



Sinclair Bay Subsea (SBS) offers experienced subsea engineers to the drilling sectors, subsea wells and completion management services. QHSE and compliance are integral to the Core Values of SBS and remain at the heart of all our operations. We set ourselves demanding targets and ensure our QHSE values are supported by personal objectives from our teams.

We are committed to safeguarding the privacy of all persons under the control of SBS, and as such, all tasks or services requiring the processing of personal data shall be completed within the bounds of the General Data Protection Regulation (GDPR). This Privacy Notice shall outline how we achieve this.

At all times, SBS shall be what is known as the 'Data Controller' of the personal data provided to us. Where another party requires SBS to share items of personal data, this shall be completed for a legitimate purpose (i.e. with a Client as part of the recruitment process) or with the consent of the Data Subject, and under the reassurance that the entity we are transferring the data to has an equivalent level of safeguarding in place.

### **What is Personal Data?**

Personal data is information that can identify you as a living individual, and is split into two 'types' of data, each with specific controls and guidelines. General personal data includes data such as your name, address, National Insurance number, and online identifiers/location data. The second type, sensitive data, includes information on physical and mental health, sexual orientation, race or ethnic origin, religious beliefs, trade union membership and criminal records. Sensitive personal data must be protected to a higher level than general personal data.

### **How Does SBS get your Personal Data?**

You may have made an application directly to us via email or a job advert, through social media, or by telephone. SBS can process this data if we have a legal basis for doing so. There are 6 legal bases for processing data, but SBS is most likely to rely on:

- That the processing is necessary for the performance of a contract with you (i.e. Recruitment or Training Services)
- That SBS has a legitimate interest in processing your data
- Your consent

Different conditions apply to each of these legal bases.

### **What information does SBS collect about you?**

SBS will always collect basic contact information from you at the start of our relationship in order to maintain contact with you and provide our services. The other information that SBS collects about you will vary, dependent on the nature of the services you are asking SBS to provide. So that you can be clear on what data SBS will require or hold, and how we treat and store that data, SBS has developed a Data Inventory, which you can review at the end of this Privacy Notice. This can also be requested from your SBS Representative or the SBS QHSE Department at any time.

### **How does SBS use the information about Data Subjects?**

As an Internal Employee of SBS you can reasonably expect that SBS will use your information to carry out the administrative and management requirements of an Employer. This will include paying you your salary via your bank account, calculating and making tax and NI contributions, and ensuring that you have the tools, training and competency required to carry out your role. We will also use your data to safeguard your personal safety, health and welfare whilst at work.

As a Recruitment Candidate, you can reasonably expect that we will use your information to determine whether we can find you roles, and then share certain items of data (your name, formatted CV, training and competency information etc.) with Clients during the recruitment and placement process. We will also use your data to pay you the money you have earned whilst on assignment, calculate any relevant taxes or NI contributions, and safeguard your health, safety and welfare (so far as we are able) whilst you are on assignment with our Clients.

SBS may be required to perform and provide statistical analysis on the data that we hold and collect. Such data will normally be anonymised for this purpose, unless disclosure of individuals is a legal requirement of the process. At this point SBS would gain your consent for your personal data to be used in such a way.

### **Why does SBS need the information about Data Subjects?**

For all of the information you provide, SBS must have a legal basis for processing the data. In almost all cases, SBS's legal basis for processing your data will be one or a combination of the following:

- Legal Obligation – your information is required for SBS to comply with any laws and/or regulations to which SBS is subject.
- Legitimate Interests – your information is required for the purposes of legitimate interests pursued by SBS or a Third Party, except where overridden by
- Contractual Necessity – your information is required for SBS to take steps at your request with a view to entering in to a contract OR for SBS to perform the contract to which you are a party.
- Consent – you have freely given your consent for SBS to process the information
- Vital Interests – processing of your information is necessary in order to protect the vital interests of the data subject, or another person, where the data subject is incapable of giving consent

SBS have indicated the legal basis behind the request for each item of personal information you supply on our Data Inventory.

## How long does SBS keep the information about Data Subjects?

Different pieces of information required by SBS have different retention periods attached to them. Some of these are dictated by law i.e. basic contact and tax information must be retained for a minimum of 6 years under UK tax law. Some others are dictated by the type of information i.e. records of incidents, accidents, occupational health problems and complaints will depend on whether there are outstanding legal proceedings, and may be retained indefinitely. SBS details these retention periods within the data inventory attached at the end of this Privacy Notice.

