



Data Protection Policy

1. Introduction

This Policy sets out the obligations of Envance, a company registered in England under number 12549732, whose registered office is at Westminster House, 10 Westminster Road, Macclesfield, Cheshire, United Kingdom, SK10 1BX (“the Company”) regarding data protection and the rights of its employees (in this context, “employee data subjects”) in respect of their personal data under the Data Protection Legislation (defined below).

This Policy sets out the Company’s obligations regarding the collection, processing, transfer, storage, and disposal of personal data relating to employee data subjects. The procedures and principles set out herein must be followed at all times by the Company, its employees, agents, contractors, and other parties working on behalf of the Company.

2. Definitions

“consent”	means the consent of the data subject which must be a freely given, specific, informed, and unambiguous indication of the data subject’s wishes by which they (by a statement or by a clear affirmative action) signify their agreement to the processing of personal data relating to them;
“data controller”	means the natural or legal person or organisation which, alone or jointly with others, determines the purposes and means of the processing of personal data. For the purposes of this Policy, the Company is the data controller of all personal data relating to employee data subjects;
“data processor”	means a person or organisation which processes personal data on behalf of a data controller;
“Data Protection Legislation”	means all applicable data protection and privacy laws including, but not limited to, the GDPR, and any applicable national laws, regulations, and secondary legislation in England and Wales concerning the processing of personal data or the privacy of electronic communications, as amended, replaced, or updated from time to time;
“data subject”	means a living, identified, or identifiable individual about whom the Company holds personal data (in this context, employee data subjects);

“EEA”	means the European Economic Area, consisting of all EU Member States, Iceland, Liechtenstein, and Norway;
“personal data”	means any information relating to a data subject who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that data subject;
“personal data breach”	means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored, or otherwise processed;
“processing”	means any operation or set of operations performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
“pseudonymisation”	means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data is not attributed to an identified or identifiable natural person; and
“special category personal data”	means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual life, sexual orientation, biometric, or genetic data.

3. **Data Protection Officer & Scope of Policy**

3.1 The Company’s Data Protection Officer is Chris John. The Data Protection Officer is responsible for administering this Policy and for developing and implementing any applicable related policies, procedures, and/or guidelines.

3.2 All Managers are responsible for ensuring that all employees, agents, contractors, or other parties working on behalf of the Company comply with this Policy and, where applicable, must implement such practices, processes, controls, and training as are reasonably necessary to ensure such compliance.

3.3 Any questions relating to this Policy, the Company’s collection, processing, or holding of personal

data, or to the Data Protection Legislation should be referred to the Data Protection Officer.

4. **The Data Protection Principles**

The Data Protection Legislation sets out the following principles with which anyone handling personal data must comply. Data controllers are responsible for, and must be able to demonstrate, such compliance. All personal data must be:

- 4.1 processed lawfully, fairly, and in a transparent manner in relation to the data subject;
- 4.2 collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- 4.3 adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed;
- 4.4 accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased, or rectified without delay;
- 4.5 kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by the Data Protection Legislation in order to safeguard the rights and freedoms of the data subject;
- 4.6 processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

5. **The Rights of Data Subjects**

The Data Protection Legislation sets out the following key rights applicable to data subjects:

- 5.1 the right to be informed;
- 5.2 the right of access;
- 5.3 the right to rectification;
- 5.4 the right to erasure (also known as the 'right to be forgotten');
- 5.5 the right to restrict processing;
- 5.6 the right to data portability;
- 5.7 the right to object; and
- 5.8 rights with respect to automated decision-making and profiling.

