

July 2021 Version 001

ECA Software - Privacy

ECA Software as a Services – Privacy Policy



JULY 2021

Policy version: 30 July 2021

ECA Software Terms - Privacy Policy

ECA is committed to ensuring that your privacy is protected.

We ask that you read this privacy policy carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

This privacy policy is divided into the following sections:

- Who we are
- Our Subscribed Services
- Our collection and use of your personal information
- Transfer of your information out of the UK and EEA
- Cookies and similar technologies
- Marketing
- Your rights
- Keeping your personal information secure
- How to complain
- Changes to this website privacy policy
- How to contact us
- Do you need extra help?

Who we are

The Subscribed Services are operated by ECA. We are the leading trade association for the engineering services and electromechanical sector and for more information see www.eca.co.uk About Us (**'we', 'our' or 'us'**). We are the controller of personal data obtained via the Subscribed Services, meaning we are the organisation that is legally responsible for deciding how and for what purposes it is used.

We collect, use and are responsible for certain personal information about you via the Subscribed Services. When we do so we are regulated under the: General Data Protection Regulation, Regulation (EU) 2016/679, as it forms part of domestic law in the United Kingdom by virtue of section 3 of the European Union (Withdrawal) Act 2018 (including as further amended or modified by the laws of the United Kingdom or of a part of the United Kingdom from time to time), the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 any laws which implement any such laws and any laws that replace, extend, re-enact, consolidate or amend any of the foregoing and we are responsible as 'controller' of that personal information for the purposes of those laws.

Our Subscribed Services

This privacy policy relates to your use of our Subscribed Services.

Throughout our Subscribed Services we may link to other websites owned and operated by certain trusted third parties, Members, Associates, Affiliates, Partners and key industry stakeholders to sign-post original sources, collaborate, innovate and provide you with awareness of complimentary services and products.

These other third party websites or products may also gather information about you in accordance with their own separate privacy policies. For privacy information relating to these other third party websites or products, please consult the third party privacy policies as appropriate. For a list of third party websites or products please contact ECASecretary@eca.co.uk.

Our collection and use of your personal information

We collect this personal information from you either directly, such as when you *access our* Subscribed Services website, register with us, join us, participate in campaigns, polls, contact us, send us feedback, purchase products or services via our website, post material to our website and complete surveys or participate in conferences, workshops, meetings structure, competitions or other ECA commercial and/or trade association activities via our website or indirectly, such as your browsing activity while on our website (see 'Cookies' below).

We also collect personal information about you from other sources as you may express an interest in and/or join ECA as a Member from ECA's customer management software systems.

The personal information we collect about you depends on the particular activities carried out through our website. This information includes:

- your name, address and contact details
- bank account and payment details
- details of any feedback you give us by phone, email, post or via social media
- information about the Subscribed Services and other services we provide to you
- your account details, such as username, login and security verification details
- your organisation's details
- job role
- start and end dates
- training details
- observations around management and risk
- data collected when you permit the collection of location data
- your activities on, and use of, the app which reveal your preferences, interests or manner of use of the app and the times of use
- IP address, device type, IMEA numbers, MAC address of networks, other unique device identification, device operating system, browser type, mobile network information, app version number, storage usage, data usage, time zone settings et

If you do not provide personal data we ask for where it is indicated to be 'required' at the point of collection, it may delay or prevent us from providing services to you.

We use this personal information to:

- create and manage your account with us
- verify your identity
- provide goods and services to you
- customise our website, the Subscribed Services and its content to your particular preferences
- notify you of any changes to our website, our Subscribed Services or to our services that may affect you
- improve our website, Subscribed Services and services
- analyse anonymised data for research purposes

The Subscribed Services is not intended for use by children (under the age of 18) or vulnerable adults and we do not knowingly collect or use personal information relating to children or vulnerable adults.

Our legal basis for processing your personal information

When we use your personal information we are required to have a legal basis for doing so. There are various different legal basis on which we may rely, depending on what personal information we process and why.

