

## **Personal Data Protection Policy in managing access controls during the COVID-19 pandemic.**

Acciona, S.A. and the companies in its Group (ACCIONA), pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and other legislation in force on Data Protection, hereby informs employees, external workers, visitors and third parties (the data subject or subjects), who wish to access any ACCIONA premises in Spain, of the Policy that will apply to the personal data of data subjects gathered in order to manage access to ACCIONA's premises, in accordance with ACCIONA's duty to protect employees from occupational hazards, meaning that ACCIONA must ensure the health and safety of all its employees in all work-related respects.

ACCIONA informs the data subjects that their personal data will only be obtained for processing when it is appropriate, pertinent and not excessive in relation to the scope and explicitly and lawfully specified purposes for which it was obtained. The data subject is aware that ACCIONA may process any personal data provided for the purposes set out herein, in the terms contained in this Personal Data Protection Policy.

ACCIONA adopts the technical and organisational measures necessary to guarantee the security of the personal data contained therein and to avoid any alteration, loss and unauthorised processing or access, in view of the state of the art, the nature of the data and the risks to which it is exposed.

Any change to the Personal Data Protection Policy and in the information management practices will be duly reflected, and ACCIONA may add to, amend or replace such Policy when it sees fit.

The data subject is the only one responsible for the accuracy and lawfulness of the personal data supplied.

### **Additional information on personal data protection**

#### **Who is responsible for processing the personal data?**

The ACCIONA Group company in which the data subject works (if he/she is an employee), or with which he/she is related (in the case of visitors or third parties) and whose details can be seen on the contract of employment (in the case of employees) or in the report on the last consolidated annual accounts of ACCIONA, (<https://www.acciona.com/es/accionistas-inversores/informacion-financiera/cuentas-anales/>), is the entity immediately responsible for the obligations regarding occupational risk prevention and the obligation to ensure the health and safety of all its employees in the labour sphere.

Moreover, Acciona, S.A. is the data controller, as entity responsible for the (A-PASS) technology and this Personal Data Protection Policy, as well as for the planning and design of processing for access to ACCIONA premises where it has been implemented and is applied.

**Company name:** Acciona, S.A.

**Tax Id number:** A08001851.

**Address:** Avenida de Europa, número 18, Parque empresarial de la Moraleja, 28108 Alcobendas (Madrid).

**Telephone:** +34 91 663 28 50

**Contact email:** [accionacorp@acciona.com](mailto:accionacorp@acciona.com).

Data subjects can contact the Data Protection Department to resolve any doubts related to the processing of their personal data at the same postal address or via email: [peopleprivacy@acciona.com](mailto:peopleprivacy@acciona.com), in the case of ACCIONA employees, or [protecciondedatos@acciona.com](mailto:protecciondedatos@acciona.com), in the case of external workers, visitors or third parties.

## What personal data do we gather?

### Identification details (mandatory)

1. Via A-PASS:
  - a) In the event you have a company email address, this address.
  - b) If you do not have a company email address:
    - .- An email address
    - .- National ID / Foreigner ID
    - Contact telephone (voluntary)
  
2. In paper format:
  - .- Full name
  - .- Work centre being accessed
  - .- Company to which you belong
  - .- Date

Affidavit related to COVID-19: with the general objective of avoiding or mitigating the spread of the pandemic among ACCIONA employees, in compliance with the labour law and health and social protection obligations, enhancing access controls to the ACCIONA premises.

Temperature: In addition, and where possible, temperature controls will be set up at the access points, adopting the measures to guarantee the confidentiality of the measurement. In strict compliance with the personal data protection regulations, the temperature measurement devices do not record, do not store data and do not process biometric information.

In some premises, moreover, body temperature measurement cameras have been installed in order to prevent access by anyone who exceeds the risk threshold as a preventative measure to avoid the spread of the contagion. The system cannot record images and only provides real time visualisation.

## For what purpose do we process personal data?

- To manage access to the ACCIONA premises, determining the possible existence of “COVID-19 cases under investigation”, with the purpose of avoiding or mitigating the spread of the pandemic among employees, preserving the conditions of health and safety of all ACCIONA employees.
- Assess scenarios of risk of exposure to COVID-19 in the workplace.