6. **Lawful, Fair, and Transparent Data Processing**

6.1 The Data Protection Legislation seeks to ensure that personal data is processed lawfully, fairly, and transparently, without adversely affecting the rights of the data subject. Specifically, the GDPR states that processing of personal data shall be lawful only if at least one of the following applies:

- a) the data subject has given consent to the processing of their personal data for one or more specific purposes;
- b) the processing is necessary for the performance of a contract to which the data subject is a party, or in order to take steps at the request of the data subject prior to entering into a contract;
- c) the processing is necessary for compliance with a legal obligation to which the data controller is subject;
- d) the processing is necessary to protect the vital interests of the data subject or of another natural person;
- e) the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller; or
- f) the processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

6.2 If the personal data in question is special category personal data (also known as 'sensitive personal data'), at least one of the following conditions must be met in addition to one of the conditions set out above:

- a) the data subject has given their explicit consent to the processing of such data for one or more specified purposes (unless EU or EU Member State law prohibits them from doing so);
- b) the processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the data controller or of the data subject in the field of employment, social security, and social protection law (insofar as it is authorised by EU or EU Member State law or a collective agreement pursuant to EU Member State law which provides for appropriate safeguards for the fundamental rights and interests of the data subject);
- c) the processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- d) the data controller is a foundation, association, or other non-profit body with a political, philosophical, religious, or trade union aim, and the processing is carried out in the course of its legitimate activities, provided that the processing relates solely to the members or former members of that body or to persons who have regular contact with it in connection with its purposes and that the personal data is not disclosed outside the body without the consent of the data subjects;
- e) the processing relates to personal data which is manifestly made public by the data subject;
- f) the processing is necessary for the conduct of legal claims or whenever courts are acting in their judicial capacity;
- g) the processing is necessary for substantial public interest reasons, on the basis of EU or EU Member State law which shall be proportionate to the aim pursued, shall respect the essence of the right to data protection, and shall provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject;

- h) the processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of an employee, for medical diagnosis, for the provision of health or social care or treatment, or the management of health or social care systems or services on the basis of EU or EU Member State law or pursuant to a contract with a health professional, subject to the conditions and safeguards referred to in Article 9(3) of the GDPR;
- i) the processing is necessary for public interest reasons in the area of public health, for example, protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of EU or EU Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject (in particular, professional secrecy); or
- j) the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes in accordance with Article 89(1) of the GDPR based on EU or EU Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection, and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

7. Consent

If consent is relied upon as the lawful basis for collecting, holding, and/or processing any personal data, the following shall apply:

7.1 Consent is a clear indication by the data subject that they agree to the processing of their personal data. Such a clear indication may take the form of a statement or a positive action. Silence, pre-ticked boxes, or inactivity are unlikely to amount to consent.

7.2 Where consent is given in a document which includes other matters, the section dealing with consent must be kept clearly separate from such other matters.

7.3 Data subjects are free to withdraw consent at any time and it must be made easy for them to do so. If a data subject withdraws consent, their request must be honoured promptly.

7.4 If personal data is to be processed for a different purpose that is incompatible with the purpose or purposes for which that personal data was originally collected that was not disclosed to the data subject when they first provided their consent, consent to the new purpose or purposes may need to be obtained from the data subject.

7.5 Where special category personal data is processed, the Company shall normally rely on a lawful basis other than explicit consent. If explicit consent is relied upon, the data subject in question must be issued with a suitable privacy notice in order to capture their consent.

7.6 In all cases where consent is relied upon as the lawful basis for collecting, holding, and/or processing personal data, records must be kept of all consents obtained in order to ensure that the Company can demonstrate its compliance with consent requirements.

8. Specified, Explicit, and Legitimate Purposes

8.1 The Company collects and processes the employee personal data set out in Part 23 of this Policy. This includes:

- a) personal data collected directly from employee data subjects[.] **OR** [; and]



b) [personal data obtained from third parties.]

8.2 The Company only collects, processes, and holds employee personal data for the specific purposes set out in Part 23 of this Policy (or for other purposes expressly permitted by the Data Protection Legislation).

8.3 Employee data subjects shall be kept informed at all times of the purpose or purposes for which the Company uses their personal data. Please refer to Part 15 for more information on keeping data subjects informed.