## Who does SBS share information about Data Subjects with?

SBS will be required to disclose your personal information to our Corporate Finance Team in order for us to process payroll and other necessary functions provided to SBS at a corporate level.

We will also be required to provide the necessary data to our Clients in order for them to consider your application during the recruitment process and, should you be accepted for an assignment, during the placement process. We will be required to share certain information i.e. Name, Date of Birth, lengths of service, with your nominated referees in order to obtain references on your behalf.

As a Training Candidate, SBS will be required to provide Awarding Bodies with the necessary information to register you as a Candidate on external management systems, and ultimately confirm your completion of any course.

We may be required to disclose your information to Insurers and/or Professional Advisors insofar as is reasonably necessary for the purpose of obtaining or maintaining insurance coverage, risk management, professional advice or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

We may disclose certain items of information (name, date of birth, contact details, Passport or ID number, physical size or details of illness or injury) to our suppliers insofar as is reasonably necessary for the booking of travel or accommodation, personal protective equipment or occupational health services. SBS will always seek to advise you of any sharing of this information and gain your consent prior to the sharing of data, except where vital interests preclude.

In addition to the specific disclosures above, SBS may disclose your personal data where such a disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

SBS does not, has not, and shall never, sell your personal data to Third Parties for marketing purposes.

SBS recruitment team will monitor emails absences to ensure a continuous service provision to both clients and candidates.

## International Transfers of Your Personal Data

Your personal information is considered to be transferred across borders when it is either physically TRANSFERRED across a border, or when it is ACCESSED across borders. SBS do not currently maintain offices outside of the United Kingdom, and our hosting facilities for the servers which maintain our systems are based within the UK.

However, we do conduct business with a list of international Clients, and may therefore be required to transfer personal data across borders as a requirement of the recruitment process. We may also be required to transfer data across borders in the event of an emergency situation overseas. At all times, SBS shall ensure that the transfer of personal data over an international border is protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission OR through binding corporate rules, a copy of which can be obtained via your SBS Representative or the SBS QHSE & Compliance Advisor at any time. Note: under the terms of GDPR, all countries within the EEA are deemed as having adequate data protection systems in place, therefore 'international' refers to transfers outside of the EEA.

You should be aware that, when submitting personal data to SBS via a Social Media portal, this data may be available for others to view around the world. SBS cannot prevent the use (or misuse) of any such personal data by others. Your SBS Representative shall always advise of a safe and secure method to submit personal data to SBS for use by SBS in our services.

## Your Data Rights

The GDPR gives you, the Data Subject, new and extended rights to control how your personal information is used.

- **Right to informed consent** – for your consent to be valid, you must know what you are consenting to. To give valid consent you must give SBS a positive indication of your consent, through actively ticking a box or signing a document. SBS (and other organisations) cannot accept your silence as consent or use a pre-ticked box. However, consent is NOT the only legal basis that organisations can use to process your data. If an organisation does not need consent to process your data, they should not, and will not, ask for it.
- **Right to withdraw consent** – if you have given consent to an organisation to process your personal data, you have the right to withdraw that consent. The organisation will then need to stop processing the data that you have given them, but they can continue to process other data if they rely on another legal reason for doing so.
- **Right to object** – you have the right to object to your data being processed. The organisation can then only process your data if it has a compelling legal reason for doing so.

