

Employee, Contractor, Worker Privacy Notice

Privacy Notice for employees, workers and contractors

The Carey Group, as a 'data controller', collects and processes personal data relating to its employees, workers and contractors to manage the employment/worker/contractor relationship. The Carey Group is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations in accordance with the General Data Protection Regulation (GDPR).

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

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the GDPR.

What information does the Carey Group collect?

The Carey Group collects, processes and stores the following categories of personal information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- occupational health records including details relating to Occupational Medical Assessments, medical history, medical conditions –
- past & present, and details relating to your GP, and doctors or consultants that you may be/have been in the care of;
- training records including competencies, qualifications, certificates and accreditations;
- recruitment selection or development surveys/questionnaires, pre-employment checks including CV and references, offer letter and other information which is part of the application process. Driving licence details and where applicable, penalty points and/or disqualifications;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Carey Group;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover and other flexible benefits as appropriate;
- details of your bank account and national insurance number, payroll records and tax status information including information received from HMRC;
- information about your marital status, next of kin, dependants and emergency contacts including their personal data such as home
- address, employer's address, contact details, birth certificates, passports etc;
- information about your nationality and entitlement to work in the UK including information received from the UK Border Agency and/or the Home Office;
- information about your criminal record: criminal convictions, cautions or offences;
- details of your schedule (days of work and working hours), location of workplace and attendance at work including CCTV footage, in-car camera footage, swipe card records and biometric data including finger print scanning;
- employment records (including job titles, work history, working hours, holidays, training records and professional memberships)
- staff photographs;
- information about your use of our information and communications systems;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the Carey Group needs to make reasonable adjustments;
- trade union membership; and
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief and any other personal data referring to protected characteristics.

How is your personal data collected?

The Carey Group may collect the categories of information listed above in a variety of ways. For example, data might be collected through employment agencies, application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Carey Group may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and, in certain circumstances, information from criminal records checks where permitted by law.

Data will be stored in a range of different places, including in your personnel file, in the Carey Group's HR management systems and in other IT systems (including the Carey Group's email system).

Why does the Carey Group process personal data?

The Carey Group needs to process all the categories of data in the list above primarily to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements.

In some cases, the Carey Group needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the Carey Group has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Carey Group to:

- check you are legally entitled to work in the UK;
- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- pay you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs);
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties;
- making decisions about salary reviews and compensation;
- Education, training and development requirements;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities and ensuring the Carey Group makes provisions where necessary for reasonable adjustment, meet its obligations under health and safety law, ensures you are able to carry out the duties of your role, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Carey Group complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- to monitor use of our information and communication systems to ensure compliance with our IT policies;
- equal opportunities monitoring;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- monitor staff locations & whereabouts in order to meet fire safety regulations, health & safety compliance, and to pay you accurately for the work you do.

Some of the above grounds for processing will overlap and there may be several grounds which justify the Carey Group's use of your personal information.

We will not use your personal information for purposes other than that for which it was collected, unless we reasonably consider that this is required, and the reason is compatible with the original purpose. If we need to use it for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so. Please be aware that we may process your personal information without your knowledge or consent, in compliance with the above, where it is required or permitted by law.

The legal basis on which we will process your personal information is to carry out our obligations under employment law, equality laws, health & safety laws and to protect your vital interests.

Particularly Sensitive Personal Data

The Carey Group processes some special categories of personal data, such as information about physical or mental health or disability, to ensure your health and safety in the workplace and to assess your fitness to work, to provide workplace adjustments, to monitor and manage sickness absence and to administer benefits.

Where the Carey Group processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out Carey Group's obligations and exercise our specific rights in relation to employment.

The Carey Group will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. The Carey Group is obliged to carry out Disclosure and Barring Service (DBS) checks before beginning work on particular projects, for example school, hospital or airport worksites. Where the Carey Group processes and uses information relating to criminal convictions, we do so in line with our GDPR Policy.

Very occasionally, we may process special categories of personal data or criminal convictions data where it is needed in relation to legal claims or where it is needed to protect your interests, or someone else's and you are not capable of giving your consent or you have already made the information public.

Who has access to data?

Your information may be shared internally, including with members of the HR and recruitment team (including payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

The Carey Group will share personal data with other entities in our group as part of our regular reporting activities on company performance, in the context of business reorganisation or group restructuring exercise, for system maintenance support and hosting of data. When sharing data internally or with other entities in our group, the Carey Group does not transfer data outside of the European Economic Area.

The Carey Group shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and, in certain circumstances, obtain necessary criminal records checks from the Disclosure and Barring Service. The Carey Group may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements. We may process your data upon request, in order to provide a reference to a prospective employer of yours.

The Carey Group also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services and for fleet management and compliance purposes, among other purposes. We may also be required to share a limited amount of your personal data with our clients or main contractors for the purposes of site health & safety, occupational health monitoring, training & competency assessment or other contractual project requirements.

All third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We will not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Specifically, where sharing data with a third-party service provider may mean your data is transferred outside the European Economic Area (EEA), we ensure that a similar degree of protection is afforded to it by ensuring that at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has under the GDPR.
- Where we use providers based in the USA, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the USA.

Please contact HR@careysplc.co.uk if you require further information on the transfer of personal data outside of the EEA.

How does the Carey Group protect data?

The Carey Group takes the security of your data seriously. The Carey Group has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

In addition, we will limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Where the Carey Group engages third parties to process personal data on its behalf, these third parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Details of this can be found in our GDPR Policy.

For how long does the Carey Group keep data?

We will only retain your personal information for as long as is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The Carey Group will hold your personal data at least for the duration of your employment however, to determine the specific appropriate retention period for personal data, we will consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purpose for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements. The retention periods which we have determined are as follows:

| Type | Retention of data |
|---|--|
| Recruitment & potential candidates | Up to a maximum of 2 years after the application |
| Agency Workers & Third-Party Workers | Up to 5 years after the termination of worker agreement |
| Labour Only Sub Contractors & CIS workers | Up to 10 years after the termination of the contract for service agreement |
| PAYE staff (including individuals associated to them) | Up to 40 years after the termination of the contract of employment |

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the Carey Group to change incorrect or incomplete data;
- require the Carey Group to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Carey Group is relying on its legitimate interests as the legal ground for processing;
- request that the Carey Group suspend processes of your data for example, if you want us to establish its accuracy or the reason for it processing it; or
- request that we transfer your personal information to another party.

If you would like to exercise any of these rights, please email HR@careysplc.co.uk

If you believe that the Carey Group has not complied with your data protection rights, you can complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk).

What if you do not provide personal data?

You have some obligations under your employment contract to provide the Carey Group with data. In particular you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Carey Group with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Carey Group to enter a contract of employment with you. If you do not provide other information, this will hinder the Carey Group's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention, and this type of processing is only permissible in specified circumstances.

Within the Carey Group, employment decisions are not based solely on automated decision-making.

Changes to this privacy notice

We reserve the right to update this notice at any time, and we will provide you with a new notice when we make updates. We may also notify you from time to time in other ways about the processing of your personal data.

If you have any questions at all about this privacy notice, please contact HR@careysplc.co.uk.

I, _____ (employee/worker/contractor name) acknowledge that on _____ (date), I received a copy of the Carey Group privacy notice for employees, workers and contractors and that I have read and understood it.

.....
Signature

.....
Name