



# Searcy Tansley and Company Limited: Employee Privacy Notice

## INTRODUCTION

1. Like most businesses, we hold and process a wide range of information, some of which relates to our people. This Privacy Notice explains the type of information we process about you, why we are processing it and how that processing may affect you.

This notice focuses on individuals who work for us, whether employed by us or not, as well as information on former employees/workers.

For the purpose of this Privacy Notice, Searcy Tansley and Company Limited (the controller and entity responsible for your personal data) are collectively referred to as "Searcys", "we", "us" or "our". Further details on who we are and how you can contact us, can be found under *Controller Contact Information*.

2. In brief, this notice explains:
  - what we mean by "personal data", "processing", "special categories of personal data" and other terms used in this notice;
  - what personal data we hold about you and why we process it;
  - the legal grounds which allow us to process your personal data;
  - where the data comes from, who gets to see it and how long we keep it;
  - how to access your personal data and other rights; and
  - how to contact us.

## WHAT DO WE MEAN BY "PERSONAL DATA" AND "PROCESSING"?

3. "**Personal data**" is information relating to you or information from which you may be directly or indirectly identified. It includes not only facts about you, but also intentions and opinions about you.

"**Processing**" means doing anything with the data. For example, it includes collecting, holding, accessing, amending, disclosing, sharing and deleting the data.

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sexual orientation, sex life, trade union membership and genetic and biometric

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data are subject to special protection and considered by privacy laws to be “**special categories of personal data**”.

References in the Privacy Notice to employment, work (and similar expressions) include any arrangement we may have under which an individual provides us with work or services. By way of example: when we mention an “**employment contract**”, that includes a contract under which you provide us with services; and when we refer to ending your employment, that includes terminating a contract for services. We use the word “**you**” to refer to anyone within the scope of the notice.

#### WHAT ARE OUR LEGAL GROUNDS FOR PROCESSING PERSONAL DATA?

- Under data protection laws, there are various grounds on which we can rely when processing your personal data. In some contexts, more than one ground applies. We have summarised these grounds as Contract, Legal Obligation, Legitimate Interests and Consent and outlined what those terms mean in the following table.

| Term                 | Ground for processing  | Explanation  |
|----------------------|--|--|
| Contract             | Processing necessary for performance of a contract with you or to take steps at your request to enter a contract | This covers carrying out our contractual duties and exercising our contractual rights.   |
| Legal Obligation     | Processing necessary to comply with our legal obligations  | This ensures that we can perform our legal and regulatory obligations. For example, providing a safe place of work and avoiding unlawful discrimination.   |
| Legitimate Interests | Processing necessary for our or a third party’s legitimate interests   | We or a third party have legitimate interests in carrying on, managing and administering our respective businesses effectively and properly and, in connection with those interests, processing your data.<br><br>Your data will not be processed on this basis if our or a third party’s interests are overridden by your own interests, rights and freedoms. |
| Consent              | Processing with your specific consent to processing your data  | In general, processing of your data in connection with employment is not conditional on your consent. But there may be occasions where we do specific things such as getting a criminal record check for a role which is not regulated and we rely on your consent to do so.   |

#### WHAT ARE OUR GROUNDS FOR PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA?

- If we process special categories of personal data about you (for example (but without limitation), storing your health records to assist us in ensuring that we provide you with a healthy

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and safe workplace or processing personal data relating to diversity monitoring), as well as ensuring that one of the grounds for processing mentioned above applies, we will make sure that one or more of the grounds for processing special categories of personal data applies. These include processing:

- Being necessary for the purposes of your or our obligations and rights in relation to employment in so far as it is authorised by law or collective agreement;
- Relating to data about you that you have made public (e.g. if you tell colleagues that you are ill);
- Being necessary for the purpose of establishing, making or defending legal claims;
- Being necessary for provision of health care or treatment, medical diagnosis, and assessment of your working capacity; and
- For equality and diversity purposes to the extent permitted by law.

## WHAT DATA DO WE PROCESS AND WHY?

6. We process your personal data for the purposes of our business including management, administrative, employment and legal purposes. More specific information on these, examples of the data and the grounds on which we process data, are in the table below.