The legal basis we may rely on include:

- **consent:** where you have given us clear consent for us to process your personal information for a specific purpose
- **contract:** where our use of your personal information is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract
- **legal obligation:** where our use of your personal information is necessary for us to comply with the law (not including contractual obligations)
- **public task:** where our use of your personal information is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law
- **legitimate interests:** where our use of your personal information is necessary for our legitimate interests or the legitimate interests of a third party (unless there is a good reason to protect your personal information which overrides our legitimate interests)

ECA operates a 'legitimate interest' approach in processing the personal data that it receives from member businesses/organisations, associates, affiliates, partners, allies and other industry stakeholders (including journalists and media representatives) in order to administer service provision, products, surveys and information deemed relevant. This includes, but is not restricted to the following areas: technical (various areas), health, safety & environment, legal & business, education & skills, employee relations, corporate social responsibility (csr), specialist work areas (including fire, emergency & security, smart homes/assisted living, temporary electrical systems, structured data cabling, high voltage(hv), building automation controls systems, lightning protection systems, renewables, storage & energy efficiency, commercial/industrial electrical installations, explosive atmospheres/hazardous area, electrical vehicle charging infrastructure, data centres), the ECA industry magazine (ECA Today), regional updates, industry and Training/CPD events/surveys, general member/associate updates and Specifier updates as well as information, services and products within the wider ECA group.

Additionally, the 'legitimate interest' approach is operated in the processing and distribution of personal data of designated ECA officials, committee members, regional executive committee members, branch members, staff members, honorary officers and other relevant industry stakeholders in order to administer service provision, including but not restricted to catalogues of registered Members.

The 'legitimate interest' approach is also operated in the processing and distribution of personal data of in respect of receiving information for a variety of areas including (but not restricted to) ECA social & networking events, commercially focused industry exhibitions, market research surveys, other eca group company updates, commercially focused offers & discounts.

Without the ability to process your Personal Data, ECA is unable to arrange or administer the 'value based' and Subscribed Services and informational expectations that are offered as part of the ECA Software Terms for the Subscribed Services or ECA membership, affiliation or association status or industry stakeholder engagement.

If you have not directly provided your personal data to us, it may have been disclosed (or approved) to us by your employer, or a designated participant (usually termed the Nominated or Additional Representative) in the course of subscribing to the Subscribed Services or becoming an ECA member, associate, affiliate or industry stakeholder. When personal data has been disclosed to ECA in this way your employer is responsible for ensuring that you have been informed of how your data will be used.

By registering or allowing the registration of your personal data with us, either personally or by a designated company participant either through our website or in any other way, you agree to us processing your personal data for specific purposes, including the areas already outlined in this policy.

In order to arrange and administer your Subscribed Services, membership, associate, affiliate status or industry stakeholder needs, we will disclose some or all of your Personal Data to ECA's group, auditors and service providers. When your Personal Data is transferred to third parties it will be done so in a secure electronic manner using encrypted files. ECA will not share your Personal Data outside the European Union. Where your Personal Data is shared for hosting purposes with third parties, such as service providers, we have reviewed and ensured that the relevant privacy policies are in line with our own.

Please note that these details may continue to be used, in line with our security and document retention measures, after your organisation has ceased to subscribe to the Subscribed Services, unless notified by the relevant party or yourself.

If you do not wish your contact details to be used for marketing purposes as set out above, please email us at dataprotection@eca.co.uk or write to us at the address provided at the end of this Notice.

Further information—the personal information we collect, when and how we use it

For further details on when we collect personal information, what we collect as well as how we use it, please read the following sections:

When information is collected	What information we ask for	How and why we use your information
When you register with us	<ul style="list-style-type: none"> • your name, address and contact details • bank account and payment details • details of any feedback you give us by phone, email, post or via social media • information about the Subscribed Services and other services we provide to you • your account details, such as username, login and security verification details • your organisation's details • job role, • start and end dates, • training details, • observations around management and risk • data collected when you permit the collection of location data • your activities on, and use of, the app which reveal your preferences, interests or manner of use of the app and the times of use • IP address, device type, IMEA numbers, MAC address of networks, other unique device identification, device operating system, browser type, mobile network information, app version number, storage usage, data usage, time zone settings et 	<p>We ask for this:</p> <ul style="list-style-type: none"> - to create and manage your account with us - to communicate with you about your account - to inform you of industry thought leadership, news, surveys, polls, campaigns, discounts, advice, guidance, awareness programmes, conference, webinars and other events as well as complimentary products and services. <p>We rely on contract, consent and legitimate interests as the lawful basis for collecting and using your personal information.</p> <p>Our legitimate interests are as outlined above.</p> <p>We will keep this information until:</p> <ul style="list-style-type: none"> - you close your account with us - we close your account

Who we share your personal information with

We routinely share name and delivery address details within ECA group. For a list of those within ECA group request an updated list from ECASecretary@eca.co.uk.

