

PEERS HARDY (UK) LIMITED

PRIVACY NOTICE FOR EMPLOYEES, WORKERS, DIRECTORS AND CONSULTANTS

This notice applies to our current and former employees, workers, directors and consultants. This notice does not form part of any contract of employment or other contract to provide services.

References to **we**, **our** or **us** in this privacy notice are to Peers Hardy (UK) Limited a limited company incorporated in England and Wales. Registered Number: 01391526. Registered Office: Precision House Starley Way, Birmingham International, Park, Bickenhill Lane, Solihull, West Midlands, B37 7GN.

This privacy notice also covers any joint venture companies, bodies or organisation that we have an interest in and to which you are seconded, carrying out activities on behalf of or are appointed as one of its officers or representatives.

We have not appointed a Data Protection Officer to oversee our compliance with data protection laws as we are not required to do so, but our Data Protection Compliance Manager has overall responsibility for data protection compliance in our organisation. Contact details are set out in the "**Contacting us**" section at the end of this privacy notice.

We are committed to respecting your privacy. This notice is to explain how we may use personal information we collect before, during and after your working relationship with us. This notice explains how we comply with the law on data protection and what your rights are.

For the purposes of data protection and this privacy notice we are the controller of your personal information.

1. PERSONAL INFORMATION

When you interact with us in relation to your work with us, you may provide us with or we may obtain personal information about you, such as information regarding your:

- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses and emergency contact details;
- date of birth;
- marital status and gender;
- referee details, next of kin, beneficiaries, dependants, details of family members and emergency contacts;
- national insurance number and other tax or governmental identifiers;
- bank accounts, payroll and tax status;
- salary, bonus, commission, remuneration, pension, insurance, benefits and expenses;
- start date and leaving date;
- location of employment or workplace;
- attendance history, annual leave;
- driving licence(s) (including copies where we are required to hold such information for identification or insurance purposes where you or other members of your family are to use our vehicles) and vehicle details;
- identification documents and information such as passport, utility bills, identity cards, signature, etc;
- recruitment (including copies of right to work documentation, past employment history, references and other information included in a CV or cover letter or as part of the application process);
- work records (including job titles, work history, working hours, training records and professional memberships, maternity, paternity and compassionate leave) and education and professional records/qualifications;

- compensation history and charity donation preferences;
- performance including that generated through our appraisal systems;
- disciplinary and grievance information;
- movements through CCTV footage and other information obtained through electronic means such as swipecard and key fob records;
- use of our information and communications systems, including the computers and fixed and mobile phones that we allow you to use, passwords, personal identification numbers, IP addresses, user names and other IT system identifying information;
- images in video and/or photographic form and voice recordings;

Depending on the nature of our interactions with you, there may be certain essential personal information that we must collect from you in relation to your relationship with us. This will vary depending on the relationship we have with you.

We may also ask you for additional personal information which it is optional for you to provide but which will allow us to better tailor our relationship with you. For example, you may provide us with additional contact details to make it easier for us to get in touch with you, or with additional information about your dietary preferences in connection with a social engagement.

We will always aim to make it clear which personal information it is necessary for you to provide and which personal information is optional. However, if you are unsure as to whether you are required to provide any particular piece of personal information please ask.

2. SPECIAL CATEGORIES OF PERSONAL INFORMATION

We may also collect, store and use the following “special categories” of more sensitive personal information regarding you:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- information about your trade union memberships;
- information about your health, including any medical condition, health and sickness records, medical records and health professional information and disability information; and
- biometric information about you, for example fingerprints, retina scans.

We may not collect all of the above types of special category information about you. In relation to the special category personal data that we do process we do so on the basis that:

- the processing is necessary for reasons of substantial public interest, on a lawful basis;
- it is necessary for the establishment, exercise or defence of legal claims;
- it is necessary for the purposes of carrying out the obligations and exercising our or your rights in the field of employment and social security and social protection law; or
- based on your explicit consent, although we do not usually rely on consent as a basis for processing your special category information.

In the table below we refer to these as the “special category reasons for processing of your personal data”.

We do not usually collect criminal records information about you. For any criminal records information we do collect in relation to you we process it on the basis of legal obligations or based on your explicit consent.

3. WHERE WE COLLECT YOUR INFORMATION

We typically collect personal information about employees, workers, directors and consultants through the application and recruitment process, either directly from candidates or sometimes from an employment agency or recruitment agency.

We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies. We will also collect additional personal

information in the course of job-related activities throughout the period of you working for us, from our advisors or from your advisors.