9. Adequate, Relevant, and Limited Data Processing

9.1 The Company will only collect and process employee personal data for and to the extent necessary for the specific purpose or purposes of which employee data subjects have been informed (or will be informed) as under Part 8, above, and as set out in Part 23, below.

9.2 Employees, agents, contractors, or other parties working on behalf of the Company may collect employee personal data only to the extent required for the performance of their job duties and only in accordance with this Policy. Excessive personal data must not be collected.

9.3 Employees, agents, contractors, or other parties working on behalf of the Company may process employee personal data only when the performance of their job duties requires it. Employee personal data held by the Company cannot be processed for any unrelated reasons.

10. Accuracy of Data and Keeping Data Up-to-Date

10.1 The Company shall ensure that all employee personal data collected, processed, and held by it is kept accurate and up-to-date. This includes, but is not limited to, the rectification of personal data at the request of an employee data subject, as set out in Part 17, below.

10.2 The accuracy of employee personal data shall be checked when it is collected and at **regular** intervals thereafter. If any employee personal data is found to be inaccurate or out-of-date, all reasonable steps will be taken without delay to amend or erase that data, as appropriate.

10.3 It is the responsibility of individual employee data subjects to ensure that the personal data they have provided to the Company is kept up-to-date. If any such personal data changes, employees should ensure that the relevant member of staff and/or department is informed as soon as is reasonably possible. The Company relies on the cooperation of its employees to help meet its obligations under the Data Protection Legislation.

11. Data Retention

11.1 The Company shall not keep employee personal data for any longer than is necessary in light of the purpose or purposes for which it was originally collected, held, and processed.

11.2 When employee personal data is no longer required, all reasonable steps will be taken to erase or otherwise dispose of it securely and without delay.

11.3 For full details of the Company's approach to data retention, including retention periods for specific personal data types held by the Company, please refer to our Data Retention Policy.

12. Secure Processing

12.1 The Company shall ensure that all employee personal data collected, held, and processed is kept secure and protected against unauthorised or unlawful processing and against accidental loss, destruction,

or damage. Further details of the technical and organisational measures which shall be taken are provided in the Company's [Data Security Policy] **AND/OR** [IT Security Policy].

12.2 All technical and organisational measures taken to protect employee personal data shall be regularly reviewed and evaluated to ensure their ongoing effectiveness and the continued security of employee personal data.

12.3 Data security must be maintained at all times by protecting the confidentiality, integrity, and availability of all employee personal data as follows:

- a) only those with a genuine need to access and use employee personal data and who are authorised to do so may access and use it;
- b) employee personal data must be accurate and suitable for the purpose or purposes for which it is collected, held, and processed; and
- c) authorised users must always be able to access employee personal data as required for the authorised purpose or purposes.

13. **Accountability and Record-Keeping**

13.1 The Data Protection Officer shall be responsible for administering this Policy and for developing and implementing any applicable related policies, procedures, and/or guidelines.

13.2 The Company shall follow a 'privacy by design' approach at all times when collecting, holding, and processing employee personal data. Data Protection Impact Assessments shall be conducted if any processing presents a significant risk to the rights and freedoms of employee data subjects (please refer to Part 14 for further information).

13.3 All employees, agents, contractors, or other parties working on behalf of the Company shall be given appropriate training in data protection and privacy, addressing the relevant aspects of the Data Protection Legislation, this Policy, and all other applicable Company policies.

13.4 The Company's data protection compliance shall be regularly reviewed and evaluated by means of Data Protection Audits.

13.5 The Company shall keep written internal records of all employee personal data collection, holding, and processing, which shall incorporate the following:

- a) the name and details of the Company, its Data Protection Officer, and any applicable third-party data transfers (including data processors and other data controllers with whom personal data is shared);
- b) the purposes for which the Company collects, holds, and processes employee personal data;
- c) the Company's legal basis or bases (including, where applicable, consent, the mechanism(s) for obtaining such consent, and records of such consent) for collecting, holding, and processing employee personal data;
- d) details of the categories of employee personal data collected, held, and processed by the Company, and the categories of employee data subject to which that personal data relates;
- e) details of any transfers of employee personal data to non-EEA countries including all mechanisms and security safeguards;
- f) details of how long employee personal data will be retained by the Company (please refer to the Company's Data Retention Policy);

- g) details of employee personal data storage, including location(s); and
- h) detailed descriptions of all technical and organisational measures taken by the Company to ensure the security of employee personal data.

