
FCL PRIVACY & COOKIE POLICY

1. **Our Privacy Policy**

FIDIC Credentialing Ltd (FCL) respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

2. **Important information and who we are**

Purpose of this privacy policy

This privacy policy aims to give you information on how FIDIC Credentialing Ltd (FCL) collects and processes your personal data through your use of this website, including any data you may provide through this website when you register to use our site, subscribe to our service, register for our events or training, search for a product, place an order on our site, participate in FCL committees and groups and on our discussion boards or other social media functions on our site, enter a competition, promotion or survey and when you report a problem with our site.

This website is not intended for children, and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you to be fully aware of how and why we are using your data. This privacy policy supplements the other policies and is not intended to override them.

Controller

FIDIC Credentialing Ltd (FCL) is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

Our contact details are : FIDIC Credentialing Ltd (FCL) World Trade Center II, 29 route de Prés-Bois, Geneva Airport, CH-1215, Switzerland

Name of our Data Protection Officer: Wendy Lasebikan

Email: wasebikan@fidic.org

Telephone number: + 41 22 799 49 00

You have the right to make a complaint at any time to the Switzerland Federal Data Protection and Information Commissioner (FDPIC). We would, however, appreciate the chance to deal with your concerns before you approach the FDPIC therefore, please contact us in the first instance.

Inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

3. **The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data that you provide voluntarily or that we receive through referrals, which we have grouped together as follows:

- **Identity Data** includes first name, last name, photographic and video image, username or similar identifier, job title, company name, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account, payment card details and member headcount.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you. In that case, we treat the combined data as personal data, which will be used in accordance with this privacy policy.
- We also collect **Special Categories of Personal Data** about you (this is currently limited to biometric data – candidate face recognition, identification, and verification by photograph. We do not collect details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

4. How is your personal data collected?

We use different methods to collect data from and about you including through:

Direct interactions - You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- Register to use our website;
- Apply for our training, industry events, products or services;
- Create an account on our website;
- Subscribe to our service newsletters or publications;
- Participate in our meetings, stakeholder groups, discussion boards or other social media functions on our site;
- Request marketing to be sent to you;
- Enter a competition, promotion or survey; or
- Give us some feedback.

Automated technologies or interactions - As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.

Third parties or publicly available sources - We may receive personal data about you from various third parties as set out below:

Technical Data from the following parties:

- Analytics providers such as Google;
- Email Service Providers such as Mailchimp.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Sage.
- Identity and Contact Data from data brokers or aggregators or service providers such as Examus.
- Identity and Contact Data from publicly available sources such as the commercial registry of companies.

5. How we use your personal data?

- We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:
- Where we need to perform the contract, we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests, (or those of a third party) and your interests and fundamental rights do not override those interests and it would be reasonable for you to expect us to process your personal data for the

purposes of providing and enhancing the provision of our products, services and information. Included in this is the sharing of your personal data with our volunteers, acting on our behalf, who use it to support the activities of the groups or committees in which they operate.

- Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

6. Disclosure of your personal data

- We may have to share your personal data with the parties set out below for the purposes stated in the table below.
- Internal Third Parties:
 - Other companies in the FIDIC group or associated to it including FIDIC volunteers, who use it to support the activities of the groups or committees in which they operate.
- External Third Parties:
 - Service providers acting as processors who provide IT and system administration services.
 - Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
 - Regulators and other authorities acting as processors or joint controllers who require reporting of processing activities in certain circumstances.
- We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

7. Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal bases, we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	a) Performance of a contract with you
To administer and perform services – including to carry out	(a) Identity (b) Contact	a) Necessary for our legitimate interests, b)

our obligations arising from certification services		Consent c) Performance of a contract with you contract performance.
To process and deliver your order or services including:(a) Manage payments, fees and charges(b) Collect and recover money owed to us	(a)Identity (b)Contact (c)Financial (d)Transaction (e)Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey (c) To communicate with you on our activities including products or services that may be of interest to you. We will provide an option to unsubscribe or opt out of further communications.	(a)Identity (b)Contact (c)Profile (d)Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how members and customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a)Identity (b)Contact (c)Profile (d)Usage (e)Marketing and Communications	a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how members and customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a)Identity (b)Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	a)Identity (b)Contact (c)Profile (d)Usage (e)Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how members and customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)

To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Option out of email marketing may be done by clicking on the unsubscribe link provided in the footer of all marketing emails.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, product/service experience or other transactions.