If you have downloaded A-PASS:

- Supply information to the data subjects on how to act with regard to accessing ACCIONA premises, as well as the means that ACCIONA is placing at the disposal of employees in terms of monitoring health and preventing occupational hazards.
- Supply accurate information to users on the COVID-19 pandemic in relation to access management (notification function).

## What is the lawfulness of the processing of personal data?

The legal basis for the data processing corresponds to:

**Fulfilment of a legal obligation**, art. 9.2.b) GDPR (for the employer in the prevention of occupational hazards for employees). The processing is necessary to fulfil obligations and exercise specific rights of the data controller and data subject in the context of labour law and safety and social protection legislation, as ACCIONA is subject to the regulations on occupational hazard prevention, which impose an obligation to protect employees from such risks, meaning that it must guarantee the health and safety of all its employees in all work-related respects.

Moreover, obligations are also established for employees in relation to risk prevention. This means that the employee will have to inform ACCIONA in the event he/she suspects he/she has been in contact with the virus, in order to safeguard, apart from his/her own health, that of the other employees in the work centre, so that the appropriate measures can be adopted and safe and risk-free working conditions can be guaranteed, in the interests of the health and safety of employees.

The data subject represents that the personal data supplied is true, lawful and accurate, assuming full responsibility for any inaccuracies or errors. The data subject also undertakes to keep the personal data up-to-date.

The processing is also based on article 9.2.h) GDPR, as it relates to **preventative or labour medicine purposes**, assessment of the worker's ability to work, medical diagnosis, provision of healthcare or social assistance or treatment and for the management of the healthcare and social assistance systems and services. All of this in the event it is necessary.

## For how long does ACCIONA store the personal data?

Generally speaking, the data will be stored for the time necessary for the purpose for which it was gathered, as long as the COVID-19 pandemic continues and provided the data subject does not exercise his/her rights of erasure or cancellation. In addition, the data will be stored in order to comply with the legal terms of expiry of legal action or court orders, according to the regulations in force in each case.

Specifically, the data of the daily Affidavit are stored for the following terms:

- In the case of data generating a green Passport or "ACCESS": the term of storage is 24 hours.
- In the case of data generating a red Passport or "NO ACCESS": the term of storage is a maximum of 30 days and, in any event, during the term of expiry of legal action or court orders.

In any event, the data subject may request detailed information on the data storage terms applied by writing to [people.privacy@acciona.com](mailto:people.privacy@acciona.com) (in the case of ACCIONA employees), or [protecciondedatos@acciona.com](mailto:protecciondedatos@acciona.com) (in the case of external workers, visitors or third parties).

### **To what recipients will the personal data be provided?**

Due to the purpose of the processing carried out by ACCIONA, no data transfers are envisaged.

However, data may be transferred to the health authorities, public administrations and/or competent authorities, such as the State Security Forces, if requested or necessary and/or stipulated in the applicable legislation.

ACCIONA is responsible for assessing the risk of exposure for employees in each of the tasks they perform, following the guidelines and recommendations issued by the health authorities.

### **What are the rights of the data subject when providing his/her personal data?**

Data subjects can exercise their rights of access, rectification, erasure and portability of data, and the restriction of or opposition to processing by writing to the Data Protection Department at ACCIONA, Avenida de Europa 18, 28108 Alcobendas (Madrid), or, due to the current state of emergency due to the coronavirus, preferably by sending an email to: [peopleprivacy@acciona.com](mailto:peopleprivacy@acciona.com) in the case of ACCIONA employees, or to [protecciondedatos@acciona.com](mailto:protecciondedatos@acciona.com), in the case of external workers, visitors or third parties. If we consider it necessary to be able to identify the **I**, we may ask for a copy of an identity document.

You can also submit a complaint to the Spanish Data Protection Agency ([www.aepd.es](http://www.aepd.es)) at any time.

**Last update:** 10/07/2020.

### **Related documents**

PRCCOVID19\_02 Reply Temperature Measurement Complaints (*PRCCOVID19\_02 Respuesta Reclamaciones Toma de Temperatura*)

F01\_PCCOVID Affidavit COVID-19 (Spain) (*F01\_PCCOVID Declaración Responsable COVID-19 (España)*)

A-PASS Privacy and Personal Data Protection Policy (*Política de Privacidad y Protección de Datos personales A-PASS*).