14. **Data Protection Impact Assessments and Privacy by Design**

14.1 In accordance with 'privacy by design' principles, the Company shall carry out Data Protection Impact Assessments for any and all new projects and/or new uses of employee personal data which involve the use of new technologies and where the processing involved is likely to result in a high risk to the rights and freedoms of employee data subjects.

14.2 The principles of 'privacy by design' should be followed at all times when collecting, holding, and processing employee personal data. The following factors should be taken into consideration:

- a) the nature, scope, context, and purpose or purposes of the collection, holding, and processing;
- b) the state of the art of all relevant technical and organisational measures to be taken;
- c) the cost of implementing such measures; and
- d) the risks posed to employee data subjects and to the Company, including their likelihood and severity.

14.3 Data Protection Impact Assessments shall be overseen by the Data Protection Officer and shall address the following:

- a) the type(s) of employee personal data that will be collected, held, and processed;
- b) the purpose(s) for which employee personal data is to be used;
- c) the Company's objectives;
- d) how employee personal data is to be used;
- e) the parties (internal and/or external) who are to be consulted;
- f) the necessity and proportionality of the data processing with respect to the purpose(s) for which it is being processed;
- g) risks posed to employee data subjects;
- h) risks posed both within and to the Company; and
- i) proposed measures to minimise and handle identified risks.

15. **Keeping Data Subjects Informed**

15.1 The Company shall provide the information set out in Part 15.2 to every data employee data subject:

- a) Where employee personal data is collected directly from employee data subjects, those employee data subjects will be informed of its purpose at the time of collection; and
- b) where employee personal data is obtained from a third party, the relevant employee data subjects will be informed of its purpose:
 - i) if the personal data is used to communicate with the employee data subject, when the first communication is made; or

- ii) if the personal data is to be transferred to another party, before that transfer is made; or
- iii) as soon as reasonably possible and in any event not more than one month after the personal data is obtained.

15.2 The following information shall be provided in the form of a privacy notice:

- a) details of the Company including, but not limited to, all relevant contact details, and the names and contact details of any applicable representatives and its Data Protection Officer;
- b) the purpose(s) for which the employee personal data is being collected and will be processed (as detailed in Part 23 of this Policy) and the lawful basis justifying that collection and processing;
- c) where applicable, the legitimate interests upon which the Company is justifying its collection and processing of the employee personal data;
- d) where the employee personal data is not obtained directly from the employee data subject, the categories of personal data collected and processed;
- e) where the employee personal data is to be transferred to one or more third parties, details of those parties;
- f) where the employee personal data is to be transferred to a third party that is located outside of the EEA, details of that transfer, including but not limited to the safeguards in place (see Part 25 of this Policy for further details);
- g) details of applicable data retention periods;
- h) details of the employee data subject's rights under the Data Protection Legislation;
- i) details of the employee data subject's right to withdraw their consent to the Company's processing of their personal data at any time (where applicable);
- j) details of the employee data subject's right to complain to the Information Commissioner's Office (the 'supervisory authority');
- k) where the employee personal data is not obtained directly from the employee data subject, details about the source of that personal data;
- l) where applicable, details of any legal or contractual requirement or obligation necessitating the collection and processing of the employee personal data and details of any consequences of failing to provide it; and
- m) details of any automated decision-making or profiling that will take place using the employee personal data, including information on how decisions will be made, the significance of those decisions, and any consequences.

16. Data Subject Access

16.1 Employee data subjects may make subject access requests ("SARs") at any time to find out more about the personal data which the Company holds about them, what it is doing with that personal data, and why.