Preference centre

Changes to your email marketing and advertising preferences can be accessed in your preference centre. Accessing your preference centre can be done by locating and clicking on the change my preferences option in the email footer.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookie Policy below (No 11).

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

8. How Long Will You Keep My Personal Data?

We will retain your personal data only for as long as it is necessary to complete the operations for which data has been collected or until you request to no longer receive communications from us, in accordance with applicable laws and regulations.

When you submit an enquiry to FCL via our “Contact Us” form, an email is sent directly to our secure email server. The details of your enquiry may be stored by FCL in our email archives.

9. How and Where Do You Store or Transfer My Personal Data?

For the purposes mentioned in section 7, FCL may need to transfer and process some or all of your personal data in a country outside of the European Economic Area (EEA), to/in countries which may have different data protection laws. These are known as “third countries”.

In this case, FCL will put in place appropriate and adequate operational, organizational, procedural, and technical measures in order to ensure the security and confidentiality of your personal data as follows:

We will protect your personal data under binding corporate rules. Binding corporate rules are a set of common rules which all our group companies are required to follow when processing personal data.

We will use specific approved contracts which ensure the same levels of personal data protection that apply under relevant Data Protection Legislation.

The security of your personal data is essential to us and to protect your data, we take a number of important measures, including the following:

- limiting access to your personal data to those employees, agents, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality.
- procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, your personal data) including notifying you and/or relevant GDPR authorities where we are required to do so;
- Our online services use Secure Sockets Layer (SSL) encryption on all web pages where personal information is collected. To make purchases from these services, you must use an SSL-enabled browser such as Safari, Firefox, or Internet Explorer. Doing so protects the confidentiality of your personal information while it's transmitted over the Internet.

10. What are my Rights?

You have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions.

- b) The right to access the personal data we hold about you.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete.
- d) The right to be forgotten, i.e., the right to ask us **OR** to delete or otherwise dispose of any of your personal data that we hold.
- e) The right to restrict (i.e., prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to withdraw consent. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time.
- h) The right to data portability. This means that, if you have provided personal data to us, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask for a copy of that personal data to re-use with another service or business in many cases.
- i) We do not use your personal data for automated decision-making and profiling.

11. **How Do You Use Cookies?**

Our website, online services, interactive applications, email messages, and advertisements may use “cookies” and other technologies such as pixel tags and web beacons. These technologies help us better understand user behaviour, tell us which parts of our website people have visited, and facilitate and measure the effectiveness of advertisements and web searches. We treat information collected by cookies and other technologies as non-personal information. However, to the extent that Internet Protocol (IP) addresses or similar identifiers are considered personal information by local law, we also treat these identifiers as personal information. Similarly, to the extent that non-personal information is combined with personal information, we treat the combined information as personal information for the purposes of this privacy policy.

We also use cookies and other technologies to remember personal information when you use our websites, online services, and applications. Our goal in these cases is to make your experience with us more convenient and personal. For example, knowing your country and language helps us provide a customised and more useful experience.

If you want to disable cookies and you’re using the Safari web browser, go to Safari preferences and then to the Security pane to disable cookies. For other browsers, check with your provider to find out how to disable cookies. Please note that certain features of our website will not be available once cookies are disabled.

As is true of most websites, we gather some information automatically and store it in log files. This information includes Internet Protocol (IP) addresses, browser type and language, Internet service provider (ISP), referring and exit pages, operating system, date/time stamp, and clickstream data.

We use this information to understand and analyse trends, to administer the sites, to learn about user behaviour on the site, and to gather demographic information about our user base as a whole. We may use this information in our marketing and advertising services.

In some of our email messages, we use a “click-through URL” linked to content on our website. When customers click one of these URLs, they pass through a separate web server before arriving at the destination page on our websites. We track this click-through data to help us determine interest in particular topics and measure the

effectiveness of our customer communications. If you prefer not to be tracked in this way, you should not click text or graphic links in the email messages.

Pixel tags enable us to send email messages in a format customers can read, and they tell us whether mail has been opened.

12. **Changes to this Privacy Policy**

We may change this Privacy Policy from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be immediately posted on our Site, and you will be deemed to have accepted the terms of the Privacy Policy on your first use of our site following the alterations. We recommend that you check this page regularly to keep up to date.

This Privacy Policy was last updated on 30 July 2021.