If you are providing us with details of referees, next of kin, beneficiaries, family members and emergency contacts they have a right to know and to be aware of how what personal information we hold about them, how we collect it and how we use and may share that information. Please share this privacy notice with those of them whom you feel are sufficiently mature to understand it. They also have the same rights as set out in the “**Your rights in relation to personal information**” section below.

4. USES MADE OF YOUR PERSONAL INFORMATION

The table below describes the main purposes for which we process your personal information, the categories of your information involved and our lawful basis for being able to do this.

Purpose	Personal information used	Lawful basis
Non- ‘special categories’ of Personal Information		
Making a decision about your recruitment or appointment and managing the recruitment process and determining the terms on which you work for us	All the personal information we collect for the purposes of the recruitment process	We need this information to be able to perform and administer the recruitment process for you to engage you This is necessary to enter into a contract with you
Checking you are legally entitled to work in the UK	Personal contact details and identification documents and right to work documentation	We have a legal obligation to do so
Producing and maintaining business records, staff directories, intranets, websites, brochures and other internal and external business documentation and materials	Personal contact details, location of employment or workplace and employment records	We have a legitimate interest to maintain up to date business records and materials
Paying you and, if you are an employee, deducting tax and National Insurance contributions	Personal identifiers and transaction and payment information	To be able to manage and perform our contract with you We have a legal obligation to do so
Providing benefits of employment or working, including flexible benefits and liaising with benefit providers	Personal identifiers, salary, annual leave, pension and benefits entitlement, transaction and payment information	To be able to manage and perform our contract with you We may have a legal obligation to do so
Administering the contract we have entered into with you	All your personal information excluding ‘special categories’ of personal information and criminal records information	To be able to manage and perform our contract with you

Conducting performance reviews, grievance or disciplinary hearings, managing performance and determining performance requirements and making decisions about compensation and benefits	Performance, disciplinary and grievance information, employment records, compensation history, salary, annual leave, pension and benefits	We have a legitimate interest to ensure that our workers are meeting their performance objectives and that the business is managing and controlling the performance process effectively To be able to manage and perform our contract with you
Business management and planning, including accounting and auditing, conducting our normal business operations and managing our relationship with you	All your personal information excluding 'special categories' of personal information and criminal records information	To be able to manage and perform our contract with you. We have a legitimate interest to run and manage our business
Assessing qualifications for a particular job or task, including decisions about promotions and ascertaining your fitness to work, education, training and development requirements	Personal identifiers, performance, disciplinary and grievance information, employment records, compensation history, salary, annual leave, pension and benefits and other personal information excluding 'special categories' of personal information and criminal records information	We may be legally obliged to do so To be able to manage and perform our contract with you We have a legitimate interest to run and manage our business and to ensure that our workers are suitably trained
Making decisions about your continued employment or engagement or termination of our working relationship	Personal identifiers, performance, disciplinary and grievance information, employment records, compensation history, salary, annual leave, pension and benefits	We have a legitimate interest to ensure that the workers we engage continue to be suitably qualified and/or appropriate for their role within the business
Managing sickness absence	Personal identifiers, attendance history and performance	To be able to manage and perform our contract with you We have a legitimate business interest to ensure that the workers we engage continue to be suitably qualified and/or appropriate for their role within the business
Complying with health and safety obligations	Personal identifiers, CCTV footage and other information obtained through electronic means such as swipecard and key fob records, working environment information	We have a legal obligation to comply with Health and Safety laws We also have a legal obligation to report any accidents at work in accordance with health and safety laws
Dealing with legal disputes involving you, or other employees, workers, directors and consultants, including accidents at work	All your personal information excluding 'special categories' of personal information and criminal records information	To be able to manage and perform our contract with you We have a legitimate interest to ensure that all legal claims are managed effectively
For the purposes of ensuring the security of our premises, systems and our information, to ensure network and information	Personal identifiers, CCTV footage and other information obtained through electronic means such as swipecard and key fob records	We have a legitimate business interest in ensuring our premises and systems are secure

