

KGB Cleaning South West Ltd

General Data Protection Regulations 2018

Privacy Policy



This policy applies to current and former employees, workers and contractors. This policy is provided with the intention to comply with your right to be informed under the General Data Protection Regulations 2018.

This policy is effective from the 26th July 2019 and will be reviewed on an annual basis.

Employee privacy notice

KGB Cleaning South West Ltd is aware of its obligations under the General Data Protection Regulation ("GDPR") and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as an employee of KGB Cleaning South West Ltd. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

Data controller details

KGB Cleaning South West Ltd is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

KGB Cleaning South West Ltd
Harwell Innovation Centre
Building 173
Curie Avenue
Harwell
Didcot
OX11 0QG

Data protection principles:

In relation to your personal data, we will:

- Process it fairly, lawfully and in a clear, transparent way.
- Collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you.
- Only use it in the way that we have told you about.
- Ensure it is correct and up to date.
- Keep your data for only as long as we need it.
- Process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

Types of data we process:

We hold many types of data about you, including:

- Your personal contact details including your name, address, telephone numbers, and emails.
- Particulars of your employment including your job title, salary, benefits.
- Financial information including your bank details, National Insurance Number, tax statements, payslips.
- Particulars of your Right to Work in the UK.
- Particulars of your Enhanced DBS application.
- Particulars of your qualifications and skills including references, licences, certificates and training.

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- Emergency contact information (Next of Kin).
- Particulars of your performance including tasks, attendance
- Sensitive information including protected characteristics under the Equality Act 2010 for Equal Opportunities Monitoring and Compliance
- IT usage information including email addresses, log-ins, passwords
- Particulars of processes e.g. disciplinary, grievance, performance management processes undertaken with yourself.
- Particulars related to any health assessments carried out with yourself.
- Particulars related to any individual risk assessments carried out with yourself.
- Copies of letters and communications between the Company and yourself.

How we collect your data

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our staff during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references.

Personal data is kept in personnel files or within the KGB Cleaning South West Ltd HR records and IT systems.

Why we process your data:

The law on data protection allows us to process your data for certain reasons only:

- In order to perform the employment contract that we are party to.
- In order to carry out legally required duties.
- In order for us to carry out our legitimate interests.
- To protect your interests.
- Where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Carry out the employment contract that we have entered into with you and ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- Ensuring tax and National Insurance is paid.
- Carrying out checks in relation to your right to work in the UK.
- Making reasonable adjustments for disabled employees.

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We also collect data so that we can carry out activities which are in the legitimate interests of KGB Cleaning South West Ltd. We have set these out below:

- Making decisions about who to offer initial employment to and subsequent internal appointments, promotions etc.
- Making decisions about salary and other benefits.
- Providing contractual benefits to you.
- Maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained.
- To safeguard the health, safety and welfare of you and your colleagues, clients and third parties in the workplace.
- Effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises, including investigating any safeguarding complaints.
- Offering a method of recourse for you against decisions made about you via the grievance procedure.
- Assessing training needs.
- Implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments.
- Gaining expert medical opinion when making decisions about your fitness for work.
- Managing statutory leave and pay systems such as maternity leave and pay etc.
- Business planning and restructuring exercises.
- Dealing with legal claims made against us.
- Preventing fraud.
- Ensuring our administrative and it systems are secure and robust against unauthorised access.

Special categories of data:

Special categories of data are data relating to your:

- Health.
- Sex life.
- Sexual orientation.
- Race.
- Ethnic origin.
- Political opinion.
- Religion.
- Trade union membership.
- Genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- You have given explicit consent to the processing.
- We must process the data in order to carry out our legal obligations.
- We must process data for reasons of substantial public interest.
- You have already made the data public.

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We will use your special category data:

- For the purposes of equal opportunities monitoring
- In our sickness absence management procedures
- To determine reasonable adjustments.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

If you do not provide your data to us:

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of employment. If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g. ensuring you are paid correctly. We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with this information e.g. confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a criminal records check.

Sharing your data:

Your data will be shared with colleagues within the KGB Cleaning South West Ltd where it is absolutely necessary for them to undertake their duties. This includes, for example, your manager for their management of you, the staff member responsible for maintaining personnel and payroll records for administering payment under your contract of employment.

We share your data with the following third parties:

- HMRC, this being your name and National Insurance Number.
- Health Safety Executive, this being your name and employment details where there has been a reportable accident or investigation.
- KGB Cleaning South West Ltd customers, this being your name, onsite start and end date, Enhanced DBS number and date.
- Legal Advisers and professional advisers, this being your name and employment details, where the Company needs advice.
- Tribunals and Courts, this being your name, employment details and other personal data which is necessary for the determination of claims where litigation is commenced.

It is not anticipated that there will be any other recipients nor any transfers of data to a third country. Accordingly, it is considered that safeguards for the transfer of data to a third country are not necessary, should this change you will be notified.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us.

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Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. Personnel files are kept in locked cupboard, electronic files are kept in secure folders on the server. Access to electronic personnel records is restricted to HR.

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Retention periods can vary depending on why we need your data, full details of these periods are in the Company's Retention and Disposal of Employee Data Policy.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you, these are:

- The right to be informed. This means that we must tell you how we use your data and this is the purpose of this privacy policy.
- The right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our subject access section in the Company's General Data Protection Regulations 2018 policy which is available in your employee handbook, Company website or from the data protection officer.
- The right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- The right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- The right to portability. You may transfer the data that we hold on you for your own purposes
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests

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If you wish to exercise any of the rights explained above, please contact the Compliance Manager, see contact details below.

Data Protection Officer

The Data Protection lead responsible for the protection of your data is:

Ian Stangoe
Compliance Manager
07399612468 / 01235 832599
ian.stangoe@kpbsouthwest.com
KGB Cleaning South West Ltd
Harwell Innovation Centre
Building 173
Curie Avenue
Harwell
Didcot
OX11 0QG

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner's Office (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO. We do however advise that you exhaust the Company's internal complaints/grievance procedure prior to referring the matter to any supervisory, regulatory or accrediting body. A copy of our complaints/grievance procedure is available in the Company Employee Handbook, Statement of Particulars and/or your Line Manager.

John Nicholls, Managing Director

26th July 2018