



SEM Privacy Notice for employees, workers and contractors

Edition Date 25th May 2018

1. What is the purpose of this document?

SEM Limited ("we", "our", "us") along with all other members of the Westec Holding Company Limited group (the "Group") are committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (EU) 2016/679 – the "GDPR", together with other UK data protection laws.

It applies to all employees, workers and contractors.

SEM Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you ("you", "your"). We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. These other applicable privacy notices include for example our website privacy notice and our CCTV policy. This privacy notice should also be read in conjunction with our **Data Retention Policy** and our **Data Protection Policy**.

This notice explains what personal data the SEM Limited holds about you, how we share it, how long we keep it and what your legal rights are in relation to it.

You can contact us in writing at One Hundred House, Brunel Way, Dartford, Kent, DA1 5TH, via telephone on 01322 783333 or via email to datacontroller@sem.co.uk if you have any questions regarding this document.

2. Data protection principles

We will comply with UK data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

3. The kind of information we hold about you

Personal data, or personal information, means any information relating to you as a living individual from which you can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

The categories of personal data that we may collect, store and use about you include (but are not limited to):

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.

- Personal details/data such as date of birth, gender, marital status etc.
- Family details - Next of kin and emergency contact information, details of any life assurance beneficiaries.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence and passport.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Educational History
- Employment records (including job titles, work history, working hours, absence records, training records and professional memberships).
- Performance information including disciplinary and grievance information.
- CCTV footage
- Information obtained through electronic means such as swipe card records including your staff card.
- Computing and email information, including login information for our IT systems, IP address(es), equipment allocated to you and records of network access.
- Photographs.

We will also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your nationality.
- Information about your health, including any medical condition that you have told us about in relation to your ability to perform your job, health and sickness records.]
- Information about criminal convictions and offences.

4. How is your personal information collected?

We typically collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. At SEM we may also collect personal information about you through psychometric testing used as part of the job application process. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies. We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

5. How we will use information about you

We will use your personal information as follows:

- To carry out our obligations under your employment contract with us.
- To administer your employee file including paying you or providing a benefit.

- To provide you with information about your employment or engagement.
- To manage sickness absence.
- To gather evidence for possible grievance or disciplinary hearings.
- To conduct performance reviews, managing performance and determining performance requirements.
- To assess your qualifications for a particular job or task, including decisions about promotions.
- To deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- To manage education, training and development requirements.

Our lawful basis for these activities above is necessity for us to perform our contract with you.

- Checking you are legally entitled to work in the UK.
- Ascertaining your fitness to work.
- Complying with health and safety obligations.
- Equal opportunities monitoring.

Our lawful basis for these activities above is necessity for us to comply with our legal obligations.

- At the end of your employment, or engagement, with us for analysis of staff turnover.

Our lawful basis for this activity above is the pursuit of our legitimate interests of recruiting individuals into the Group as part of our business plan.

- To capture CCTV footage at our sites to maintain the security of the premises and for preventing and investigating crime.
- For audit purposes of the Group.

Our lawful basis for these activities above is the pursuit of our legitimate interests of operating and expanding our business activities lawfully.

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

We may also use your personal information, typically in an emergency, where this is necessary to protect your vital interests, or someone else's vital interests. In a small number of cases where other lawful bases do not apply, we will process your data on the basis of your consent.

6. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

7. Change of purpose

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.

8. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection policy.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- 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.
- We will use information about your race, nationality or ethnic origin, religious beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need your consent?

We do not need your consent if we use special categories of your personal information to carry out our legal obligations or exercise specific rights in the field of employment law in accordance with our written policy. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

9. Information about criminal convictions

We do not envisage that we will hold information about criminal convictions.

10. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

11. Data sharing

We may have to share your data with third parties, including third-party service providers, Westec Holding Company Limited and Dr Johannes Heidenhain GmbH.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information

Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our Group and the wider Dr. Johannes Heidenhain GmbH group, including our HR and Payroll teams. The following activities are carried out by third party service providers:

- Friend James (payroll administration)
- Zurich (pension administration);
- Aviva ,Capita, Aston Lark (life insurance);
- Collingwood Health (occupational health checks)
- Perkbox (staff discount vouchers)
- BUPA ,Capita, Aston Lark (private health insurance);

Where information is shared with third parties, we will seek to share the minimum amount of information necessary to fulfil the purpose.

How secure is my information with third-party service providers and other entities in our Group?

All our third-party service providers and other entities in the Group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When might you share my personal information with other entities in the Group?

We will share your personal information with other entities in our Group as part of our regular reporting activities on company performance, in the context of a business reorganisation or Group restructuring exercise, for system maintenance support and hosting of data.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may share your personal information with our insurers if you have to make a work-related injury/accident claim. We may also need to share your personal information with a regulator or to otherwise comply with the law – potential recipients include HM Revenue & Customs, the Department for Work and Pensions, District Councils, the Child Support Agency and Child Maintenance Service.

Transferring information outside the EU

We may transfer the personal information we collect about you to the following country outside the EU, USA, in order to perform our contract with you. There is not an adequacy decision by the European Commission in respect of that country. This means that the country to which we transfer your data is deemed not to provide an adequate level of protection for your personal information. However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measures to ensure that your personal information is treated in a way that is consistent with and which respects the EU and UK laws on data protection: a binding contract with the third party provider.

12. Data security

We have put in place measures to protect the security of your information. Details of these measures may be obtained from The Data Controller.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. 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.

13. Data retention

How long will you use my information 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. Details of retention periods for different aspects of your personal information are available in our **Data Retention Policy** which is available from our Data Controller.

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 Group we will retain and securely destroy your personal information in accordance with our **Data Retention Policy**.

14. Rights of access, correction, erasure, and restriction

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 connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes (for example, email marketing or phone calls).
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

- **Object to any automated decision-making** about you which produces legal effects or otherwise significantly affects you.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Please be aware that these rights are subject to certain conditions and exceptions as set out in UK data protection law. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Controller in writing and they will explain any conditions that may apply.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Controller. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Further guidance on your rights is available from the Information Commissioner's Office (<https://ico.org.uk/>). You have the right to complain to the UK's supervisory office for data protection, the Information Commissioner's Office at <https://ico.org.uk/concerns/> if you believe that your data has been processed unlawfully.

15. Changes to this Privacy Notice

Victoria Lockwood has been appointed to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Controller.

We reserve the right to update this privacy notice at any time for example if the law or regulatory requirements change, if technology changes or to make the Group's operations and procedures more efficient. 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.

This privacy notice does not override any applicable national data privacy laws and regulations in countries where the Dr. Johannes Heidenhain GmbH group operates.