply with any legal obligations which apply to us or policies that we have in place; and
 - as necessary to prevent illegal activity or to protect our interests or the interests of a third party such as our clients.
- 3.3 Special categories of personal data (such as information about your health) will be processed where the Company needs to carry out its legal obligations; to run the business; where the processing is necessary for the assessment of your working capacity, occupational health or obtaining a medical diagnosis; or where it is needed in the public interest (such as equal opportunities monitoring). In exceptional circumstances, we may process this data with your explicit consent.
- 3.4 We rely on one or more of the following legal bases for processing your personal data:
- for the performance of, or entry into, a contract with you or a third party;
 - to comply with our legal and regulatory obligations;
 - we have a legitimate interest in doing so and where our legitimate interests are not overridden by your (or the relevant individual's) interest. These legitimate interests will include our interests in managing our relationship with our clients, administering visits to our offices and projects and ascertaining compliance with our policies and procedures;
 - where processing of special category data is necessary in the context of the establishment, exercise, or defence of legal claims or in the substantial public interest or for the assessment of the working capacity of the employee; and
 - where we have obtained your express consent to do so. We will explain at the time we collect your consent that you may withdraw your consent at any time in accordance with the information we provide to you at that time.

4. Sharing your data and security

- 4.1 For the purposes set out above (as part of its lawful, normal operations) the Company may transfer personal data to third parties. These include our clients, sub-contractors or suppliers, professional advisors, HMRC, company payroll provider, banks, insurers, training providers, regulatory bodies and among other partners with whom information interchange forms part of the interactions of daily business (some or all of which operations may take place over cloud-based platforms such as People HR, Deltek, etc). This will be for one of the following reasons: you specifically request that we do this; it is necessary to provide information or services to you; for our legitimate interests (including the sale of the business or assets) or the legitimate interests of a third party (such as our client); in the public interest; or to carry out our legal or regulatory obligations.
- 4.2 Personal data may be shared between the parties listed in paragraph 4.1 above and/or the relevant entities within the company's group. Where personal data is shared with other parties and/or outside the UK and European Economic Area, the Company will ensure continued compliance with Data Protection Law.
- 4.3 We will not rent or sell our users' or other contacts' details to any other organisation or individual.
- 4.4 The Company has put in place measures to ensure the security of the information collected and its correct use. These are appropriate to the nature of the information and to prevent unauthorised access. All incoming emails are scanned using virus-checking software. The software will also block unsolicited marketing email (spam) and emails which have potentially inappropriate attachments. All personal data you register on our website will be located behind a firewall. Once we have received your information, we follow strict security procedures as to how your personal data is stored and who sees it, to help stop any unauthorised person getting hold of it. Access to your personal data will only be given to those who strictly need such access.

5. Retention

- 5.1 We will keep your personal data stored on our systems for only as long as is necessary to achieve the objectives at paragraph 3 of this Policy, albeit we may keep your data for longer than this if we cannot delete it for legal, regulatory, or technical reasons. We may also keep it for statistical purposes. *See [Personal Data Protection Policy Statement for retention periods.](#)*
- 5.2 The third parties we engage to provide services on our behalf will keep your personal data stored on their systems for as long as is necessary to provide the services to you or for such purposes that the personal data was disclosed for.

6. Withdrawing consent

- 6.1 Where you have provided consent for us to process your personal data, you may withdraw your consent to this processing at any time by contacting us at admin@forkers.com
- 6.2 If you do withdraw your consent, we may still be able to process some of the data that you have provided to us on other grounds and will notify you of these at such time.

7. Data portability

- 7.1 Where you have provided personal data to the Company, which is processed on the basis of consent and by automated means, you can ask to receive that personal data in a structured, commonly used and machine-readable format.

8. Access your personal data

8.1 You can request confirmation of whether we hold personal data about you, the details of the personal data and access to that personal data. Your request will be processed and the information to which you are entitled will be provided to you no later than one month (except in extenuating circumstances) from when we receive your request, subject to the requirements and exemptions of Data Protection Law. If such extenuating circumstances mean we are unable to comply with your request within one month, we will tell you as soon as possible about this delay. Examples of exceptions, where the Company (by law) does not provide access to personal data include:

- references written by the Company;
- any data from which a third party can be identified;
- any data held for the purposes of management forecasting or planning;
- any data prejudicing ongoing negotiations with the employee; and/or
- any data protected by legal privilege.

9. Request your data is rectified

9.1 Where your personal data is inaccurate or where you would like us to complete any incomplete information, you can provide us with a statement that sets out the details of your request for rectification.

10. Request your data is deleted

10.1 You can request that the Company deletes your personal data where it does not have grounds to continue processing your personal data. The Company will be unable to comply with your request in certain circumstances including, for example, if the Company has a legal obligation to continue processing the data.

11. Object to processing

11.1 You can object to the Company processing your personal data where (i) the Company is processing your personal data based on its legitimate interests or (ii) you have grounds to believe that the Company no longer needs the personal data for the purposes or (iii) the processing is unlawful or (iv) you have contested the accuracy of the personal data.

11.2 To exercise any of the above rights, you should make your request via post to **Forkers Ltd, Golds Green House, Shaw Street, West Bromwich, B70 0TX**. Please mark the letter for the attention of the HR Department.

12. Concerns

12.1 If you have concerns around the use of your personal data in the context of this policy, please address your concerns to the Forkers Ltd **HR Department at Forkers Ltd, Golds Green House, Shaw Street, West Bromwich B70 0TX**.

12.2 If you remain dissatisfied following the response of the Forkers Ltd HR Department, you can **address** your **concerns** to the Information Commissioner's Office.

13. Compliance

Relevant legislation includes, but is not limited to:

- The Computer Misuse Act (1990).
- The Data Protection Act (2018).
- Data Protection, Privacy and Electronic Communications Amendments (EU Exit) Regulations 2020.
- The Regulation of Investigatory Powers Act (2000).

- The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations (2000).
- The Freedom of Information Act (2000).

14. Other relevant policies, Insurances, and Assurance Certificates

- GP123015 Data Handling & Information Security Policy
- GP123019 Information Security Management System Policy Statement
- GP123027 Personal Data Protection Policy (included data retention periods)
- GP123030 Third Party Privacy Notice
- GP115013 Forkers Business Continuity Disaster Recovery Plan
- Forkers ISO 9001:2015 & ISO 14001:2015 Quality Management Systems and Operating Procedures Manuals.
- CFC Underwriting Limited 1st and 3rd party Computer/Cyber Insurance (Policy No. ESL0039644038) 01.04.23 – 01.04.24.
- Cyber Essentials – Certificate of Assurance Exp 14/03/2024

**D Cartwright, Construction Director**5th of September 2023