security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution	Use of our information and communications systems, including the computers and fixed and mobile phones that we allow you to use, passwords, personal identification numbers, IP addresses, user names and other IT system identifying information	To be able to manage and perform our contract with you
To facilitate the use of our IT systems and monitor your use of our information and communication systems to ensure compliance with our IT policies	Personal identifiers, CCTV footage and other information obtained through electronic means such as swipecard and key fob records Use of our information and communications systems, including the computers and fixed and mobile phones that we allow you to use, passwords, personal identification numbers, IP addresses, user names and other IT system identifying information	We have a legitimate interest in ensuring that our workers use our computer systems and information correctly and efficiently and in compliance with our IT policies To be able to manage and perform our contract with you
To comply with our legal obligations, for example in relation to PAYE, National Insurance, Companies House filings	Personal identifiers, transaction and payment information, national insurance number and other tax or governmental identifiers bank account details, payroll and tax status, name, address, date of birth, other directorships	We have a legal obligation to do so
To conduct data analytics studies to review and better understand worker engagement, retention and attrition rates	Employment and rejection records	We have a legitimate interest in order to improve as an employer
For the purposes of equal opportunities monitoring	Name, title, date of birth; gender; marital status; salary, annual leave, pension and benefits; location of employment or workplace	We may have a legal obligation to do so and we have a legitimate interest in doing so to make sure our business is a fair place to work
Storage of records relating to you and also records relating to our business	All non-‘special categories’ of personal information	To be able to manage and fulfil our contract with you, we may have a legal obligation to do so and we also have a legitimate interest to keep proper records
For the purpose of complying with any legal or regulatory requirements	All the personal information about you excluding special category information and criminal records data	We may have a legal obligation to comply with certain requirements and we have a legitimate interest in complying with any regulatory requirements
For the purposes of managing your interests in us, your rights to shares/member interests and dividend/profit share details	Shareholdings, options, share schemes and dividend entitlement, name address, bank details, payment and transaction information	To be able to manage and perform our contract with you
‘Special categories’ of Personal Information or criminal records		

<p>Storage of records relating to you and also records relating to our business</p>	<p>All 'special categories' of personal information we collect about you</p> <p>All criminal records information we collect about you</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above</p> <p>For criminal records information we process it on the basis of legal obligations or based on your explicit consent</p>
<p>To comply with our legal obligations and our regulatory obligations</p>	<p>All 'special categories' of personal information we collect about you</p> <p>All criminal records information we collect about you</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above excluding consent</p> <p>For criminal records information we process it on the basis of legal obligations or based on your explicit consent</p>
<p>To manage our relationship with you and to deal with any disputes or claims involving you</p>	<p>All 'special categories' of personal information we collect about you</p> <p>All criminal records information we collect about you</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above [excluding consent]</p> <p>For criminal records information we process it on the basis of legal obligations or based on your explicit consent</p>
<p>We will use information relating to your absence from work, which may include sickness absence or family-related absences, to manage our relationship with you</p>	<p>Information about your health, including any medical condition, health and sickness records, medical records and health professional information</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above</p>
<p>We will use information about your physical or mental health to provide you with benefits under your contract</p>	<p>Information about your health, including any medical condition, health and sickness records, medical records and health professional information</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above</p>
<p>We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work and to provide appropriate workplace adjustments</p>	<p>Information about your health, including any medical condition, health and sickness records, medical records and health professional information</p>	<p>We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above.</p>
<p>We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual</p>	<p>Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions</p>	<p>We process special category personal data on the basis of the "special category reasons for</p>

life or sexual orientation or political beliefs, to ensure meaningful equal opportunity monitoring and reporting		processing of your personal data" referred to in section 2 above
For drug and alcohol testing to check compliance against your contract terms and compliance with legal requirements	Information about your health, including any medical condition, health and sickness records, medical records and health professional information	We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to in section 2 above
We will use and retain information about criminal convictions to comply with law and in order to determine your eligibility to undertake particular types of work	Information about your criminal convictions and offences	For criminal records information we process it on the basis of legal obligations or based on your explicit consent

For some of your personal information you will have a legal, contractual or other requirement or obligation for you to provide us with your personal information. If you do not provide us with the requested personal information we may not be able to engage you or we may not be able to properly perform our contract with you or comply with legal obligations and we may have to terminate your engagement. For other personal information you may not be under an obligation to provide it to us, but if you do not provide it then we may not be able to properly perform our contract with you.

You should be aware that it is not a condition of any contract with us that you agree to any request for consent from us. Where you have given us your consent to use your personal information in a particular manner, you have the right to withdraw this consent at any time, which you may do by contacting us as described in the "**Contacting us**" section below.

Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain benefits to you.

5. DISCLOSURE OF YOUR PERSONAL INFORMATION

We share personal information with the following parties:

- **Any party approved by you.**
- **Our professional advisors:** such as lawyers, accountants, financial advisors, consultants and other advisors.
- **Your professional advisors:** such as lawyers, accountants, financial advisors, consultants and other advisors
- **Customers of our business where necessary:** for example if you are visiting the premises or site of a customer they will need your details for access and security.
- **Other service providers to our business and advisors:** for example payroll, pension administration, benefits provision, banks, professional advisors, contractors, CCTV providers and administration and IT services. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information.
- **Purchasers of our business:** buyers or perspective buyers to whom we sell or negotiate to sell our business.
- **Prospective new employers:** for the provision of references for you.
- **The Government or our regulators:** where we are required to do so by law or to assist with their investigations or initiatives, for example HMRC or the Information Commissioner's Office.

