

## **Employee, Worker and Contractor Privacy Notice (GDPR compliant)**

The Company 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 the Company. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former employees, workers and contractors.

### **Data controller details**

The Company is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows: Rosa Twelftree, HR Manager, Seiko UK Limited, First Floor, Building 1, Concorde Park, Maidenhead, Berkshire SL6 4BY

### **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 securely, and 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 details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin

- information included on your CV including references, education history and employment history
- your start date, and if different, the date of your continuous employment
- leaving date and your reason for leaving
- documentation relating to your right to work in the UK
- driving licence
- car insurance for business use
- bank details
- tax codes
- National Insurance number
- current and previous job titles, job descriptions, location of employment or workplace, salary, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us
- letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms
- leave records including annual leave, family leave, sickness absence etc
- details of your criminal record, where this is appropriate given the nature of the role and where we are legally able to do so
- training details
- CCTV footage
- building entry records.

## **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 or engagement 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 recruiting officers 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 or credit reference agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

Personal data is kept in personnel files or within the Company's HR 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 or those of a third party, and your interests and fundamental rights do not override those interests;
- to protect your interests (or someone else's interests) and
- 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 and
- making reasonable adjustments for disabled employees.

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

- making decisions about who to offer initial employment to, and subsequent internal appointments, promotions etc.
- administering the contract we have entered into with you
- checking you are legally entitled to work in the UK
- making decisions about salary and other benefits
- determining whether your engagement is deemed employment for the purposes of Chapter 10 of Part 2 of the Income Tax (Earnings and Pensions) Act 2003 (ITEPA 2003) and providing you with a status determination statement in accordance with the applicable provisions of ITEPA 2003
- providing contractual benefits to you
- paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs).

- 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
- effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises
- offering a method of recourse for you against decisions made about you via a grievance procedure
- assessing training needs
- making decisions about your continued employment or engagement
- 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
- complying with our health and safety obligations
- equal opportunities monitoring
- managing statutory leave and pay systems such as maternity leave and pay, etc
- business planning, including accounting and auditing, and restructuring exercises
- making arrangements for the termination of our working relationship
- dealing with legal claims made against us
- preventing fraud
- monitoring your use of our information and communication systems to ensure compliance with our IT policies
- ensuring our administrative and IT systems are secure and robust against unauthorised access

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic or national origin
- political opinion
- religious or philosophical beliefs
- 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.

We will use special category data in the following ways:

- We will use information about your race or national or ethnic origin, religious or philosophical beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. \_
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, and pensions.

If we reasonably believe that you or another person are at risk of harm and the processing is necessary to protect you or them from physical, mental or emotional harm or to protect physical, mental or emotional well-being.

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.

## **Criminal conviction data**

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, it may also be collected during your employment. We may use criminal conviction data in accordance with the law and for the prevention and detection of fraud or other criminal offences

## **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. We may also be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## **Sharing your data**

Your data will be shared with colleagues within the Company where it is necessary for them to undertake their duties. This includes, for example, your line manager for their management of you, the HR department for maintaining personnel records and the payroll department for administering payment under your contract of employment.

We share your data with third parties in order to fulfil duties and responsibilities in relation to the recruitment process and the provision of any employee benefits, including our pension provider (AVIVA), pension advisor (AON), final salary pension administrators (where relevant) (Barnett Waddingham), healthcare provider (BUPA), healthcare broker (Willis Towers Watson) and HR systems provider (PeopleHR).

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 regulatory or legal obligation upon us. Such reasons may include making returns to HMRC, disclosures to stock exchange regulators and disclosures to shareholders such as directors' remuneration reporting requirements.

We will transfer your data to Japan, which is outside of the European Economic Area. The reason for transferring your data to Japan is to comply with the financial reporting requirements that Seiko Holdings global is subject to. There is an adequacy decision by the European Commission in respect of Japan, which means it is deemed to provide an adequate level of protection for your personal information. In addition, we ensure that appropriate data encryption is followed.

## **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 issues including off-site back up of all IT data in a secure location and cloud back-up of HR data and systems. Our IT security policy provides further information.

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

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **How long we keep your data for**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

## **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 duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

## **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 notice
- 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 Request policy which is available from the HR Department
- 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
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the HR Manager.

## **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.

## **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact Rosa Twelftree, HR Manager, Seiko UK Limited – [rosa.twelftree@seiko.co.uk](mailto:rosa.twelftree@seiko.co.uk) or 01628 410255 or 07900 136036.

Please electronically sign, on People HR, to confirm that you have read and understood this privacy notice.

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