

Privacy Notice – Employee¹

Why Do We Use Your Personal Data?

We at Hesley Group are committed to your privacy, in compliance with the Data Protection Act (2018). Our use of your personal information encompasses typical employment-related processes, including but not limited to recruitment, employment management, and post-employment procedures.

We need this information to:

- Provide you with and comply with the employment contract.
- Adhere to legal obligations and requirements.
- Pursue the organisation's legitimate interests.

If in the future we intend to use your personal data for a different purpose from the purpose we collected it, we will provide you with information on that purpose.

Legitimate Interests

We sometimes need to store and process your data to pursue our legitimate business interests. These legitimate interests include being able to:

- Run the business efficiently.
- Maintain up-to-date and accurate personnel records.
- Make management decisions such as decisions about promotions and training needs.
- Ensuring acceptable conduct and performance standards.
- Fraud prevention and defense against any legal claims.

We will not process your data where these interests are overridden by your own interests.

What Information Do We Hold About You?

You will have provided much of the information we hold on you but some may come from other internal sources, such as your manager, or external sources, such as referees.

The information we hold may include:

- Your application form, CV and references.
- A photograph of you.
- Your date of birth and gender.
- Your contract of employment and any amendments to it.
- Contact and emergency contact details.
- Information about your nationality and entitlement to work in the UK.
- Correspondence with or about you, such as letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary.
- Records required for payroll, benefits and expenses purposes, such as your bank account details and national insurance number.
- Details of your working hours and attendance at work.

¹ Including former employees





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- Records of holiday, sickness, family leave and other leave.
- Equal opportunities monitoring information.
- Information about your career history, such as start and end dates with the organisation and other employers, training records, appraisals, other performance measures and any disciplinary or grievance procedures or warnings.
- Information about any criminal record.
- Information about your health, such as reasons for absence, GP reports or notes and details of any disability.
- Information relating to monitoring of employee's computer and telephone use.
- Information relating to attendance (clocking in and out) on our computerised system.

You will also be referred to in many company documents and records that you and your colleagues produce in the course of carrying out your work.

What Special Categories of Data Do We Process?

Hesley Group need to process some special categories of data to fulfil our legal duties. For example, we hold information about your health where this is necessary to comply with our employment law, health and safety and occupational health obligations. This information enables us to consider how your health affects your ability to do your job, whether any adjustments to your job might be appropriate and to administer statutory and discretionary sick pay.

Hesley Group process other special categories of personal data relating to your ethnicity, sexual orientation or religious beliefs so we can carry out equal opportunities monitoring. This monitoring is necessary to perform our obligations and rights under employment law.

Who Do We Share Your Information With?

Hesley Group may share your information internally, including with HR, Payroll, Recruitment and IT teams, your line manager and managers in your area if access to the data is necessary for them to perform their roles. We may also share information about you with other group companies for purposes connected with your employment or with managing the company's business.

We may also share your data with third parties such as:

- Previous employers for the purpose of obtaining pre-employment references.
- External providers who need the information to administer pay and benefits, including our payroll, pension, health insurance, occupational health service providers or other professional services.
- Service providers who carry out pre-employment background checks.
- The Disclosure and Barring Service in order to carry out required criminal records checks.

We may share your data with third parties if we sell some or all of our business, in which case we will put confidentiality arrangements in place.

We will not transfer your data to countries outside the United Kingdom or European Economic Area.

What are Your Rights?

Under the General Data Protection Regulation and the Data Protection Act 2018, you have a number of rights. You can:





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- Access and amend your incorrect or out-of-date data.
- Ask us to erase data, for example, if it is no longer necessary for us to hold the information for its original purpose.
- Ask us to restrict the processing of data that we cannot delete (for example, because we need to retain it to comply with our legal obligations) so we cannot process it for other purposes.
- Object to processing where we are relying on our legitimate interests as the legal basis for that processing.
- Complain to the Information Commissioners' Office if you believe that we have not complied with your data protection rights.

How Long Do We Keep Your Data?

Hesley Group will store your personal data for the duration of your employment. After your employment ends, we will retain it for a minimum of 6 years to ensure we meet the Statutory Minimum Retention Periods for Personnel Records (see table below). The Chartered Institute of Personnel and Development recommends keeping these files for 6 years after employment ends for the defense of any litigation claim relating to a breach of contract.

NB: Hesley Group may keep certain basic information such as name, date and duration of employment, for the purpose of future reference for employees.

What if You Do Not Provide Us With Your Data?

If you do not provide us with your data, Hesley Group will be unable to comply with some of our obligations or carry out our role as your employer efficiently. We need some information, such as your contact and payment details and proof of your right to work in the UK so we can enter an employment contract with you. You need to provide other types of data so that you can exercise your statutory rights, such as the right to various types of leave. You may also be in breach of your employment contract or the implied duty of trust and confidence if you do not provide certain kinds of data, such as notification of absences.

Automated Decision Making

Hesley Group does not base employment decisions on automated decision making. We may use psychometric tests in some of our recruitment processes to assess your values against a pre-determined Role Match Profile.

Contact Information

If you have any queries regarding this Privacy Notice, please contact the HR Department.



LIST OF STATUTORY RETENTION PERIODS FOR PERSONNEL RECORDS

Legal Requirements to Retain Personnel Records		
Records	Legislation	Statutory Minimum Retention Period
Evidence we've paid the minimum wage (e.g. payslips).	National Minimum Wage Act 1998.	3 years.
Records of wages, overtime, bonuses, expenses.	Taxes Management Act 1970.	6 years.
Working time records.	Working Time Regulations 1998.	2 years.
Statutory maternity pay records, calculations, certificates, medical evidence.	Statutory Maternity Pay (General) Regulations 1986.	3 years after the end of the tax year in which the maternity period ends.
Accounting records.	Companies Act 1985.	3 years for private companies, 6 years for public limited companies.
Income tax and National Insurance returns.	Income Tax (Employments) Regulations 1993.	3 years after the end of the relevant financial year.
Accident books and reports (note: there are special rules if hazardous substances are involved).	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995.	3 years (or until a young adult reaches the age of 21).