- **Police, law enforcement and security services:** to assist with the investigation and prevention of crime and the protection of national security.

We do not disclose personal information to anyone else except as set out above unless we have your consent or we are legally obliged to do so. We do not sell, rent or trade your data.

6. TRANSFERRING YOUR PERSONAL INFORMATION INTERNATIONALLY

The personal information we collect about you is not transferred to or stored in countries outside of the UK or European Union except as set out in this section.

Our directors and other individuals working for us may in limited circumstances access personal information outside of the UK and European Union if they are outside of the UK or European Union. If they do so they will be using our security measures and will be subject to their arrangements with us which are subject to English Law and the same legal protections that would apply to accessing personal data within the UK.

In limited circumstances the people to whom we may disclose personal information as mentioned in the section “**Disclosure of your personal information**” above may be located outside of the UK and European Union. In these cases we will impose any legally required protections to the personal information as required by law before it is disclosed.

If you require more details on the arrangements for any of the above then please contact us using the details in the “**Contacting us**” section below.

7. HOW LONG WE KEEP PERSONAL INFORMATION FOR

The duration for which we retain your personal information will differ depending on the type of information and the reason why we collected it from you. However, in some cases personal information may be retained on a long term basis: for example, personal information that we need to retain for legal purposes will normally be retained in accordance with usual commercial practice and regulatory requirements. Generally, where there is no legal requirement we retain all physical and electronic records for a period of 6 years (if you are a current employee, this may be for 6 years after your employment ends). Exceptions to this rule are:

- CCTV records which are held for no more than 30 days unless we need to preserve the records for the purpose of prevention and detection of crime;
- Details regarding unsuccessful job applicants where we hold records for a period of not more than 12 months;
- Information that may be relevant to personal injury claims, employment claims, discrimination claims may be retained until the limitation period for those types of claims has expired. For personal injury or discrimination claims this can be an extended period as the limitation period might not start to run until a long time after you have worked for us.
- Information that may be useful to a pension provider or benefit provider which we may retain for the period that your pension or benefit is payable.

It is important to ensure that the personal information we hold about you is accurate and up-to-date, and you should let us know if anything changes, for example if you move home or change your phone number or email address. You may be able to update some of the personal information we hold about you through [our employee HR portal]. Alternatively, you can contact us by using the details set out in the “**Contacting us**” section below or contact a member of the HR department.

8. YOUR RIGHTS IN RELATION TO PERSONAL INFORMATION

You have the following rights in relation to your personal information:

- the right to be informed about how your personal information is being used;
- the right to access the personal information we hold about you;
- the right to request the correction of inaccurate personal information we hold about you;
- the right to request the erasure of your personal information in certain limited circumstances;

- the right to restrict processing of your personal information where certain requirements are met;
- the right to object to the processing of your personal information;
- the right to request that we transfer elements of your data either to you or another service provider; and
- the right to object to certain automated decision making processes using your personal information.

You should note that some of these rights, for example the right to require us to transfer your data to another service provider or the right to object to automated decision making, may not apply as they have specific requirements and exemptions which apply to them and they may not apply to personal information recorded and stored by us. For example we do not use automated decision making in relation to your personal data. However some have no conditions attached, so your right to withdraw consent or object to processing for direct marketing are absolute rights.

Whilst this privacy notice sets out a general summary of your legal rights in respect of personal information, this is a very complex area of law. More information about your legal rights can be found on the Information Commissioner's website at <https://ico.org.uk/for-the-public/>.

To exercise any of the above rights, or if you have any questions relating to your rights, please contact us by using the details set out in the "**Contacting us**" section below.

If you are unhappy with the way we are using your personal information you can also complain to the UK Information Commissioner's Office or your local data protection regulator. We are here to help and encourage you to contact us to resolve your complaint first.

9. **CHANGES TO THIS NOTICE**

We may update this privacy notice from time to time. When we change this notice in a material way, we will update the version date at the bottom of this page. For significant changes to this notice we will try to give you reasonable notice unless we are prevented from doing so. Where required by law we will seek your consent to changes in the way we use your personal information.

10. **CONTACTING US**

In the event of any query or complaint in connection with the information we hold about you, please email GDPR@peershardy.co.uk or write to us at Peers hardy (UK) Ltd, Precision House, Starley Way, Birmingham International Park, Solihull. B37 7GN

Version 1, June 2018