- **Rights in relation to automated decision making or profiling** – you have the right not to be subject to a decision based purely on automated processing, unless you have given your explicit consent. If the process is not fully automated, the organisation will not need your consent. SBS does not make use of fully automated decision making or profiling in our services, but Recruitment Candidates may be shortlisted based on matching certain criteria. This process is always given final review by a Recruitment Specialist.
- **Right to make a Subject Access Request (SAR)** – A Subject Access Request is where you ask the organisation holding your data to provide you with a copy of the data they hold. If you make an SAR to SBS, we will respond within a month. In certain situations, we may be required to extend this period to 2 months, but we will keep you informed of any progress. SBS will not normally charge you for making an SAR, however, if you make repeated requests for the same information OR the volume of information you are requesting is excessive, SBS may be required to charge you a nominal fee for administration of your request. SBS can also refuse to comply with your request for the same reasons, but we will always inform you.
- **Right to data portability** – where technically possible, you have a right to have your personal data transferred directly from one organisation to another. However, this does not include having your data passed to another organisation without your knowledge. The data must be supplied in a structured, commonly used and machine-readable form.
- **Right of rectification** – if an organisation holds inaccurate or incomplete data for you, you have the right to request that the organisation corrects this. Any organisation you ask to correct your data should do this within one month. Usually within SBS we can rectify most data held instantly, but some things may take slightly longer (i.e. Tax Codes, Bank Details already submitted to Payroll). Your SBS Representative will always double check important information with you and will ask whether anything needs to be updated at regular intervals. If you change data that you know SBS will require to provide service to you (i.e. telephone, email, bank details etc.) you should inform us as soon as possible.
- **Right to erasure** – this is also known as the 'right to be forgotten'. You can request that the organisation removes all of your personal data. This is not, however, an absolute right. The organisation can retain your data should they have a legal reason for doing so. If you ask SBS to erase your data, we may ask you whether you just want to be marked as 'unavailable' or 'not interested' for a period of time OR whether you want to be permanently deleted.
  - We cannot retain a list of people who have requested permanent deletion, therefore you may still be contacted at a later stage if you remain actively involved in job boards or social media.
  - If you tell SBS that you wish your data to be forgotten, SBS will be required to contact any third parties we have passed your data to (i.e. Clients or Awarding Bodies) and inform them that you have filed a request to be erased. These third parties must also do the same.
  - Note: SBS are required to keep certain records, such as ID, right to work checks, payroll records, health surveillance or training awards, for certain periods of time. These obligations will override any request to erase data or any objections to processing, for so long as we are required to keep the data. We indicate these periods on our Data Inventory (included with this Privacy Notice), just so you can be clear that erasure cannot always be instant.
- **Direct marketing** – an organisation MUST have your express consent to send you direct marketing. Therefore, if SBS launches any further services other than recruitment or training, we must have your permission to send you information about it.
- **Data breaches** – if an organisation suffers a data breach (e.g. a loss or theft of personal data), they must inform the Information Commissioner's Office (ICO). If there is a high risk to you, the organisation must also tell you about the breach.

All of your rights as a Data Subject are fully outlined on the [ICO's website](#), or you can contact your SBS Representative or the QHSE Department for further information.

### Who can you contact about Your Personal Data?

Your first point of contact regarding anything to do with the personal data SBS holds about you, is your main point of contact within SBS. This may be the Recruitment Specialist you are in contact with, the Trainer or Instructor performing your training course, the Business Support Team who are arranging logistics or training for you. For Internal Staff this will be your Line Manager, or personnel from the Payroll Team. SBS will always advise you of whom to contact in the event of a problem.

At all times, you can also contact the SBS QHSE Department.

Name: Laura Donald  
Role: QHSE Advisor  
Tel: +44 (0) 1224 356 586  
Email: [laura.donald@clan-partners.com](mailto:laura.donald@clan-partners.com)  
Address: Clan Partners, In-Spec House, Wellheads Drive, Dyce, Aberdeen, AB21 7GQ

If you wish to take the matter further, you can contact the Information Commissioner's Office (the ICO). You can do this via their website ([www.ico.org.uk](http://www.ico.org.uk)), where you have the ability to live chat with someone who will try to address your concerns. You can also call the ICO's helpline on [0303 123 1113](tel:03031231113).

When you contact the ICO, you can use SBS's Organisation Reference (ZB148499) to assist you (we're registered under our Parent Company, Clan Partners Limited). All organisations processing personal data should be able to supply you with their ICO reference, and you can check that this is valid at any time by searching the ICO's Register of Data Controllers.

## What else can you do to protect Your Personal Data?

In our Induction we recommend that when offshore you NEVER save your log-in or password to any social media or internet banking website to any public access computers, and that you fully log out of any session before walking away from the computer. You may wish to consider additional security on your personal electronic devices, including fingerprint ID or PIN codes. You can adjust your internet browser settings to stop accepting text files known as 'cookies' which may be tracking and logging details of your online activities, and remove cookies from your computer, just be aware that some websites and website features, including SBS's, may not function properly as a result.

Please be aware that this Privacy Notice only applies to SBS, our processes, procedures and websites. You should ALWAYS make yourself aware of any Privacy Notice for any other party who may hold your data, including websites that SBS may ask you to link to, prior to submitting any data.

## Changes & Updates

SBS keep this Privacy Notice under regular review, and you will be advised of any updates, either by a direct email with a copy of the Privacy Notice OR through our website.



**Steven Dunbar**  
Director



**Louise Sinclair**  
General Manager

**NOTE:** Persons under the control of Sinclair Bay Subsea includes: Direct employees, contract personnel, Sub-contractor personnel, Consultants and Service Providers (where operating on Sinclair Bay Subsea Controlled Sites)

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