

UK Employee Privacy Notice

April 2024

1. The purpose of this document

We take your privacy seriously. This notice sets out your privacy rights and how we gather, use and share personal data about you during and after your working relationship with us, in accordance with the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security, as well as other data protection and privacy laws and separate UK data protection law as may be updated or replaced from time to 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 data about you, so that you are aware of how and why we are using such information. We will update this notice if we make any significant changes affecting how we use your personal data, and if so, we will contact you to let you know about the change.

2. About us

We are what is known as the 'controller' of personal data we gather and use. When we say 'we' or 'us' in this notice, we are referring to Clews Recycling Ltd.

This notice does not form part of your contract and it may be amended at any time.

3. Your privacy rights

3.1 You have various rights in respect of the personal data we hold about you – these are set out in more detail below. If you wish to exercise any of these rights, please contact Sharon Coggrave who will be our Data Protection officer in person or by email to Sharon@clewsrecycling.co.uk

- (a) Right to object: You can object to our processing of your personal data 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 basis. Please contact us as noted above, providing details of your objection.
- (b) Access to your personal data: You can request access to a copy of your personal data that we hold, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. Please make all requests for access in writing to the Data Protection Officer.
- (c) Consent: Most of the time, we will not need your consent to use your personal data as we will be using it only to fulfil our obligations and exercise our rights as an employer. There are limited circumstances where we may ask for your consent to process your information. Where you have given us your consent to use personal data, you can

withdraw your consent at any time. Please see section 11 (Our legal basis for using your personal data) below. Please note that withdrawal of consent will lead to decisions being made about your employment that can only be based on the available information.

- (d) Rectification: You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- (e) Erasure: You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it. Please be aware that we may have legal obligations to retain employee records for a certain period after your employment: please see paragraph 13 (Data Retention) below for more information. Where we are required by law to keep certain information, we will be unable to delete such information.
- (f) Portability: You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- (g) Restriction: You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.
- (h) No automated-decision making: Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless (i) you have given us your consent (ii) it is necessary for a contract between you and us, or (iii) is otherwise permitted by law.

3.2 You also have certain rights to challenge decisions made about you. We do not currently carry out automated decision-making in connection with your employment, but we will notify you in advance if this changes.

4. How we define personal data

'Personal data' means information which relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

This policy applies to all personal data whether it is stored electronically, on paper or on other materials. This personal data might be provided to us by you, or someone else (such as a former employer, your doctor, or a credit reference agency), or it could be created by us. It could be provided or created during the recruitment process or during the course of the contract of employment (or services) or after its termination. It could be created by your manager or other colleagues.

The Company will collect and use the following types of personal data about you:

- recruitment information such as your application form and CV, references, qualifications and membership of any professional bodies and details of any pre-employment assessments;
- your contact details and date of birth;
- the contact details for your emergency contacts;
- your gender;
- your marital status and family details;
- information about your contract of employment (or services) including start and end dates of employment, role and location, working hours, details of promotion, salary (including details of previous remuneration), pension, benefits and holiday entitlement;
- your bank details and information in relation to your tax status including your national insurance number;
- your identification documents including passport and driving licence and information in relation to your immigration status and right to work for us;
- information relating to disciplinary or grievance investigations and proceedings involving you (whether or not you were the main subject of those proceedings);
- information relating to your performance and behaviour at work;
- training records;
- electronic information in relation to your use of IT systems/swipe cards/telephone systems;
- your images (whether captured on CCTV, by photograph or video);
- any other category of personal data which the Company may notify you of from time to time.

5. How we define special categories of personal data

‘Special categories of personal data’ are types of personal data consisting of information as to:

- your racial or ethnic origin;
- your political opinions;
- your religious or philosophical beliefs;
- your trade union membership;
- your genetic or biometric data;
- your health, including mental health;
- your sexual orientation;
- any criminal convictions and offences;
- excess drinking or drug use.

The Company may hold and use any of these special categories of your personal data in accordance with the law.

6. How we define processing

‘Processing’ means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

7. How will we process your personal data?

The Company will process your personal data (including special categories of personal data) in accordance with our obligations under the 2018 Act. We will use your personal data for:

- performing the contract of employment (or services) between us;
- complying with any legal obligation; or
- if it is necessary for our legitimate interests (or for the legitimate interests of someone else).

