

# POLICIES



## EMPLOYEE PRIVACY NOTICE

### INTRODUCTION

This document is the current Commercial Group Employee Privacy Notice created to allow data to be processed as part of a number of legitimate business requirements and for a number of purposes. It will be reviewed after the revised UK Data Protection Bill has been finalised and the Information Commissioner's Office (ICO) as the UK Supervisory Body has provided the UK's legal interpretation of the contents of the EU General Data Protection Requirement (EU GDPR).

### COMMERCIAL GROUP EMPLOYEE PRIVACY NOTICE

#### How your information will be used

1. As your employer, the Commercial Group needs to keep and process information about you for normal employment purposes. The information we collect, store and process will be used for our management and administrative use only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left.

This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue the legitimate interests of the Company and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

2. As the Company provides a wide range of services to customers, we may sometimes need to process your data to pursue our legitimate business interests, for example to prevent fraud, administrative purposes or reporting potential crimes. The nature of our legitimate interests are typical defined within formal contracts with our customers.

We will never process your data where these interests are overridden by your own interests.

3. Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees.

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4. The sort of information we hold includes:

- your application form and references
- your contract of employment and any amendments to it
- correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary
- information needed for payroll, benefits and expenses purposes
- contact and emergency contact details
- records of holiday, sickness and other absence; information needed for equal opportunities monitoring policy
- records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records

5. You will, of course, inevitably be referred to in many Company documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the Company. You should refer to the Data Protection Policy which is available on Resource Space or from the HR Department.

6. Where necessary, we may keep information relating to your health, which

could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage statutory and company sick pay, and benefits, e.g. health insurance or life insurance policies.

7. Where we process special categories of information (termed 'sensitive data'), relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation, we will always obtain your explicit, documented consent to those activities unless this is not required by law or the information is required to protect your health in an emergency. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

8. In addition, we monitor computer and telephone/mobile telephone usage, as detailed in the Company's Acceptable Use Policy, available on Resource Space or from the HR Department.

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9. Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to our pension or health insurance schemes.

10. We may transfer information about you to other Group companies for purposes connected with your employment or the management of the Company's business.

11. We do use automated decision making (including profiling) in limited circumstances.

12. Your personal data will be stored for periods of time defined by the HR Department to meet legal and regulatory requirements.

13. If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information and request your explicit documented consent for this additional processing.

### Your rights

14. Under the General Data Protection Regulation (GDPR) and the current Data Protection Act (DPA) you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or erasure of your personal data, the right to restrict processing, object to processing as well as in certain circumstances the right to data portability.

15. If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn. Please contact the HR Department in such circumstances.

16. You have the right to make a complaint to the Information Commissioners' Office (ICO) if you believe that the Company has not complied with the requirements of the GDPR or DPA with regard to the processing of your personal data.

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### **Identity and contact details of controller and HR Department**

17. Commercial Group is the Data Controller and Data Processor of personal data for the purposes of compliance with the DPA and EU GDPR.

18. If you have any concerns as to how your data is processed you can contact:

#### **Jenny Hodgson, Head of HR**

■ 01242 703443  
■ [Jenny.Hodgson@Commercial.co.uk](mailto:Jenny.Hodgson@Commercial.co.uk)

#### **Paul Hutchings, Data Protection Officer**

■ 01242 703400  
■ [Paul.Hutchings@Commercial.co.uk](mailto:Paul.Hutchings@Commercial.co.uk)