



## EMPLOYEE PRIVACY NOTICE

November 2023

### Statement and Purpose of Notice

1. PH Staffing collects and processes personal data relating to its employees in order to manage its relationship with them. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

### What Information Do We Collect?

2. We collect and process a range of information about you. This includes:
  - a. your name, address and contact details, including email address and telephone number, date of birth and gender;
  - b. the terms and conditions of your employment;
  - c. details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with us;
  - d. information about your remuneration, including entitlement to benefits, such as pensions and insurance cover;
  - e. details of your bank account and national insurance number;
  - f. information about your marital status, next of kin, dependents and emergency contacts;
  - g. information about your nationality and entitlement to work in the UK;
  - h. details of your schedule (days of work and working hours) and attendance at work;
  - i. details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals and the reasons for the leave;
  - j. photographs or videos;
  - k. details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence; and
  - l. information about medical or health conditions, including whether you have a disability for which we need to make reasonable adjustments.
3. We may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or **resumes**; obtained from your passport; 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.
4. In some cases, we may collect personal data about you from third parties, such as references supplied by former employers.
5. Data will be stored in a range of different places, including in your electronic personnel file, in our HR management systems and in other IT systems (including our email system).



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### Why Do We Process Personal Data?

6. We need to process your personal data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension and insurance entitlements.
7. In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are 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.
8. In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us to:
  - a. run recruitment and promotion processes;
  - b. 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;
  - c. operate and keep a record of employee performance and related processes to confirm compliance with our internal policies and procedures, to plan for career development, and for succession planning and workforce management purposes;
  - d. 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 we comply with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
  - e. ensure effective general HR and business administration;
  - f. provide references on request for current or former employees; and
  - g. respond to and defend against legal claims.
9. Some special categories of personal data, i.e. sensitive personal data, such as information about health or medical conditions, are processed by us where we have a legitimate interest to do so and to carry out employment law obligations (such as those in relation to employees with disabilities and to ensure the health and safety of all staff).
10. We also collect information relating to your sickness records to maintain a record of your sickness absence and copies of any doctor's notes or other documents supplied to us in connection with your health, to inform your colleagues and others that you are absent through sickness as reasonably necessary to manage your absence, to deal with unacceptably high or suspicious sickness absence and to inform reviewers for appraisal purposes of your sickness absence levels.
11. Where we process 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 carrying out our legal obligations and exercising specific legal rights in relation to employment.



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### Who Has Access to Data?

12. 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 the performance of their roles.
13. We share your data with third parties in order to:
  - a. obtain advice from professional advisers, including accountants, auditors, lawyers, insurers, bankers, and others;
  - b. help third party service providers who provide products and services to us such as payroll, pension scheme and benefits administration, human resources, performance management, training, expense management, IT, etc; and
  - c. facilitate the detection of crime or the collection of taxes or duties.
14. We also share your data with third parties that process data on our behalf in connection with payroll and the provision of benefits.
15. We may also disclose your personal data to third parties:
  - a. when we determine that disclosure is required to protect our rights, property, or personal safety, or to respond to requests by public, regulatory, or law enforcement authorities, including to meet national security or law enforcement requirements; or
  - b. if we sell some or all of our business or assets, we may disclose your personal data to the prospective seller or buyer of such business or assets, and if the transaction closes, then your personal data may be transferred to the buyer.
16. If we transfer employee personal data to a third-party vendor for processing (e.g. payroll services), we are responsible as the data controller for the processing of that data.

### Choice

17. We do not currently share your personal data with third parties other than our service providers who act on our behalf. However, if we decide to do so in the future, we will offer you the opportunity to choose (opt-out) before your personal data is disclosed to a third-party controller (i.e. a non-service provider). Also, if we decide to use your data for purposes that are different from the purpose(s) for which it was originally collected or subsequently authorised by you, we will offer you the opportunity to choose (opt-out) before such use.

### Transfers Outside the United Kingdom and European Economic Area

18. Data which we collect from you may be stored and processed in and transferred to countries outside of the UK and European Economic Area (EEA). For example, this could occur if we have group companies located in a country outside the UK or EEA or one of our service providers is situated in a country outside the UK or EEA.
19. We will only transfer your personal data outside the UK or EEA where it is compliant with data protection



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legislation and the means of transfer provides adequate safeguards in relation to your data, e.g. by way of data transfer agreement, incorporating the current standard contractual clauses adopted by the UK and the European Commission.

20. To ensure that your personal data receives an adequate level of protection, we have put in place appropriate safeguards and procedures with the third parties we share your personal data with. This ensures your personal data is treated by those third parties in a way that is consistent with the data protection laws.

### How Do We Protect Data?

21. We take the protection of your data seriously. We have internal policies and controls in place to try and ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by our employees in the performance of their duties.
22. Where we engage third parties to process personal data on our behalf, we do so on the basis of written instructions, and such third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

### For How Long Do We Keep Data?

23. We will hold your data for the duration of your employment. The periods for which your data will be held after the end of employment are set out in our available.

### Your Rights

24. As a data subject, you have a number of rights. You can:
  - a. access and obtain a copy of your personal data on request;
  - b. require us to change incorrect or incomplete personal data;
  - c. require us to delete or stop processing your data in certain circumstances such as where the data is no longer necessary for the purposes of processing;
  - d. object to the processing of your data where we are relying on our legitimate interests as the legal ground for processing, in certain circumstances; and
  - e. ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.
25. If you would like to exercise any of these rights, please contact your line manager or a member of the HR Department.

### Complaint Resolution

26. If you believe that we have not complied with this Privacy Notice or your data protection rights, you have the right



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to file a complaint with the UK [Information Commissioner's Office](https://ico.org.uk/make-a-complaint/) (<https://ico.org.uk/make-a-complaint/>), however, we hope that you will attempt to resolve the complaint with us first.

27. In addition, if you have any inquiries or complaints about the handling of your personal data, or about our privacy practices generally, please contact us at: [admin@phstaffing.co.uk](mailto:admin@phstaffing.co.uk) and we will respond to your inquiry promptly.

### What If You Do Not Provide Personal Data?

28. You have some obligations under your employment contract to provide us with certain personal 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 us 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.
29. Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable us to enter a contract of employment with you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### Changes To This Privacy Notice

30. We reserve the right to change this Notice at any time as we may deem necessary from time to time or as may be required by law. We will provide you with a new Privacy Notice when we make any substantial changes. We may also notify you in other ways from time to time about the processing of your personal data.

### Registration

31. PH Staffing is registered with ICO. Registration Number: ZA564945

<https://ico.org.uk/ZA564945>