However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interests and request that we stop this processing. See details of your rights in section 3 above.

We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

8. Examples of when we might process your personal data

The Company has to process your personal data in various situations during your recruitment, employment (or engagement) and even following termination of your employment (or engagement).

For example:

- to decide whether to employ (or engage) you;
- to decide how much to pay you, and the other terms of your contract with us;
- to check you have the legal right to work for us;
- to carry out the contract between us including where relevant, its termination;
- training you and reviewing your performance;
- to decide whether to promote you;
- to decide whether and how to manage your performance, absence or conduct;
- to carry out a disciplinary or grievance investigation or procedure in relation to you or someone else;
- to determine whether we need to make reasonable adjustments to your workplace or role because of your disability;
- to monitor diversity and equal opportunities;
- to monitor and protect the security (including network security) of the Company, of you, our other staff, customers and others;
- to monitor and protect the health and safety of you, our other staff, customers and third parties;
- to pay you and provide pension and other benefits in accordance with the contract between us;
- paying tax and national insurance;

- to provide a reference upon request from another employer;
- monitoring compliance by you, us and others with our policies and our contractual obligations;
- to comply with employment law, immigration law, health and safety law, tax law and other laws which affect us;
- to answer questions from insurers in respect of any insurance policies which relate to you;
- running our business and planning for the future;
- the prevention and detection of fraud or other criminal offences;
- to defend the Company in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure;
- and for any other reason which we may notify you of from time to time.

The Company will only process special categories of your personal data (see above) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we asked for your consent to process a special category of personal data then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the Data Protection Officer, Sharon Coggrave.

The Company does not need your consent to process special categories of your personal data when we are processing it for the following purposes, which we may do:

- where it is necessary for carrying out rights and obligations under employment law;
- where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;
- where you have made the data public;
- where processing is necessary for the establishment, exercise or defence of legal claims; and
- where processing is necessary for the purposes of occupational health or for the assessment of your working capacity.

We might process special categories of your personal data for the purposes in section 8 above. In particular, we will use information in relation to:

- your race, ethnic origin, religion, sexual orientation or gender to monitor equal opportunities;
- your sickness absence, health and medical conditions to monitor your absence, assess your fitness for work, to pay you benefits, to comply with our legal obligations under employment law including to make reasonable adjustments and to look after your health and safety; and
- your trade union membership to comply with our legal obligations in respect of trade union members.

9. If you fail to provide personal data

In some cases, if you fail to provide information when requested, we may not be able to perform the contract we have entered into with you fully (such as paying you or providing benefits), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our staff). This can have consequences in terms of your continued employment with us.

10. Monitoring

It is necessary for us monitor our staff in various ways in order to ensure safety and security and protect our staff. We monitor our staff in the following ways:

- (a) staff may be captured by CCTV systems: we use the personal data collected from CCTV systems for security and disciplinary purposes;
- (b) we require to conduct background checks and these may be monitored and renewed on a regular basis;
- (c) monitoring use of company devices and email systems to ensure these are used appropriately;
- (d) monitoring website access;
- (e) monitoring when a member of staff has entered or tried to enter into a secure access area and at what time;
- (f) drink or drug testing;
- (g) equality monitoring.

We process personal data obtained through such monitoring in accordance with our Data Protection Policy and only carry these activities to the extent it is necessary and proportionate and it is permitted by law (please see the Appendix for more information).

If you have any concerns in relation to monitoring, please speak to the Data Protection Officer, Sharon Coggrave.

11. Our legal basis for using your personal data

We only use your personal data where it is permitted by the laws that protect your privacy rights. To find out more about the legal bases we rely on to use your personal data, please see the table set out in the Appendix.

We do not need your consent to use your personal data where the law otherwise allows us to use it. In limited circumstances, we may approach you for your consent to allow us to process certain personal 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 consider whether you wish to consent. You have no obligation to give consent if you are asked for it, and if you do give consent you may withdraw it at any time.

