

PRIVACY POLICY

J. Smart & Co. (Contractors) PLC understands that your privacy is important to you and that you care about how your personal data is used. We are committed to protecting and respecting your privacy and only collecting and use personal data in ways that are lawful and fair and at all times being transparent about what data we collect from you and how we use it.

Information about us

J. Smart & Co. (Contractors) PLC ("Company") is part of the J. Smart & Co. (Contractors) PLC Group ("Group") and is a public limited company registered in Scotland (SC025130), incorporated in the United Kingdom and listed on the London Stock Exchange.

Our registered office address is 28 Cramond Road South, Edinburgh, EH4 6AB.

J. Smart & Co. (Contractors) PLC, Company and Group is a Data Controller which means we are responsible for deciding how and why we hold and use personal data about you.

J. Smart & Co. (Contractors) PLC is voluntarily registering with the Information Commissioner's Office and we will update our Privacy Policy in due course with our registration number.

In this Privacy Policy, "we", "us" and "our" will mean J. Smart & Co. (Contractors) PLC as Data Controller.

Details of group companies are given in Appendix One and all companies are covered by this Privacy Policy.

Personal data

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) ("the GDPR") as "any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier". An identifiable person is known as a data subject ("you").

Personal data includes but is not limited to:

- Name
- Address
- Email address
- Phone numbers
- Financial information
- Identification numbers

There is also other data known as Special Data which we are only allowed to collect and use if the law allows us to do so.

Special types of data are:

- Criminal convictions and offences
- Genetic and bio-metric data
- Health data including gender
- Racial or ethnic origin
- Religious or philosophical beliefs
- Trade union membership

Why do we collect and process your personal data

We collect and process your data for a number of reasons these include:

- so that we may comply with any legal obligations we have;
- in order to comply with our duties and exercise our rights under a contract with you; or
- the pursuit of our legitimate interest (see CCTV below).

We collect your data from you when:

- when you apply for a job with any company within the group;
- when you become an employee of any company within the group;
- when you become a customer, tenant or supplier of any company within the group;
- when you contact us in person, on our website, over the phone, by email or by post;
- when you reserve/purchase a property from us; or
- when you become a shareholder of the company.

We do not use your personal data for marketing purposes.

We do not use any form of automated systems for decision making or profiling.

Storage and Transfer of data

We will only store or transfer data in the European Economic Area which means that all data is protected by GDPR.

The only exemption to this is in relation to personal data of shareholders which is processed on our behalf by Equiniti Group PLC who transfer data to India, see below for further information.

We store your personal data on secured servers which are password and firewall protected and where possible we use encrypted storage. Hard copy personal data is securely stored in locked locations.

Retention Periods

We will hold your personal data for no longer than is necessary for us to achieve the purpose for which we obtained your personal data. We have retention policies in place to meet these obligations. Some obligations arise from legal regulations and have set periods of time for which the personal data is required to be held, other data we will hold for the length of time that is necessary for us to fulfil our contract with you.

On conclusion of retention periods the personal data will either be securely deleted or anonymised so that it cannot be linked back to you.

Sharing of Personal Data

We do not share personal data without your consent, other than for purposes required to fulfil a contract we have with you or we are fulfilling a legal requirement or to fulfil our legitimate interest around the safety of tenants, employees, suppliers and member of the general public entering our leased properties and for the prevention and detection of crime against persons and property.

Third parties which we may share data include:

- group companies
- suppliers, utility and service providers
- legal and professional advisors
- estate and managing agents
- National House Building Council and similar organisations
- Local authorities

Your rights over your personal data

Under GDPR you have the following rights which we will always work to uphold:

- **Right to be informed** You have the right to know what data we hold about you, how we use and process it.
- **Right of access** You have the right to request to see what data we hold about you.
- **Right to rectification** You have the right to request that any inaccurate or incomplete data is rectified.
- **Right to erasure** You have the right to request that data we hold be erased; however there are exclusions to this right where we are required to retain your data for a legal obligations.
- **Right to restrict processing** You have the right to request that we restrict processing your data this is usually when you have given us consent.
- **Right to data portability** You have the right to request that data you have provided to us be transmitted to you or another data controller in a machine-readable format. The data must have been provided to us directly by yourself or we are using it with your consent or for the performance of a contract and the data is processed using automated means.
- **Right to object** You have the right to object to us processing your data where we are processing it for the purpose of a legitimate interest or we are processing it with your consent.

