



EXOLUM TERMINALS LIMITED

UK PRIVACY NOTICE FOR JOB APPLICANTS, EMPLOYEES, WORKERS AND AGENCY WORKERS

Exolum Terminals is committed to protecting and respecting your privacy and complying with data protection legislation. This privacy notice explains how Exolum Terminals uses any personal data which we collect about you both when you apply for a job with us and then as part of any subsequent employment in the UK. If you are a worker or agency worker, this notice will apply equally to you on the same basis as if you were an employee since your relationship with Exolum Terminals and the data that we collect about you in connection with that relationship is likely to be broadly similar to that of an applicant and an employee.

When you provide personal data to us, the relevant Exolum Terminals group company to which you are making a job application, or with which you (or your agency) have a contract, will have the role of data 'controller'. Within this privacy notice 'Exolum Terminals' shall refer to Exolum Terminals Limited and its UK subsidiaries (including Exolum Immingham Limited, Exolum Seal Sands Limited, Exolum Riverside Limited, Exolum Tyneside Limited, Exolum Storage Limited, Exolum Eastham Limited and Exolum Grangemouth Limited) and 'we' 'us' and 'our' shall be interpreted accordingly. If you have any queries about this privacy notice you should contact the Head of HR in the first instance who can be contacted by email dataprotection@exolum.com.

What personal data do we collect about you?

We collect personal data about you when you apply for a job with us and then, where successful, as part of your subsequent employment. Whilst much of the personal data that we hold will be provided by you, some may come from external sources (such as referees, recruitment agencies or occupational health advisers) and some may come from internal sources (such as your Supervisor, if you are an employee).

Job Applicants

For job applicants this would include data such as your name, address, telephone number, email address, details of health issues / any special requirements in relation to interview, education and training history, qualifications, employment history, membership of professional bodies and societies, languages spoken, whether you have the right to work in the UK, driving licence details (including any endorsements), whether you are a member of the UK reserve forces, information provided or obtained as a result of confirming (or otherwise) compliance with the conditions to employment (such as in providing pre-employment medical information, references, identity and security documentation, right to work documentation and background checks relevant for the job for which you have applied), together with any other information provided by you in your application and during your application process.

Employees

For employees this would include all data set out in the list above for job applicants, as well as data such as date of birth, gender, national insurance number, driving and driving licence details (including any endorsements) for yourself and any other person who at your request is authorised to drive a vehicle which is insured by Exolum Terminals (including hire vehicles), pay, benefits, pension contributions, contract and any amendments to it, tax codes, student loan details, bank account details, trade union membership, health information (including information gathered from drug and alcohol testing), sickness absence, information gathered as part of the disciplinary or grievance procedures or otherwise as part of any investigatory report which we might undertake, information gathered as part of any request for leave (including in connection with maternity and paternity leave



or other family friendly policies), information gathered in connection with inductions, probation reviews, courses attended and other performance and or competence reviews, whistle-blower reports made by you or otherwise involving you, information provided within an expression of wish for any life cover scheme, emergency contact details, images and any correspondence with or about you.

Employees are also very likely to be referred to in many company documents and records that are produced both by the employee and by their colleagues in the course of carrying out their duties and the business of Exolum Terminals. In addition, from time to time employees who wish for their image to be included in Exolum Terminals' marketing materials may be asked to give consent for this purpose.

Employees should also be aware that we monitor internet access across our systems (with the user, site(s) visited, duration of visit, and time of visit recorded); and that we may also monitor employees' use of social media on the internet.

CCTV

Job applicants and employees should be aware that we operate CCTV at some sites and that images of you may be processed. Signage indicates the sites at which CCTV is in operation and you are referred to the UK Privacy Notice for CCTV Recording.

What will your personal data be used for and why?

In the case of job applicants, your personal data will be used for the purposes of processing your job application. We consider the legal basis for processing your personal data to be in order to take steps at your request prior to entering into a contract (save for the processing of any special categories of personal data which shall be processed in accordance with the legal basis set out below).

In the case of employees, your personal data will be used for the purposes of personnel and payroll administration and also for the purpose of fulfilling our obligations and exercising our rights under your employment contract as well as general business administration. We consider there to be three potential legal grounds for processing your personal data: first because the processing is necessary for the performance of your contract; secondly because the processing is necessary for compliance with a legal obligation to which we are subject; and thirdly because the processing is necessary for the purposes of our legitimate interests, being the administration and management of the relationship between you and Exolum Terminals (including the administration of any insured benefits and any pension arrangements) and managing the business of Exolum Terminals. One or more legal grounds may apply for each processing operation.

Exolum Terminals monitors use of the internet across its systems for the purpose of detecting unauthorised or excessive use and to promote an effective, business-orientated operation of its computer systems. We may also monitor an employee's use of social media on the internet, both in routine audits of our computer systems and in specific cases where a problem relating to unauthorised use or breach of our policies is suspected. We consider this form of processing to be necessary for pursuing our legitimate interests (being the management of the relationship between you and Exolum Terminals and managing the business of Exolum Terminals) and for the performance of your contract.