The examples in the table cannot be exhaustive. For example, although the table does not mention data relating to criminal offences, if we were to find out that someone working for us was suspected of committing a criminal offence, we would process that information if necessary for our purposes. If necessary, we would also require criminal background checks for certain roles – for example those working in financial roles or working with children.

| Purpose     | Examples of personal data that may be processed  | Grounds for processing                               |
|-------------|--|--|
| Recruitment | Standard data related to your identity (e.g. your name, address, email address, ID information and documents, telephone numbers, place of birth, nationality and contact details); professional experience and education (including university degrees, academic records, professional licenses, memberships and certifications, awards and achievements, and current and previous employment details); financial information (including current salary information); language skills; and any other personal data that you present us with as part of your application related to the fulfilment of the role.<br><br>Information concerning your application and our assessment of it, your references, any checks we may make to verify information provided or background checks and any information connected with your right to work. | Contract<br>Legal obligation<br>Legitimate interests |

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| Purpose   | Examples of personal data that may be processed   | Grounds for processing                               |
|---|---|--|
|   | If necessary, we will also process information concerning your health, any disability and in connection with any adjustments to working arrangements.   |  |
| Your employment contract including entering it, performing it and changing it | Information on your terms of employment from time to time including your hours and working patterns; and your pay and benefits (such as your participation in pension arrangements, life and medical insurance; and any bonus or share schemes).  | Contract<br>Legal obligation<br>Legitimate interests |
| Contacting you or others on your behalf                                       | Your address and phone number, emergency contact information and information on your next of kin.   | Contract<br>Legal obligation<br>Legitimate interests |
| Payroll administration  | Information on your bank account, pension contributions and on tax and national insurance.<br><br>Your national insurance number or other government issued identifier.<br><br>Information on attendance, holiday and other leave and sickness absence.   | Contract<br>Legal obligation<br>Legitimate interests |
| Financial planning and budgeting  | Information such as your salary and (if applicable) bonus levels.   | Legitimate interests                                 |
| Supporting and managing your work and performance and any health concerns     | Information connected with your work, anything you do at work and your performance including records of documents and emails created by or relating to you, information on your use of our systems including computers, laptops or other devices and information collected by any means for time recording purposes (including via a biometric systems).<br><br>Management information regarding you including notes of meetings and appraisal records, including information you or our managers enter onto our training or appraisal platforms.<br><br>Information relating to your compliance with our policies.<br><br>Information concerning disciplinary allegations, investigations and processes and relating to grievances or complaints in which you are or may be directly or indirectly involved.<br><br>Information concerning your health, including medical or doctors' notes, return to work plans, and medical and occupational health reports.<br><br>Your biometric information for time recording | Contract<br>Legal obligation<br>Legitimate interests |

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| Purpose   | Examples of personal data that may be processed   | Grounds for processing                   |
|---|---|--|
| Changing or ending your working arrangements  | Information connected with anything that may affect your continuing employment or the terms on which you work including any proposal to promote you, to change your pay or benefits, to change your working arrangements or to end your employment.   | Contract<br>Legitimate interests         |
| Physical and system security  | CCTV images.<br>Your IT account and directory information.<br>Records of use of swipe and similar entry cards.<br>Records of your use of our systems including computers, phones and other devices and passwords.   | Legal obligation<br>Legitimate interests |
| Improving efficiency of IT and business systems and device use  | Records of your use of IT and business systems and WSH devices.<br>For example, we may collect information on the number of minutes and amount of data used on company mobile phones to ensure employees are on the most cost-effective tariff for their usage.<br>We will where necessary and as set out in this Privacy Notice also contract with third parties so you can use third party applications on your company devices which may assist with your work. Such applications will process your personal data. Their own privacy notices will make clear precisely what information will be collected. We may be provided with information on the usage of such applications, for example for the purpose of troubleshooting or assessing overall usage and whether to continue to provide them. | Legitimate interest                      |
| Providing references in connection with your finding new employment                                     | Information on your working for us.   | Consent<br>Legitimate interests          |
| Providing information to third parties in connection with transactions that we contemplate or carry out | Information on your contract and other employment data that may be required by a party to a transaction such as a prospective purchaser, seller or outsourcer.  | Legitimate interests                     |