This data sharing enables members of ECA group to despatch; information, advice, guidance, certification, services, goods (you ordered directly from those members of the ECA Group to you)'.

We will share personal information with law enforcement or other authorities if required by applicable law.

Subject to the above, we will not share your personal information with any other third party.

Whether information has to be provided by you, and if so why

We require you to provide the personal data described herein to allow you access to the Subscribed Services.

Transfer of your information out of the UK and EEA

We will not transfer your personal data outside of the UK or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

Cookies and other tracking technologies

A cookie is a small text file which is placed onto your device (eg computer, smartphone or other electronic device) when you use our website. We use cookies help us recognise you and your device and store some information about your preferences or past actions.

For further information on cookies, when we will request your consent before placing them and how to disable them, please see our ECA Cookie Policy for www.eca.co.uk.

Marketing

We would like to send you information about key industry issues, products and services, competitions and special offers, which may be of interest to you. Where we have your consent or it is in our legitimate interests to do so, we may do this by post, email, telephone, text message (SMS) or automated call.

We would also like to share your information with members of the ECA Group so that they may send you information about their **news, issues, engagement**, products and services, depending on what you agree with us.

We will only ask whether you would like us and other businesses within the ECA Group to send you marketing messages when you tick the relevant boxes when you complete our online Acceptance and/or are asked to accept an updated ECA Software Privacy Policy.

If you have previously agreed to being contacted in this way, you can unsubscribe at any time by:

- contacting us at dataprotection@eca.co.uk
- using the 'unsubscribe' link in emails or 'STOP' number in texts
- updating your marketing preferences on within the MyECA area of the ECA website

It may take up to 1 Business Day for this to take place.

For more information on your rights in relation to marketing, see 'Your rights' below.

Your rights

Under the [General Data Protection Regulation](#) you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
- require us to correct any mistakes in your information which we hold

- require the erasure of personal information concerning you in certain situations
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

- email, or write to our Data Protection Officer
- let us have enough information to identify you e.g. membership number, user name, registration details),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates including any account or reference numbers, if you have them

ECA's data promise - Keeping your personal information secure

Whilst we will share your data within the ECA group, ECA will never sell your data and your details will be kept safe and secure at all times when it is within our servers. As with all data communications through the internet, where your Personal Data has been sent electronically to any third party, ECA cannot provide complete guarantees that it will remain secure, although we will take all appropriate steps to minimise risk.

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Your Personal Data will not be used for unrelated profiling by ECA.

Your Personal Data will be retained in accordance with our Data Retention Policy. This Policy takes into account the purpose for which the data was collected, legal and regulatory requirements for retaining certain types of data and the reasonable record keeping requirements of ECA.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

How to complain

We hope that our Data Protection Officer can resolve any query or concern you raise about our use of your information.

ECA will respond to all requests without undue delay and not later than one month after the request has been received. ECA will not charge a fee for responding to any requests in respect of your Personal Data Rights.

The [General Data Protection Regulation](#) also gives you the right to lodge a complaint with a supervisory authority, in particular in a European Economic Area state or in the United Kingdom if you work, normally live or if any alleged

infringement of data protection laws occurred in the relevant state. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

Changes to this website privacy policy

This website privacy policy was published on 30 June 2021.

We may change this website privacy policy from time to time, when we do we will inform you via a message upon login which will request you review and accept revised wording.

How to contact us

Please contact our Data Protection Officer, if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact our Data Protection Officer,, please send an email to dataprotection@eca.co.uk, write to Data Protection Officer @ ECA Electrical Contractors' Association Ltd (The) registered office is at Eca Court, 24-26 South Park, Sevenoaks, Kent, TN13 1DU registered number **00143669** or call 02073134800.

