



## GDPR Policy – buildingSMART International

### 1. INTRODUCTION

This Policy sets out the obligations of buildingSMART International Limited ("the Company") with regard to data protection and the rights of members of the buildingSMART community and business contacts ("data subjects") in respect of their personal data under the EU General Data Protection Rules ('GDPR'). Under GDPR "personal data" is defined as data which relates to a living individual who can be identified from that data or from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller (the Company in this context), and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

This Policy sets out the procedures that are to be followed when dealing with personal data. The procedures set out herein must be followed at all times by the Company, its employees, agents, contractors, or other parties working on behalf of the Company.

The Company is committed not only to the letter of the law but also to the spirit of the law and places a high premium on the correct, lawful and fair handling of all personal data, respecting the legal rights, privacy and trust of all data subjects with whom it deals.

This policy must be read in conjunction with our Privacy and Cookie Policy which provides details of how the Company collects and processes personal data through use of our site <https://www.buildingsmart.org>.

buildingSMART International are the data controller and we are responsible for personal data (referred to as "we", "us" or "our" in this privacy notice).

buildingSMART International is registered with the Information Commissioner's Office, and the certificate is available at [www.ico.org.uk](http://www.ico.org.uk) reference number ZA358790

### Contact Details

Our full details are:

Full name of legal entity: buildingSMART International

Name or title of Data Protection Officer: Richard Kelly

Email address: [contact@buildingsmart.org](mailto:contact@buildingsmart.org)

Postal address:  
buildingSMART International  
Kings House  
Station Road  
Kings Langley  
Hertfordshire  
WD4 8LZ  
United Kingdom

Registered address:  
buildingSMART International  
9 Quy Court  
Colliers Lane  
Stow-cum-Quy  
Cambridge CB25 9AU  
UK

Registered in England under 5024694

## **2. WHAT DATA DO WE COLLECT, FOR WHAT PURPOSE AND ON WHAT GROUND WE PROCESS IT**

Personal data means any information capable of identifying an individual. It does not include anonymised data.

We may process the following categories of personal data:

- **Communication and Marketing Data** that includes any communication that is sent to us whether that be through the contact form on our website, through email, text, social media messaging, social media posting or any other communication. This includes marketing data for the distribution of information after an individual has opted in for this, pertaining to the business of buildingSMART. We process this data for the purposes of communicating with the community, for record keeping and for the establishment, pursuance or defence of legal claims. Our lawful ground for this processing is our legitimate interests which in this case are to reply to communications sent to us, to keep records and to establish, pursue or defend legal claims as well as promoting our business.
- **Customer Data** that includes data relating to any purchases of goods and/or services such as name, title, billing address, delivery address email address, phone number, contact details, purchase details and card details. We process this data to supply the goods and/or services purchased and to keep records of such transactions. Our lawful ground for this processing is the performance of a contract between the customer and us and/or taking steps at their request to enter into such a contract.
- **User Data** that includes data about how individuals use our website and any online services together with any data that they post for publication on our website or through other online services. We process this data to operate our website and ensure relevant content is provided, to ensure the security of our website, to maintain



back- ups of our website and/or databases and to enable publication and administration of our website, other online services and business. Our lawful ground for this processing is our legitimate interests which in this case are to enable us to properly administer our website and our business.

- **Technical Data** that includes data about use of our website and online services such as IP addresses, login data, details about user's browser, length of visit to pages on our website, page views and navigation paths, details about the number of times individuals use our website, time zone settings and other technology on the devices used to access our website. The source of this data is from our analytics tracking system. We process this data to analyse use of our website and other online services, to administer and protect our business and website, to deliver relevant website content and advertisements and to understand the effectiveness of our advertising. Our lawful ground for this processing is our legitimate interests which in this case are to enable us to properly administer our website and our business and to grow our business and to decide our marketing strategy.
- We may use Customer Data, User Data, and Technical Data to deliver relevant website content and advertisements (including Facebook adverts or other display advertisements) and to measure or understand the effectiveness of the advertising we deliver. Our lawful ground for this processing is legitimate interests which is to grow our business. We may also use such data to send other marketing communications. Our lawful ground for this processing is either consent or legitimate interests (namely to grow our business).

## **Sensitive Data**

We do not collect any Sensitive Data about individuals. Sensitive data refers to data that includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about health and genetic and biometric data. We do not collect any information about criminal convictions and offences.