Further information regarding your rights can be obtained from the website of the Information Commissioner's Office.

Requests regarding your rights, known as Subject Access Requests, should be in writing and should be sent to:

Data Protection
J. Smart & Co. (Contractors) PLC
28 Cramond Road South
Edinburgh
EH4 6AB

or can be emailed to datap@jsmart.co.uk

If we receive a request from you exercising your rights, we may ask you to verify your identity before we act on your request, this is to ensure that your data is protected and is secured.

There is no charge for a Subject Access Requests, unless they are manifestly unfounded or excessive, particularly if they are repetitive in which case a reasonable fee for the administrative cost of providing the information can be charged.

We are required to reply to Subject Access Requests without delay and at least within one month of receipt, unless the request is complex or numerous in which case we have a further two months in which to reply.

Shareholders

We process personal data in relation to shareholders so as to comply with our legal obligations to:

- Maintain share registers;
- Process dividend payments; and
- Manage company meetings.

Our data processor for the above is Equiniti Group PLC whose registered office address is Sutherland House, Russell Way, Crawley RH10 1UH. Equiniti Group PLC is registered with the Information Commissioner's Office – registration number ZA299187.

Personal data of shareholders includes name, address, email address, bank details, number of shares held, voting instructions, and date of death.

Personal data in respect of shareholders will be retained for as long as they remain shareholders of the company and then for a period of 12 years following the last entry on the Register or completion of a service. However, we can retain data for longer than 12 years if we are prohibited from deleting it for legal, regulatory or technical reasons.

Equiniti Group PLC safeguards your personal data using procedures and technical security measures which includes strict encryption, anonymisation and archiving techniques. Their Information Security policies are aligned to ISO27001 which is an internationally recognised security standard.

Equiniti Group PLC will share personal data of shareholders with other members of the Equiniti Group outside of the European Economic Area and the European Union. One of the companies it will share personal data with is Equiniti India Private Limited, which is based in India. Transfers of data will be done utilising Model Clauses which are recognised by the European Commission.

CCTV

As part of our security towards and safety of tenants, group employees, suppliers and member of the general public entering some of our leased properties and for the prevention and detection of crime against persons and property we use CCTV.

We provide sufficient signage where CCTV is being used to notify all potential identifiable persons that CCTV is being used.

We will retention CCTV footage for no longer than 31 days unless an incident has been logged.

The Group company which uses CCTV is C. & W. Assets Limited (SC034857) whose registered office address is 28 Cramond Road South, Edinburgh, EH4 6AB. This company is registered with Information Commissioner's Office and its registration number is ZA383294.

Review of Privacy Policy

This Privacy Policy was updated on 23 May 2018.

We may change this Privacy Policy were it is necessary for us to alter the terms in this Privacy Policy, to comply with any changes in law or changes in our business practices around personal data protection. We will update the Policy on our website. Please review our Privacy Policy frequently to obtain the latest information on our personal data protection practices.

Complaints

If you have a complaint about the way in which we process your data please contact us directly at:

Data Protection

J. Smart & Co. (Contractors) PLC

28 Cramond Road South

Edinburgh

EH4 6AB

or you can emailed us at datap@jsmart.co.uk

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

APPENDIX 1

LIST OF GROUP COMPANIES

Name	Registered Company Number	Registered Office Address
J. Smart & Co. (Contractors) PLC	SC025130	28 Cramond Road South Edinburgh EH4 6AB
C. & W. Assets Limited	SC034857	28 Cramond Road South Edinburgh EH4 6AB
McGowan and Company (Contractors) Limited	SC028860	28 Cramond Road South Edinburgh EH4 6AB
Cramond Real Estate Company Limited	SC040369	28 Cramond Road South Edinburgh EH4 6AB
Smart Serviced Offices Limited	SC541853	28 Cramond Road South Edinburgh EH4 6AB
Concrete Products (Kirkcaldy) Limited	SC031013	Hayfield Place Hayfield Industrial Estate Kirkcaldy KY2 5DH
Thomas Menzies (Builders) Limited	SC019971	Hayfield Place Hayfield Industrial Estate Kirkcaldy KY2 5DH