

ERM Global Policy

Data Privacy



1. PURPOSE

ERM is a leading global provider of environmental health/safety, risk and social consulting services with employees based in several countries around the world. ERM is committed to protecting the privacy of Personal Data and maintaining the principles of integrity and trust in the course of ERM's business. ERM considers business conduct regarding data privacy as fundamental in operating as a high quality employer. The purpose of this Data Privacy Policy ("Policy") is to set out the principles by which ERM conducts its business to protect the privacy and integrity of Personal Data that is processed by ERM and shared across different locations. Further, this Policy is specifically designed in order to comply with the Safe Harbour Principles published by the U.S. Department of Commerce, the EU Data Protection Directive 95/46/EC and applicable data protection laws in the countries where ERM operates.

2. SCOPE

The scope of this Policy includes all Personal Data processed anywhere in the world by ERM Worldwide Ltd and its affiliates ("ERM"), whether in electronic, paper or verbal format.

This Policy applies worldwide to all ERM entities, all Employees and all Agents. The provisions of this Policy shall apply only to the extent permitted by, and in addition to, the provisions of applicable law. In the event of a conflict between this Policy and applicable law, the applicable law shall prevail.

3. TERMS

The term "processed" or "processing" includes the collection, storage, retrieval, extraction, organization, alteration, adaptation, disclosure and destruction of Personal Data.

The term "Employee" or "Employees" is specifically defined, for purposes of this policy, as: any personnel hired directly by ERM (regardless of status classification of full-time, part-time, temporary,

contract, etc.); interns (even if an intern does not receive payment by ERM); employees of other companies seconded into ERM, and any ERM employee seconded to a non-ERM company. Solely for the purposes of this Policy, the term "Employee" or "Employees" shall include prospective Employees and persons from the public who have submitted Personal Data to ERM for the purpose of obtaining employment.

The term "Agent" or "Agents" is specifically defined as any member of any ERM entity board, any officer of any ERM entity, hired personnel, consultants, intermediaries, lobbyists, agents, representatives, independent contractors, subcontractors, and any others who act on ERM's behalf.

"Personal Data" means personally identifiable information that pertains to or can be linked to a specific individual and is stored electronically or in physical file systems.

"Sensitive Personal Data" means Personal Data that reveals race, ethnic or national origin, sexual orientation, political opinions, religious, philosophical and other beliefs, trade union or political party membership, or that concerns criminal offences, marital status or an individual's health.

4. PRINCIPLES

The Principles in this Section of the Policy will guide decision making for all Employees and Agents.

4.1 General. ERM shall process Personal Data about Employees to carry out its legitimate business objectives and to provide Employee services. This includes Personal Data provided by Employees as well as information lawfully received from third party sources, such as references, evaluations or background checks. In some cases, ERM shall also process Sensitive Personal Data about Employees, however, ERM shall not process Sensitive Personal

Data where not permitted by applicable law. ERM shall appoint Data Protection Officer(s) with responsibility for ensuring compliance with this policy.

4.2 Notice. ERM shall ensure timely notice is provided to Employees describing: what Personal Data is being processed; how it will be used and for what purpose; and the types of third parties with whom ERM may share it. Before ERM processes Personal Data for a purpose other than that for which it was originally collected, ERM will provide notice to the applicable Employee(s). For current ERM employees, the ERM Intranet – known as Minerva -- will be the main location for such information to be provided, except where individual or other formal notice may be more appropriate or suitable in order to provide targeted or specific communication to Employees.

4.3 Choice. ERM shall offer Employees the opportunity to opt out of allowing their Personal Data (1) to be disclosed to a third party or (2) to be used for a purpose other than the purpose for which it was originally collected or subsequently allowed by the individual. For Sensitive Personal Data, ERM shall give employees the opportunity to either consent or opt out to the disclosure of the information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. ERM will keep records of each consent or opt out by the respective Employees.