You should note that we will process personal data concerning job applicants' and employees' health (such as in connection with pre-employment medicals, occupation health checks where required or in connection with



sickness absence, occupational health advice provided to us, capability assessments, general sickness absence records and results from any drug and alcohol tests) and membership of any Trade Union as well as other special categories of personal data where necessary for the purposes of carrying out our obligations and in exercising our rights in the field of employment law. In some situations, where Exolum Terminals considers it necessary to process a special category of personal data and where such processing would not otherwise be deemed necessary for the purposes of carrying out Exolum Terminals' obligations and exercising its rights in the field of employment law, your explicit consent to the processing of that data shall be sought at the time the data is requested. Where appropriate, when processing special categories of personal data Exolum Terminals may also rely on where the individual to whom the data relates has made that data manifestly public or in order to establish, exercise or defend legal claims.

You should note that where we process personal data (including any special category personal data) which you provide in connection with an expression of wish for any life cover scheme, that your explicit consent to the processing of that data shall be sought at the time that the data is provided.

We will use the driving licence details (including any endorsements) that you provide for yourself (and any other person who at your request is to be authorised) to assess your (and their) suitability to drive vehicles which are insured by Exolum Terminals (including hire vehicles).

You should note that where we relied upon consent as the legal basis for processing your personal data prior to 25 May 2018, after this date the relevant legal bases described above shall apply to the continued processing of such data in circumstances where such consent is no longer relied upon.

Who else might have access to or receive your personal data?

We may share your personal data with certain employees, workers, agency workers, agents and or professional advisers and those of and our wider group of companies, which at the date of this notice comprises Compañía Logística de Hidrocarburos, CLH S.A. and its subsidiaries, where considered appropriate for the purposes for which the data is being processed.

We may also share your personal data with other third party companies who provide services to us (for example, payroll providers, insurance administrators, pension administrators, occupational health advisers, drug and alcohol testing service providers, company car administrators, and information technology service providers). Additionally, we may also share your personal data with third parties in connection with a potential sale of some or all of our business or assets or a potential business restructuring or reorganisation.

We may also share your personal data where we are under a legal obligation to do so.

How long will your personal data be stored for?

Whilst it is difficult for us to give you an exact period of time for which your personal data will be stored (as this will depend on the personal data itself, the purpose for which it is being processed and our legal obligations) we would normally:

- store personal data relating to job applicants for no longer than six months from the date that it becomes clear that an offer of employment will not be made or is not accepted;
- store the personal data of employees for at least six years after the termination of their employment.



Special categories of personal data (including data concerning health, trade union membership and data provided within any expression of wish forms) shall normally be retained in accordance with the above provisions. Personal data provided within an expression of wish for any life cover scheme shall be destroyed upon termination of employment.

We shall ensure that personal information is not kept in a form which permits your identification for any longer than is necessary. Similarly, we shall take steps to ensure that any personal data which we hold about you is accurate and up to date and upon becoming aware of any inaccuracies, such data will be amended or erased without delay. Notwithstanding the foregoing, all emails sent to and from any Exolum Terminals' email addresses may be kept for long periods in accordance with archiving protocols adopted by Exolum Terminals from time to time (which in any event will be no longer than 20 years).

What rights do you have in respect of your personal data?

Under the data protection legislation you have various rights in relation to your personal data. These include the right to: request from us access to your personal data; request from us the rectification or erasure of your personal data; request from us the restriction of processing or to object to the processing of your personal data; request from us a copy of all personal data we hold about you in a structured, commonly used, machine readable format and/or request that all such data is transferred to another data controller i.e. data portability.

Where processing is based on you having given your consent for such processing, you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

You also have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the data protection legislation with regard to your personal data. You can also submit an enquiry or complaint directly to us by emailing dataprotection@exolum.com.

What happens if you fail to provide personal data?

In the case of job applicants, we do require you to provide personal data requested in order for us to process your application. If you do not provide the data requested, then your application may be discontinued.

In the case of employees, failure to provide personal data which we legitimately require, may prevent us from administering your contract or otherwise prevent us from the lawful processing of your personal data. If you do not provide the data requested, depending on the particular circumstances, it is possible that this would be treated as a disciplinary issue and may ultimately result in the termination of your employment. Where requested, if you refuse to give your consent for the processing of any personal data (including special categories of personal data) or otherwise withdraw your consent for such processing, we may need to make a decision relating to your employment without the benefit of such data.

If you (or any other persons who at your request is (to be) authorised) fail to explicitly consent or otherwise withdraw consent to the processing of your driving licence details (including any endorsements) in connection with driving vehicles which are insured by Exolum Terminals Group (including hire vehicles), the authorisation to drive such vehicles may be refused or terminated.



Will your personal data be transferred outside the UK or the European Economic Area (“EEA”)?

It is possible that your personal data will be transferred outside the UK or the EEA during the course of or otherwise in relation to your employment. If your personal data is transferred outside of the UK or the EEA then we confirm that such transfer will be made in compliance with the conditions of transfer as set out in data protection legislation which may include one of the following safeguards:

- The country to which the personal data is being transferred has been deemed to provide an adequate level of protection for personal data;
- Contractual obligations have been put in place to ensure that your personal data is treated in a way that is consistent with and respects laws on data protection.