

# Privacy Notice: Employees & Workers

We provide individuals with privacy information at the time we collect their personal data from them.

If we obtain personal data from a source other than the individual it relates to, we provide them with privacy information within a reasonable period of obtaining the personal data and no later than one month.

If we plan to communicate with the individual, we provide this information at the latest when the first communication takes place. If we plan to disclose the data to someone else, we provide this information at the latest when the data is disclosed.

**Date Created:** May 2018

**Last Reviewed:**

## Privacy Notice

Martin Joyce Ltd (the "Data Controller") only collects and uses personal data in line with the General Data Protection Regulation, the Data Protection Act and any other applicable laws and regulations.

This Privacy Notice informs you about our processing activities: the data we hold, why we use it, how long we will retain it for, and other relevant information. This notice applies only to the categories of Data Subject above.

### What categories of Personal Data do we process?

We regularly process the following kinds of information in relation to the Data Subjects above:

- Bank details
- Contract commencement / termination dates
- Correspondence
- Date of birth
- Drivers' licence number
- Holiday entitlement
- Home address
- Home telephone
- Job Title
- Location
- Medical information
- Name
- National Insurance no.
- Next of kin / Emergency contact details
- Notice Period
- Passport copy / number
- Pay rate and pay history
- Personal email address
- Personal mobile
- Qualifications / Certificates (details of)
- Signatures
- Training (details of)
- Work Address
- Work email address
- Work telephone
- Working hours

We may process personal data when we provide or obtain references.

We also collect, store and use the following "special categories" of more sensitive personal information in line with our Processing Sensitive Data Policy:

- Information about your health, including any medical condition, health and sickness records

### What legal bases do we rely on?

We use the types of personal information above on the following legal bases:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with our legal obligations.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

### Why do we process this information?

The situations in which we will process your personal information are listed below:

- AUDIT - To retain information that may be relevant to an audit
- CARE – To comply with our duty of care and consider adjustments
- CLAIMS - To retain documents that may be relevant to legal claims
- DUTY - To comply with a duty owed to a 3rd party
- ELIGIBILITY - To ensure staff are entitled to work in the UK
- EQUAL OPS - To comply with equal opportunities and reporting requirements
- HUMAN RESOURCES - To process personnel matters including appraisal, professional development, fitness for work, disciplinary, contract termination, promotion and pay review
- INSURANCE - To maintain insurance cover
- LAWFUL - To ensure our activities are within the law
- LEGITIMATE INTEREST - To attain some other legitimate interest
- MANAGEMENT - To effectively manage our staff, their activities and our tangible assets
- OBLIGATION - To comply with a strict legal obligation to retain records
- PAYROLL - To administer pay, tax, NI and other deductions and allowances
- PENSIONS – To administer pension enrolment and payments
- PLANNING - To plan accounting and resource allocation
- QUALIFICATION – To ensure staff are suitably skilled and trained
- RECRUITMENT - For the purposes of recruitment
- SERVICE DELIVERY - To provide our services to clients
- SHARING - To share relevant information with a 3rd party organisation/s who have a right to know it

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.

In relation to location tracking personal data, this is used to track vehicles being used for work but because we have some knowledge of who is in a vehicle this necessarily means your location can sometimes be identified.

#### **Where did we collect this data from?**

We generally collect information for you directly, but we may also have obtained your data from one of the sources below:

- Employment agencies in the course of recruitment
- Information provided to us by your referees
- Former employees, workers or others who may have recommended you

We will also collect information in the categories above in the course of your employment throughout the period you work for us.

#### **Are you under any obligation to provide the Personal Data?**

Where we process Personal Data to comply with our legal obligations you must provide this information.

If you fail to provide certain information when requested we may be prevented from: performing the contract we have entered into with you, complying with our legal obligations, or achieving our legitimate interests.

#### **Who do we share this information with?**

We use some third-party service providers who process data for us under strict instructions and under a contract ("Processors"). Our Processors provide the following services:

- Pension administration
- Cloud-based storage
- Outsourced HR
- Data Protection Consultancy

- Legal advisors
- Accountancy services

All our Processors 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.

We may need to share your personal information with a regulator or to otherwise comply with the law. We may need to share details of your training and / or qualifications with clients or potential clients.

#### **Will the information be used for automated decision making or profiling?**

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.

#### **How long do we keep this information?**

We retain Personal Data in compliance with our Retention Policy and Schedule 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.

Our Retention Policy and Schedule are available at [www.followmylink.uk/martin-joyce-ltd-privacy-portal](http://www.followmylink.uk/martin-joyce-ltd-privacy-portal)

#### **How do we keep this information 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.

#### **What rights do you have?**

Data Subjects are entitled to request that we erase, restrict, rectify or provide you with a copy of the data we hold, and may object to processing activities.

It is our policy to fulfil any such request within the statutory period of one month unless there is a compelling legal or contractual obligation which prevents us from doing so.

To make any such request please contact our officer responsible for data protection whose contact details are Sean Joyce, [sean@martinjoyce.com](mailto:sean@martinjoyce.com), 07387 262186.

You also have the right to lodge a complaint with the UK's data regulator, the Information Commissioner's Office. Visit [www.ico.org](http://www.ico.org) for more information.

#### **Our contact information**

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