16.2 Employees wishing to make a SAR should do so using a Subject Access Request Form, sending the form to the Company's Data Protection Officer.

16.3 Responses to SARs must normally be made within one month of receipt; however, this may be extended by up to two months if the SAR is complex and/or numerous requests are made. If such additional

time is required, the data subject shall be informed.

16.4 All SARs received shall be handled by the Company's Data Protection Officer [in accordance with the Company's Data Subject Access Request Policy and Procedure].

16.5 The Company does not charge a fee for the handling of normal SARs. The Company reserves the right to charge reasonable fees for additional copies of information that has already been supplied to an employee data subject, and for requests that are manifestly unfounded or excessive, particularly where such requests are repetitive.

17. **Rectification of Personal Data**

17.1 Employee data subjects have the right to require the Company to rectify any of their personal data that is inaccurate or incomplete.

17.2 The Company shall rectify the employee personal data in question, and inform the employee data subject of that rectification, within one month of the employee data subject informing the Company of the issue. The period can be extended by up to two months in the case of complex requests. If such additional time is required, the employee data subject shall be informed.

17.3 In the event that any affected employee personal data has been disclosed to third parties, those parties shall be informed of any rectification that must be made to that personal data.

18. **Erasure of Personal Data**

18.1 Employee data subjects have the right to request that the Company erases the personal data it holds about them in the following circumstances:

- a) it is no longer necessary for the Company to hold that employee personal data with respect to the purpose(s) for which it was originally collected or processed;
- b) the employee data subject wishes to withdraw their consent (where applicable) to the Company holding and processing their personal data;
- c) the employee data subject objects to the Company holding and processing their personal data (and there is no overriding legitimate interest to allow the Company to continue doing so) (see Part 21 of this Policy for further details concerning the right to object);
- d) the employee personal data has been processed unlawfully;
- e) the employee personal data needs to be erased in order for the Company to comply with a particular legal obligation

18.2 Unless the Company has reasonable grounds to refuse to erase employee personal data, all requests for erasure shall be complied with, and the employee data subject informed of the erasure, within one month of receipt of the employee data subject's request. The period can be extended by up to two months in the case of complex requests. If such additional time is required, the employee data subject shall be informed.

18.3 In the event that any employee personal data that is to be erased in response to an employee data subject's request has been disclosed to third parties, those parties shall be informed of the erasure (unless it is impossible or would require disproportionate effort to do so).

19. **Restriction of Personal Data Processing**

19.1 Employee data subjects may, in certain limited circumstances, request that the Company ceases



processing the personal data it holds about them. If an employee data subject makes a valid request, the Company shall retain only the amount of employee personal data concerning that data subject (if any) that is necessary to ensure that the personal data in question is not processed further.

19.2 In the event that any affected employee personal data has been disclosed to third parties, those parties shall be informed of the applicable restrictions on processing it (unless it is impossible or would require disproportionate effort to do so).

20. **Objections to Personal Data Processing**

20.1 Employee data subjects have the right to object to the Company processing their personal data based on legitimate interests, for direct marketing (including profiling), and processing for scientific and/or historical research and statistics purposes.

20.2 Where an employee data subject objects to the Company processing their personal data based on its legitimate interests, the Company shall cease such processing immediately, unless it can be demonstrated that the Company's legitimate grounds for such processing override the employee data subject's interests, rights, and freedoms, or that the processing is necessary for the conduct of legal claims.

20.3 Where an employee data subject objects to the Company processing their personal data for direct marketing purposes, the Company shall cease such processing promptly.

20.4 Where an employee data subject objects to the Company processing their personal data for scientific and/or historical research and statistics purposes, the employee data subject must, under the Data Protection Legislation, "demonstrate grounds relating to his or her particular situation". The Company is not required to comply if the research is necessary for the performance of a task carried out for reasons of public interest.

21. **Personal Data**

The Company collects, holds, and processes personal data about its employees at all times in accordance with employee data subjects' rights and the Company's obligations under the Data Protection Legislation and this Policy.