4.4 Onward Transfers. Prior to disclosing Personal Data to a third party, unless by operation of law or legal requirement, ERM shall notify the individual of such disclosure and allow the individual the choice to either consent or opt out of the disclosure. ERM shall take reasonable steps to ensure that any third party for which Personal Data may be disclosed: subscribes to the Principles or are subject to law providing the same level of privacy protection; adopts appropriate security measures as is required by the Principles; and agrees in writing to provide an adequate level of privacy protection. ERM shall also ensure that any third party shall process Personal

Data only for the purposes for which it has been obtained.

4.5 Data Security. ERM shall take reasonable steps to protect the Personal Data from loss, misuse, unauthorized access or disclosure, alteration or destruction. ERM has adopted administrative, technical and physical procedures to restrict access to Personal Data to those Employees or Agents who need to use it for ERM's business purposes and to protect it from unauthorized use, disclosure, access, or destruction. However, ERM cannot guarantee the security of Personal Data on or transmitted via the Internet.

4.6 Data Integrity. ERM only processes Personal Data in a way that is compatible with and relevant for the purpose for which it was collected or authorized by the Employee. To the extent necessary for those purposes, ERM shall take reasonable steps to ensure that Personal Data is accurate, complete, current and reliable for its intended use.

4.7 Access. ERM shall provide ways for Employees to access their Personal Data, as required by law, so that inaccuracies can be corrected. There are practical limitations to this, ie ensuring the burden of time and expense of providing access is proportionate to the risks to the privacy of the Employee and ensuring also that the rights of other Employees would not be violated.

4.8 Enforcement. Employees are encouraged to raise any concerns to the Data Privacy Officer(s) at this email: Data.Privacy@erm.com, so that ERM may attempt to resolve any complaints and disputes regarding processing of Personal Data in accordance with this Policy. ERM may also use a third party resolution for dispute resolution. Line management must (i) act in accordance with this Policy in handling Personal Data (ii) pass on any concerns raised by any employees in this respect to the Data Privacy Officers and (iii) comply with all directives given by the Data Privacy Officers in this regard.

4.9 Monitoring of Employees. ERM ensures that to the extent ERM introduces any measures to monitor

ERM's computers and systems and their use, such monitoring shall be conducted within the limitations of applicable local laws and in accordance with ERM's guidelines, any applicable collective bargaining agreements and works council rules and procedures. Where such monitoring is not permitted under local laws in any jurisdictions, ERM shall not employ any technical means for such monitoring for its Employees in such locations.

5. POLICY

All Employees and Agents will process Personal Data and Personal Sensitive Data in accordance with this Policy and the Principles of this Policy. In the event that a Data Privacy concern arises, Employees and Agents shall escalate the concern to any of the following: Group General Counsel, Group Human Resources Director, Chief Information Officer, Global Compliance Officer, or any Data Privacy Officer.

6. AMENDMENTS

This Policy may be amended from time to time and updated or supplemented with other documents (i.e. on Minerva).

Either this Policy or an abridged version of this Policy will be used on 3rd party facing sites including ERM.COM.

7. OTHER POLICIES

ERM is committed to following the Principles of this Policy for all Personal Data, in line with other ERM policies supporting international legal obligations.

ERM Global Policy Manual Administration

Policy Title: Data Privacy

Policy Number: 21

Original Effective Date: 17 July 2013

Revision Number:

Effective Date of this Version:

Policy Description: Policy to address Data Privacy and Safe Harbour principles

Policy Department/Author: ERM Law Department & Group IT

Policy Approval by: John Alexander (Global CEO)

Approval Signature:



Authority to amend this Policy: Joint signature of Chief Information Officer & Global Compliance Officer

Authority to Waive this Policy: Chief Information Officer & Global Compliance Officer

Policy Review Cycle: 3 years from Effective Date of this version

Docket responsibility for review cycle: Global Compliance Officer