



## **SMITH & OUZMAN PRIVACY NOTICE FOR EMPLOYEES, WORKERS AND CONTRACTORS**

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### **What is the purpose of this document?**

Smith & Ouzman Limited is committed to protecting the privacy and security of your personal identifiable information to which is often referred to as PII.

This privacy notice will describe to you how we collect and use PII about you, during and after your employment. This is in accordance with the General Data Protection Regulation 2018. (GDPR)

This notice applies to all employees, workers and contractors. It doesn't form any part of a contract of employment or contracts to provide services. The Company has the right to update this notice at any time.

It is important that you read and understand this notice because it describes specific occasions where we collect PII about you. You must be aware of how and why we collect and use such information.

### **Data Controller**

Smith & Ouzman Limited is a data controller which means it is responsible for deciding how your data is held and how PII is used. The Company is required under Data Protection Legislation to notify you of the information contained within this document.



## **The Principles of Data Protection**

Smith & Ouzman Limited will comply with the Data Protection Law. This means:

- We will use your PII lawfully, fairly and in a transparent way.
- PII will only be collected for valid purposes which will have been explained to you and not used for incompatible purposes.
- Limited only to the purposes to which you have been told about.
- PII information will be accurate and kept up to date.
- PII information will be kept only as long as necessary for the purposes to which you have been told about.
- PII information will be kept securely.

### **PII includes data such as:**

PII information will be held. This is any information about an individual which could allow them to be identified. It doesn't include any data where the identity of an individual has been removed.

### **Sensitive information requires a higher level of protection. Sensitive information is:**

- Contact details such as title, name, address, telephone number and e-mail address
- Date of birth, driving licence information and other copies of identification documents such as passport and confirmation of address
- Gender
- Marital status
- Dependants
- Next of kin and emergency contact information
- National Insurance number, bank account details, payroll records, and tax status information
- Salary, pension and benefits information
- Details of annual leave
- Recruitment information including references, CV's, covering letters and right to work information
- Employment records such as contractual information, training records, performance work history, professional qualifications and trade union membership
- Disciplinary and grievance history
- Information obtained through electronic means such as door entry information such as finger print records and CCTV footage
- Photographs
- Details about race or ethnicity and data held in accordance with equal opportunities questionnaires.
- Health records and medical conditions, and information about criminal convictions and offences



Special categories: In certain circumstances, the Company may share some PII. Appropriate policies are in place which documents and safeguards the processing of this type. Processing of special PII can happen in the following circumstances:

- To carry out legal obligations
- In the need of public interest, equal opportunities and in relation to occupational benefit schemes
- Legal claims (when you are not able to give consent personally)
- Where PII has already been made public (e.g. by the Police)
- During the course of legitimate business activities with the appropriate safeguards
- In limited circumstances with written consent

### **What are Smith & Ouzman Limited's obligations as an employer?**

In some cases, PII is sensitive data. Smith & Ouzman Limited may use PII in the following ways:

- In relation to absences which include sickness or family related leave in order to comply with employment (and other) law.
- Physical or mental health and disability status to ensure Health and Safety compliance and legislation is adhered to.
- Information regarding race, or national/ethnic origin with prior consent to ensure meaningful reporting and monitoring is produced
- Trade Union membership information to pay Trade Union premiums
- To facilitate compliance with formal regulatory requirements.

### **Do you need my consent to use my PII?**

S&O requires your consent to use your PII to fulfil your contract of employment (e.g. to facilitate you being paid). We want you to understand what PII is being held and how it is being used by the Company. Sometimes you may be approached for written consent to allow the processing of sensitive data. It is not a condition of your contract that you agree to any request of consent. From time to time, 3<sup>rd</sup> parties may approach Smith & Ouzman requesting PII in connection with a mortgage application or employment reference etc. In these circumstances you may be approached to provide consent.

### **What about criminal conviction information?**

Information relating to criminal convictions will only be used when the Law allows us to do so.

Disclosure Barring Service (DBS) checks are carried out at recruitment stage and thereafter upon request from a Senior Manager should it be required. Given the nature of the business, Smith & Ouzman reserve the right to request DBS checks for its employees.



## **Data sharing**

PII may be shared with third parties including third party service providers. (e.g. pension providers)  
Third parties are required to respect the security of data and must treat it in accordance with the law.  
There may be some instances where your PII may be transferred outside of the EU.

Smith & Ouzman Limited will share PII with third parties when required to do so by law.

Third parties include third-party service providers, including contractors.  
All third party service providers and contractors are required to take appropriate security measures to protect PII in line with our Company policies and procedures.

Information is shared with third parties as part of reporting activities relating to Company performance, business reorganisation, business systems and maintenance and system maintenance support. The Company may also share PII with a regulator to otherwise comply with the law.