For details of data retention, please refer to the Company's Data Retention Policy.

Special Category Personal Data

21.1 Any and all special category (sensitive) personal data collected, held, and processed will be used strictly in accordance with the applicable conditions set out in Part 6 of this Policy.

21.2 Special category personal data shall be accessible and used only by HR to the extent strictly necessary to achieve the purpose(s) for which it is collected, held, and processed and shall not be revealed to other employees, agents, contractors, or other parties working on behalf of the Company (except in exceptional circumstances where it is necessary to protect the vital interests of the employee data subject(s) concerned, and such circumstances satisfy the applicable conditions set out in Part 6 of this Policy).

Identification Information

21.3 The following identification information will be collected, held, and processed:

- a) Name;

Employment Records

21.4 The following information will be collected, held, and processed:

- a) Interview notes;

- b) CVs, application forms, covering letters, and similar documents;
- c) Assessments, performance reviews, and similar documents;
- d) Details of remuneration including salaries, pay increases, bonuses, commission, overtime, benefits, and expenses;
- e) Records of disciplinary matters including reports and warnings, both formal and informal;
- f) Details of grievances including documentary evidence, notes from interviews, procedures followed, and outcomes;

Equal Opportunities Monitoring

21.5 Equal opportunities monitoring information will be collected, held, and processed. Where possible, such data will be anonymised. The Company will use special category personal data for equal opportunities monitoring only with employee data subjects' consent.

21.6 Such data will only be used to the extent required to reduce, stop, and prevent unlawful discrimination and to ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms of employment, redundancy, and dismissals are determined on the basis of capability, qualifications, experience, skills, and productivity.

21.7 Employees may request that the Company does not hold such data about them. All requests must be made in writing.

21.8 The following information will be collected, held, and processed:

- a) Age;
- b) Gender;
- c) Ethnicity;
- d) Nationality;
- e) Religion;

Health Records

21.9 Health information will be collected, held, and processed. Most health data constitutes special category (sensitive) personal data. The Company will use special category personal data for health-related purposes only with employee data subjects' consent.

21.10 Health data will be only be used to the extent required to ensure that employees are able to perform their work correctly, legally, safely, and without unlawful or unfair impediments or discrimination.

21.11 Employees may request that the Company does not hold such data about them. All requests must be made in writing.

21.12 The following information will be collected, held, and processed:

- a) Details of sick leave;
- b) Medical conditions;
- c) Disabilities;
- d) Prescribed medication;

Benefits

21.13 If an employee is enrolled in a benefit scheme offered by the Company, it may be necessary for third-party organisations to collect personal data from the employee. Any such employees will be provided

with the necessary information prior to the collection of their data (as per the information requirements set out in Part 15 of this Policy).

21.14 The Company shall not use any such personal data except to the extent necessary for the administration of the relevant benefits schemes.

Employee Monitoring

21.15 The Company may from time to time monitor employees' activities, such as internet and email monitoring. Unless exceptional circumstances (such as criminal investigations or matters of equal severity) justify covert monitoring, employees will be informed of any and all monitoring in advance. Monitoring shall not normally interfere with an employee's duties.

21.16 Monitoring will take place only if the Company considers it necessary. Personal data collected for monitoring purposes will only be collected, held, and processed for reasons directly related to, and necessary for, achieving the intended result. Monitoring will always be conducted in accordance with employees' rights under the Data Protection Legislation.

21.17 Intrusion upon employees' personal communications and activities will be avoided whenever possible and under no circumstances will monitoring take place outside of an employee's normal place of work or working hours unless the employee is using Company equipment or other facilities such as Company email, intranet, or a VPN provided by the Company for its employees.

22. Sharing Personal Data

22.1 The Company may only share employee personal data with third parties if specific safeguards are in place.

22.2 Employee personal data may only be shared with other employees, agents, contractors, or other parties working on behalf of the Company if the recipient has a legitimate, job-related need-to-know. If any employee personal data is to be shared with a third party located outside of the European Economic Area, the provisions of Part 25, below, shall also apply.