Where we are required to collect personal data by law, or under the terms of the contract and we are not provided with that data when requested, we may not be able to perform the contract (for example, to deliver goods or services). If we are not provided with the requested data, we may have to cancel a product or service that has been ordered but if we do, we will notify the relevant data subject at that time.

We will only use personal data for a purpose it was collected for or a reasonably compatible purpose if necessary. For more information on this please email us at [contact@buildingsmart.org](mailto:contact@buildingsmart.org). In case we need to use personal details for an unrelated new purpose we will let individuals know and explain the legal grounds for processing.

We may process personal data without the data subject's knowledge or consent where this is required or permitted by law.

We do not carry out automated decision making or any type of automated profiling.

### **3. DISCLOSURES OF PERSONAL DATA**

We may have to share personal data with the parties set out below:

- Other companies in our group who provide services to us.
- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers

We require all third parties to whom we transfer individual's data, to respect the security of personal data and to treat it in accordance with the law. We only allow such third parties to process personal data for specified purposes and in accordance with our instructions.

### **4. INTERNATIONAL TRANSFERS**

We share personal data within our group of companies which involves transferring data outside the European Economic Area (EEA).

Countries outside of the European Economic Area (EEA) do not always offer the same levels of protection to personal data, so European law has prohibited transfers of personal data outside of the EEA unless the transfer meets certain criteria.

Many of our third parties service providers are based outside the European Economic Area (EEA) so their processing of personal data will involve a transfer of data outside the EEA.

Whenever we transfer personal data out of the EEA, we do our best to ensure a similar degree of security of data by ensuring at least one of the following safeguards is in place:

- We will only transfer personal data to countries that the European Commission have approved as providing an adequate level of protection for personal data by; or
- Where we use certain service providers, we may use specific contracts or codes of conduct or certification mechanisms approved by the European Commission which give personal data the same protection it has in Europe; or
- If we use US-based providers that are part of EU-US Privacy Shield, we may transfer data to them, as they have equivalent safeguards in place.

If none of the above safeguards is available, we may request individual's explicit consent to the specific transfer. They will have the right to withdraw this consent at any time.

### **5. DATA SECURITY**

We have put in place security measures to prevent personal data from being accidentally lost, used, altered, disclosed, or accessed without authorisation. We also allow access to personal data only to those employees and partners who have a business need to know such data. They will only process personal data on our instructions and they must keep it confidential.



We have procedures in place to deal with any suspected personal data breach and will notify individuals and any applicable regulator of a breach if we are legally required to.

## **6. DATA RETENTION**

We will only retain personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

When deciding what the correct time is to keep the data for we look at its amount, nature and sensitivity, potential risk of harm from unauthorised use or disclosure, the processing purposes, if these can be achieved by other means and legal requirements.

For tax purposes the law requires us to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they stop being customers.

In some circumstances we may anonymise personal data for research or statistical purposes in which case we may use this information indefinitely without further notice to the original provider.

## **7. LEGAL RIGHTS**

Under data protection laws all data subjects have rights in relation to their personal data that include the right to request access, correction, erasure, restriction, transfer, to object to processing, to portability of data and (where the lawful ground of processing is consent) to withdraw consent.

More about these rights at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If any data subject wishes to exercise any of the rights set out above, please email us at [contact@buildingsmart.org](mailto:contact@buildingsmart.org)

Data subjects will not have to pay a fee to access their personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if the request is clearly unfounded, repetitive or excessive or we may refuse to comply with the request in these circumstances.

We may need to request specific information from data subjects to help us confirm their identity and ensure their right to access their personal data (or to exercise any of their other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact data subjects to ask for further information in relation to the request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if the request is particularly complex or they have made a number of requests. In this case, we will notify them.

If a data subject is not happy with any aspect of how we collect and use their data, they have

the right to complain to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We should be grateful if data subjects would contact us first if they do have a complaint so that we can try to resolve it.

## **8. IMPLEMENTATION OF POLICY**

This Policy shall be deemed effective as of 7th May 2018. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.

This Policy has been approved & authorised by:

**Name:** Richard Kelly  
**Position:** Operations Director  
**Date:** 7<sup>th</sup> May 2018  
**Due for Review by:** 6<sup>th</sup> May 2019

**Signature:**

A handwritten signature in black ink, appearing to be 'RK' with a stylized flourish.