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| Purpose   | Examples of personal data that may be processed  | Grounds for processing                               |
|---|--|--|
| Transferring employees in to our businesses or out of our businesses for the purposes of TUPE                               | Information on your identity; age; particulars of employment; disciplinary procedures and/or grievances over the last two years; court or tribunal cases, claims or actions brought by you; and any relevant collective agreements.  | Legal obligation                                     |
| Monitoring of diversity and equal opportunities   | Information on your nationality, racial and ethnic origin, gender, sexual orientation, religion, disability and age as part of diversity monitoring initiatives. Such data will be aggregated and used for equality of opportunity monitoring purposes. Please note we may share aggregated and anonymised diversity statistics with regulators if formally required / requested.  | Legitimate interests                                 |
| Monitoring and investigating suspicions of misconduct, compliance with policies and rules – both generally and specifically | We expect our employees and workers to comply with our policies and rules and may monitor our systems to check compliance (e.g. rules on accessing pornography at work). We will where necessary and as set out in this Privacy Notice check systems and other data to look into those concerns (e.g. log-in records, records of usage, emails and documents, CCTV images). In appropriate cases if we have suspicions of serious wrong-doing, we may make targeted records (e.g. video or sound) in connection with an investigation. | Legitimate interests                                 |
| Disputes and legal proceedings  | Any information relevant or potentially relevant to a dispute or legal proceeding affecting us.  | Legitimate interests<br>Legal obligation             |
| Trade union check off arrangements and Works Council administration   | Details of trade union membership and deductions of contributions made at source.<br><br>Information relating to Works Council participation, including any communication you send to us if acting for the Works Council (if applicable).  | Contract<br>Legal Obligation                         |
| Day to day business operations including marketing and customer/client relations and travel on our behalf                   | Information relating to the work you do for us, your role and contact details including relations with current or potential customers or clients. This may include a picture of you for internal or external use.<br><br>Information regarding your travel arrangements and location.  | Legitimate interests                                 |
| Maintaining appropriate business records during and after your employment   | Information relating to your work, anything you do at work and your performance relevant to such records.  | Contract<br>Legal obligation<br>Legitimate interests |

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## WHERE DOES YOUR DATA COME FROM?

7. The initial personal data we would process about you is information that you would have provided to us when your employment commenced with us, for example, contact details, bank details and information on your immigration status and whether you can lawfully work for us. We will where necessary and as set out in this Privacy Notice also require references and information to carry out background checks. In the course of employment, you may be required to provide us with information for other purposes such as sick pay and family rights (e.g. maternity and paternity leave and pay). If you do not provide information that you are required to by statute or contract, you may lose benefits or we may decide not to employ you or to end your contract. If you have concerns about this in a particular context, you should speak to your HR / People Team.
8. Other personal data about you is generated in the course of your work, such as if we were to receive personal data relating to you from others. Internally, personal data may be collected from your managers and other colleagues or our IT systems; externally, it may be derived from our customers or clients (for example in the form of feedback) or those with whom you communicate by email or other systems.

## WHO GETS TO SEE YOUR DATA?

9. Where necessary and as set out in this Privacy Notice, your personal data will be processed internally and, as a result, disclosed to your managers, Payroll, HR / People Team and administrators for employment, administrative and management purposes as set out in the above table. In some circumstances, it may also be disclosed to colleagues, but only insofar as access to your personal data is required, given the nature of their role.

We will, where necessary, also disclose this to other members of the wider WSH family.

10. We will only disclose your personal data outside the WSH family if disclosure is consistent with a ground for processing on which we rely and doing so is lawful and fair to you.

We will disclose your data if it is necessary for our legitimate interests as an organisation or the interests of a third party (but we will not disclose your data if these interests are over-riden by your interests and rights in particular to privacy). Where necessary, we will also disclose your personal data if you consent, where we are required to do so by law and in connection with criminal or regulatory investigations.

Specific circumstances in which your personal data may be disclosed to third parties include:

- to clients on whose premises you work (for example, to provide catering, hospitality, event or front-of-house services);
- to suppliers whom you deal with (for example, if it is necessary to arrange deliveries);

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- to organisations that process data on our behalf such as our payroll providers, insurers and other benefit providers, our bank and organisations that host our IT systems and data;
- to external recipients of electronic communications (such as emails) which contain your personal data;
- on a confidential basis to a potential buyer of our business or company for the purposes of evaluation – but only if we were to contemplate selling;
- to law enforcement agencies to respond to requests or where required by applicable laws, pursuant to court orders, or arbitral or tribunal orders or rules of procedure, or to government regulations departments or agencies or regulatory bodies (including disclosures to tax and employment authorities, employment and any other regulatory bodies);
- on a confidential basis to our advisers for example to our lawyers for the purposes of seeking legal advice or to further WSH's interests in legal proceedings and to our accountants for auditing purposes;
- on an aggregated and anonymised basis to relevant regulators as part of a formal request for diversity data;
- to third parties for the purpose of assessing the efficiency of IT or business system device usage. In such cases the data sent to the third party will be anonymised where possible.

## HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

11. We will keep your personal data for the duration of your employment and, typically (although not in every instance), for a maximum period of six to seven years afterwards, in line with statutory requirements. We will not however keep it for longer than is necessary for our purposes. In considering how long to keep it, we will take into account its relevance to our business and your employment either as a record or in the event of a legal claim.

For more information on how long your information is retained, please refer to our Retention Policy available on the Intranet or speak to your HR / People Team.

## IS YOUR PERSONAL DATA TRANSFERRED OUTSIDE OF THE EEA?

12. In connection with our business and for employment, administrative, management and legal purposes, we will where necessary and as set out in this Privacy Notice transfer your personal data to processors outside the UK or EEA.

We will ensure that any transfer is lawful and that there are appropriate security arrangements in place. Any contract with a controller/processor outside the UK or EEA will ensure appropriate and suitable safeguards. These are in standard terms approved by the European Commission. If you wish to see details of these safeguards, please ask your HR / People Team in the first instance.

## ACCESS TO YOUR PERSONAL DATA AND OTHER RIGHTS

13. We try to be as open as we reasonably can about personal data that we process. If you would like specific information, please just ask us.



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You also have a legal right to make a “subject access request”. These requests can be made verbally or in writing. If you exercise this right, and we hold personal data about you, we are required to provide you with information, including:

- a description and copy of the personal data we hold / process on you; and
- telling you why we are processing it.

If you make a subject access request and there is any question about who you are, we may require you to provide information from which we can satisfy ourselves as to your identity. We will provide you with any information you are entitled to within one month of receipt of your request, unless your request is particularly complex in which case we will let you know if we need more time.

As well as your subject access right, you may have a legal right to have your personal data rectified or erased, to object to its processing or to have its processing restricted. If you have provided us with data about yourself (for example your address or bank details), you have the right to be given the data in machine readable format for transmitting to another data controller. This only applies if the ground for processing is Consent or Contract.

If we have relied on consent as a ground for processing, you may withdraw consent at any time – though if you do so that will not affect the lawfulness of what we have done before you withdraw consent.

For more information on subject access requests and other rights within our business and how we carry these out, refer to *Data Protection Guidance (for the business) on... Subject Rights* which is available on the Intranet.

## COMPLAINTS

14. If you have complaints relating to our processing of your personal data, you should raise these with your HR / People Team in the first instance. You may also raise complaints with your statutory regulator, which is listed below under *Controller Contact Information*.

## STATUS OF THIS NOTICE

15. This notice is solely to provide information to you on how your personal data is processed by us. It does not form part of your contract of employment and does not create contractual rights or obligations. Nothing in this notice is intended to create an employment relationship between us and any non-employee providing services to us.

This notice may be amended by us at any time and will be reviewed on an annual or as required basis.

You may have received a previous version of this document upon commencement of your employment or have been pointed towards a version on the Intranet, however it is your

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responsibility to familiarise yourself with and check back regarding changes to this notice periodically.

## CONTROLLER CONTACT INFORMATION

Please note that the controller of your personal data will be the business that employs / engages you, in this case Searcys, but it may also be other entities within the WSH family with whom we need to share data for business administration purposes.

### United Kingdom

If you are employed, engaged or otherwise in the UK, the following additional information applies. Should you wish to contact us with regards to your personal data, in any capacity, please email the HR / People team at [hrsupport@searcys.co.uk](mailto:hrsupport@searcys.co.uk) or via post to the address listed below.

The statutory regulator in the United Kingdom is the Information Commissioners Officer (also known as the ICO); further information can be found on their website: [www.ico.org.uk](http://www.ico.org.uk).

| Data controller (your employer)    | Address  |
|------------------------------------|--|
| Searcy Tansley and Company Limited | 300 Thames Valley Park Drive, Reading, United Kingdom, RG6 1PT |

Please note that this Privacy Notice, along with other related data protection policies and/or protocols in place from time to time (such as the WSH Data Protection Policy), shall form WSH's policy for procuring special data as required by the UK Data Protection Act 2018 (Schedule 1 Part IV).