12. Sharing your personal data

Sometimes we might share your personal data with third parties to carry out our obligations under our contract with you, to comply with the law or for our legitimate interests, such as

- providing information to professional advisors including HR advisors
- for processing payroll, tax, NI or other payments or deductions related to your employment, legal/regulatory and other authorities;
- giving references to future employers;
- providing information to possible or potential purchasers of the Company or in relation to any TUPE related employment transfers, whether actual or potential.

We require those third parties to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

We do not send your personal data outside the European Economic Area. If this changes you will be notified of this and the protections which are in place to protect the security of your data will be explained.

In most situations we will not rely on your consent as a lawful ground to process your data. If we do however request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Data Protection Officer, Sharon Coggrave.

13. Data retention

We will never retain your personal data for any longer than is necessary for the purposes we need to use it for.

If you withdraw consent or have not given consent to the company using data relating to you but the company considers it has a legal right to retain and use it, we will provide a written reason why we have not acted on your request to decline consent.

14. Right to complain

You can make a complaint to us by contacting our Data Protection Officer, Sharon Coggrave in person or at sharon@clewsrecycling.co.uk or to the data protection supervisory authority – in the UK, this is the Information Commissioner's Office, 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). This website has further information on your rights and the Company's obligations.

15. Keeping you up to date

We reserve the right to change this notice at any time. Where appropriate, we shall notify data users of this notice of those changes by email or through an announcement posted on the intranet.

APPENDIX

The information set out in the table below reflects the most common uses of employee personal data. However, this list is not exhaustive.

Purpose for processing	Categories of personal data	Legal basis
1 For the administration of your employment	Full name, date of birth, job title, residential address, email address, telephone number, national insurance number, bank account information.	Performance of a contract and in performance of our obligations and exercise of our rights as your employer.
2 The recruitment and selection process	Full name, date of birth, residential address, email address, telephone number, national insurance number, CV, employment history and background checks.	Pursuance of our legitimate interests.
3 Checking you are legally entitled to work in the UK	Full name, date of birth, passport number.	Compliance with legal obligations.
4 Paying you and, if you are an employee, deducting tax and NIC	Full name, date of birth, national insurance number, bank account information.	Performance of a contract.
5 Conducting performance reviews, managing performance and determining performance requirements	Full name, job details and performance information.	Pursuance of our legitimate interests to ensure staff are performing well, to help us address any performance issue, for compliance with our obligations under our employment contract with you.
6 Making decisions about salary reviews and compensation	Full name, job details, salary information and performance information.	Pursuance of our legitimate interests and to comply with our employment contract with you.
7 Recording health and safety incidents	Full name, health information (as is relevant to the specific incident, such as injury sustained or any underlying health conditions).	Pursuance of our legitimate interests, in compliance with legal obligations, and as necessary to exercise our rights as your employer.
8 Pensions and benefits administration	Full name, date of birth, residential address, national insurance number, pension scheme details. Some benefits may require us to process health information, although in many cases	To comply with our legal obligations as an employer, to perform our contract with you which obliges us to provide you with certain benefits.

	employees will provide this directly to the benefit provider and not to us.	
9 Disciplinary matters, staff disputes, employment tribunals	Full name, job details, performance information and information about the disciplinary matter	To exercise our rights as an employer and possibly in the pursuit or defence
10 Staff training and development	Full name.	To perform our obligations as an employer to ensure staff are adequately trained, to comply with legal obligations (such as health and safety regulations which require certain roles to have training in first aid) and sometimes in pursuance of our legitimate interests. of legal claims.
11 Recording of CCTV footage	Photographs and images captured by our CCTV system.	As required for public safety and for public interests. We may also use this data with respect to security, process performance and monitoring health & safety.
12 Monitoring use of company devices and IT systems	Information contained in emails and stored on company devices	It is in our legitimate interests to ensure that devices issued by us are used appropriately; it is also necessary for our legitimate interests in ensuring information security.
13 Vetting, including background checks	Full name, date of birth, residential address history (including current address), email address, telephone number, national insurance number, details of any criminal convictions and offences.	To comply with legal obligations and as necessary to exercise our rights as an employer.
14 Assessing our performance against equality objectives as set out by the Equality Act 2010	Information about your race or ethnicity, religious beliefs, sexual orientation.	To comply with legal obligations to monitor and measure equal opportunities.