## **Data Security**

Measures are in place to protect the security of your PII.  
Third parties will only process your PII upon Smith & Ouzman Limited's instruction and only when an agreement is in place.

Security measures are in place to prevent PII from being accidentally lost, accessed or used in an unauthorised way. Procedures are also in place to deal with any suspected data security breach. You will be notified along with any applicable regulator if a suspected breach was to arise.

## **How will PII be collected?**

PII about employees, workers and contractors is collected through the application and recruitment process. This information is sourced directly from the candidates and in some instances via an employment agency or background check provider.

Sometimes, Smith & Ouzman Limited collect additional information from third parties including former employers, credit reference agencies and other background check agencies. There are also instances where Smith & Ouzman Limited collect information from character and academic references.

Additional PII may also be collected in the course of role related activities throughout your employment with the Company.



### **How will information be used?**

- Where the Company need to perform the contract to which has been entered
- Where legal obligations are to be met
- When necessary for legitimate interests, your interests and when fundamental rights do not override those interests. This includes information from a third party.
- Where yours or others interests are to be protected
- When needed for public or official purposes

### **Situations where PII may be used:**

- Making decisions about your recruitment or role
- Determining the terms on which you work for us
- Checking your entitlement to work in the UK
- Paying you and deducting tax and national insurance contributions (If you are an employee)
- Providing employee benefits
- Liaising with pension providers
- Administering the contract that the Company has entered with you
- Business planning
- Managing performance, performance reviews and determining performance requirements
- Making financial decisions such as salary reviews and bonus
- The undertaking of photos and other visual aids for social media (with your consent)
- Gathering evidence for grievance or disciplinary reasons
- Making decisions regarding future employment
- Administering your contract
- Arrangements for termination of contract
- Dealing with legal disputes, health and safety and regulatory obligations
- Ascertaining fitness for work
- To prevent fraud
- To monitor use of information systems in accordance with our IT policies
- To conduct data analytics so a better understanding of retention and attrition rates can be analysed
- Equal Opportunities monitoring

### **What happens if PII is not provided?**

If required PII is not provided, Smith & Ouzman Limited may not be able to perform the contract which has been entered into, with you. The Company may also be prevented from complying with legal obligations.

Please note that Smith & Ouzman Limited may process PII without knowledge or consent where it is required or permitted by law. If this is required, you will be notified and the legal basis which allows this to happen will be explained.



## **Data Retention**

Smith & Ouzman will only retain PII for as long as necessary to fulfil the purposes for which it was collected. To determine the appropriate retention periods, the amount, nature and sensitivity is considered. The risk of unauthorised use, disclosure or harm is assessed and the applicable laws and regulations are considered.

## **Access, alterations, erasure and restriction of PII**

It is important that Smith & Ouzman are kept up to date with accurate PII.

**Request to access PII:** you are able to request a copy of the PII which Smith & Ouzman hold .

**Alteration:** A request to make alterations to your PII will ensure inaccurate information is corrected.

**Erasure:** This request will allow you to delete or remove personal information about you when there is no valid reason to continue processing it.

**Object to processing:** There may be a situation where you wish to object to processing. You also have the right to object when your PII is used for marketing purposes.

**Restriction:** This enables you to restrict or suspend your PII. For example, you may wish to establish accuracy.

**Request to transfer:** PII to be transferred to another party. For instance, if you moved house or have different bank account details etc.

All changes of PII must be kept up to date and notifications must be put in writing and addressed to the HR Manager.

## **Right to withdraw consent**

Under the General Data Protection Regulation, you have the right to withdraw consent. Requests to withdraw consent must be put in writing and addressed to the HR Manager. Once such request has been received, Smith & Ouzman will no longer be able to process the PII for the purpose originally agreed to. The only exception would be if there was a legitimate basis for doing so in law.



## PROCESSING OF PERSONAL DATA CONSENT FORM

I accept that my employer, **Smith & Ouzman Limited** will hold personal data about me.

I hereby consent to the processing of my personal data by the Company (or any associated company) for any purpose relating to my contract of employment, my continuing employment, its termination or the conduct of the Company's business. This includes, but not limited to, payroll, human resources and business continuity planning purposes.

I also explicitly consent to the Company (or any associated company) to process any sensitive personal data relating to me, for example sickness absence records, medical reports, details of criminal convictions and equal opportunities monitoring data, as necessary for the performance of my contract of employment or my continuing employment or its termination or the conduct of the Company's business.

I consent to the Company providing my personal data to a third party where this is necessary for the performance of my contract of employment, my continuing employment, contract termination or the conduct of the Company's business, for example to a pension scheme provider in relation to my membership of a pension scheme or to an insurance company in relation to the provision of insured benefits.

Print Name: .....

Signed: .....