

GDPR PRIVACY NOTICE

Introduction

WW Martin Ltd ("the Company") is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all candidates, employees, workers, sub-contractors, consultants, contractors and clients.

The Company is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under the GDPR to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services. We may amend or update this notice at any time.

It is important that you read 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.

Review / Amendments

Section	Date	Amendments	Authorised
All Pages	22.6.18	Issue 2	Ian Posnett
All Pages	18.3.20	Issue 3 – Changed Director Responsible for GDPR to Ian Posnett	Mike Darling
All Pages	04.01.21	Issue 4 - Reviewed no changes made	Mike Darling
All Pages	04.01.22	Issue 5 – Reviewed and added Consultants to the text	Mike Darling
All Pages	03.01.23	Issue 5 – Reviewed and remains as issue 5 as no changes made	Mike Darling
All Pages	02.01.24	Issue 5 – Reviewed and remains as issue 5 as no changes made	Mike Darling

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Data Protection Principles

We will comply with data protection law. In summary this says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about and kept securely.

Information Held

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). There are "special categories" of more sensitive personal data which require a higher level of protection (see below).

Candidates

As an applicant for employment by the Company we shall collect and hold the personal information about you which you provide to us when submitting letters of application and CVs.

Health information is not collected at the application stage. Successful candidates are required to complete a medical questionnaire and submit health information prior to commencing work. Health information is a category of sensitive personal information (as to which see section headed "Use of Sensitive Personal Information" below).

On occasions the Company may ask applicants for employment to provide certain details relating to their health to enable the Company to establish whether you can carry out a function which is intrinsic to the work concerned and to discover whether it is necessary to make any reasonable adjustments to its recruitment process to assist you.

Personal information submitted by applicants for employment will be reviewed by the managers involved in the recruitment process in order to assess your suitability for potential employment.

If your application is unsuccessful this information will be retained by the Company for up to 12 months and then discarded securely. Alternatively, if you are employed or engaged by the Company as an employee, worker, sub-contractor, consultants or contractor the information shall be retained and stored securely by the Company for the duration of your employment and for a reasonable period thereafter.

Employees, Workers, Sub-Contractors, Consultants & Contractors

If you become an employee, worker, sub-contractor, Consultants or contractor of the Company, we will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, postal address, telephone numbers, and a personal email address.
- Date of birth.
- Gender.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence.
- Speeding Penalty Notices (Company Car drivers only).
- Penalty Notices for parking and minor road traffic offences (Company Car drivers only).

- Motor vehicle details (for employees in receipt of a car allowance).
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Accident records.
- Compensation history.
- Performance information.
- Information relating to work attendance and absence and punctuality.
- Disciplinary and grievance information.
- CCTV footage and other information obtained through electronic means such as swipecard records.
- Information about your use of the Company's information and communications systems.
- Photographs.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

Collection of Personal Information

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

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

We will collect additional personal information in the course of job-related activities throughout the period of your working for us.

We may also collect limited personal information relating to members of your family or a partner where this is required so that we have contact details for next of kin in the event of an emergency or where the person concerned is the authorised user of a Company motor vehicle in which case it will be necessary for the Company to obtain and store a copy of their driving licence.

Use of Personal Information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. 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.

We may also use your personal information in the following situations, which are likely to be rare: (1) Where we need to protect your interests (or someone else's interests); or (2) Where it is needed in the public interest or for official purposes.

We need all the categories of information in the list above to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing employment benefits to you such as a Company car or car allowance, private medical insurance, death in service cover, pension, bonus and commission.
- Liaising with your pension provider.

- Administering the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations arising under statute and the common law.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.

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

Failure to Provide Personal Information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

Change of Purpose

We will only use your personal information 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. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

Use of Sensitive Personal Information

The "special categories" of sensitive personal information referred to above require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection policy.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our Obligations as Employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leave of absence, which may include sickness absence or family related leave, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace. This will assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

Consent

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is required in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We do envisage that we will hold information about criminal convictions.

We 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. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- Assessing your suitability for employment.
- Making decisions about your continued employment or engagement.
- Ensuring compliance with safeguarding legislation where relevant.

We are allowed to use your personal information in this way where it is required for our legitimate interests (and your interests and fundamental rights do not override those interests) and it is also necessary for the purposes of exercising rights conferred by law on us in connection with employment and provided we do so in line with our data protection policy.

Data Sharing

We may have to share your data with third parties, including third-party service providers and other entities in the WW Martin group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

Third Parties

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: pension administration, benefits provision and administration, some 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 in line with our policies. We do 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.

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Data Security

We have put in place appropriate measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a

business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Retention

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, record keeping or reporting requirements. To determine the appropriate retention period for personal data, we 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 purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker, sub-contractor or contractor of the Company we will retain your personal information in accordance with applicable laws and regulations and destroy as per data protection guidelines.

Rights of Access, Correction, Erasure & Restriction

Duty to inform us of changes

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

Rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Ian Posnett, Director in writing.

To access your personal information (or to exercise any of the other rights) will be free of charge and will be given within one month of receipt. If complying the request is complex or numerous the deadline can be extended to two months, but the individual must be informed within one month. Approval must be obtained from the DPO before extending the deadline.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Withdrawing Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Company Secretary. Once

we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Complaints

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), Tel: 0303 123 1113, the UK's supervisory authority for data protection issues.

Changes to this Privacy Notice

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

Queries

If you have any questions about this privacy notice or how we handle your personal information, please contact Ian Posnett, Director.

Signed *Ian Posnett*

Ian Posnett
Director
02/01/24