22.3 Where a third-party data processor is used, that processor shall process personal data on behalf of the Company (as data controller) only on the written instruction of the Company.

22.4 Employee personal data may only be shared with third parties in the following circumstances:

- a) the third party has a legitimate need to know the information for the purpose of providing services to the Company under a contract;
- b) the sharing of the employee personal data concerned complies with the privacy notice provided to the affected employee data subjects (see Part 15 for more information) and, if required, the employees concerned have consented to the sharing of their personal data;
- c) the third-party recipient has agreed to comply with all applicable data security standards, policies, and procedures, and has put in place adequate security measures to protect the employee personal data;
- d) (where applicable) the transfer complies with any cross-border transfer restrictions (see Part 25, below); and
- e) a fully executed written agreement containing GDPR-approved third party clauses has been entered into with the third-party recipient.

23. Transferring Personal Data to a Country Outside the [UK and] EEA

23.1 The Company may from time to time transfer ('transfer' includes making available remotely) employee personal data to countries outside of the [UK and] EEA.

23.2 The transfer of employee personal data to a country outside of the [UK and] EEA shall take place only if one or more of the following applies:

- a) the transfer is to a country, territory, or one or more specific sectors in that country (or an international organisation), that the European Commission has determined ensures an adequate level of protection for personal data;
- b) the transfer is to a country (or international organisation) which provides appropriate safeguards in the form of a legally binding agreement between public authorities or bodies; binding corporate rules; standard data protection clauses adopted by the European Commission; compliance with an approved code of conduct approved by a supervisory authority (e.g. the Information Commissioner's Office); certification under an approved certification mechanism (as provided for in the Data Protection Legislation); contractual clauses agreed and authorised by the competent supervisory authority; or provisions inserted into administrative arrangements between public authorities or bodies authorised by the competent supervisory authority;
- c) the transfer is made with the informed and explicit consent of the relevant employee data subject(s);
- d) the transfer is necessary for the performance of a contract between the employee data subject and the Company (or for pre-contractual steps taken at the request of the employee data subject);
- e) the transfer is necessary for important public interest reasons;
- f) the transfer is necessary for the conduct of legal claims;
- g) the transfer is necessary to protect the vital interests of the employee data subject or other individuals where the employee data subject is physically or legally unable to give their consent; or
- h) the transfer is made from a register that, under UK or EU law, is intended to provide information to the public and which is open for access by the public in general or otherwise to those who are able to show a legitimate interest in accessing the register.

24. Data Breach Notification

24.1 All personal data breaches concerning employee personal data must be reported immediately to the Company's Data Protection Officer.

24.2 If an employee, agent, contractor, or other party working on behalf of the Company becomes aware of or suspects that a personal data breach has occurred, they must not attempt to investigate it themselves. Any and all evidence relating to the personal data breach in question should be carefully retained.

24.3 If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of employee data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Data Protection Officer must ensure that the Information Commissioner's Office is informed of the breach without delay, and in any event, within 72 hours after having become aware of it.

24.4 In the event that a personal data breach is likely to result in a high risk (that is, a higher risk than that described under Part 26.3) to the rights and freedoms of employee data subjects, the Data Protection Officer must ensure that all affected employee data subjects are informed of the breach directly and without undue delay.

24.5 Data breach notifications shall include the following information:

- a) The categories and approximate number of data subjects concerned;
- b) The categories and approximate number of personal data records concerned;
- c) The name and contact details of the Company's data protection officer (or other contact point where more information can be obtained);
- d) The likely consequences of the breach;
- e) Details of the measures taken, or proposed to be taken, by the Company to address the breach including, where appropriate, measures to mitigate its possible adverse effects.

25. Implementation of Policy

This Policy shall be deemed effective as of 9th January 2023. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.

Signed by: Chris John

Erica Kemp

Position: Director

Director



Signature:

Date: 9th Jan 2023

Review date: 9th Jan 2024