

PH Hull & Sons Ltd (PHH) - DATA PROTECTION / PRIVACY NOTICE

Summary

- A. Purpose
- B. Personal Information
- C. How we collect, use and process information
- D. Our obligations as an Employer
- E. Disclosure of personal information / third parties
- F. Data Security & Data Retention
- G. Rights of access, correction, erasure and restriction
- H. Data Controller / Data Protection Officer

A. PURPOSE

This website

This website is operated by PHH but hosting of the site is carried out by a third party. Our website uses Google Analytics (GA) tracking software, Cookie Tracking and other Third-Party Data Processors (such as AddThis) for the purposes of improving user experience and website performance. These Third-Party Data Processors have been carefully chosen and are responsible for their own GDPR compliance.

PHH does not capture and store any personal information about individuals who access this website, except where you voluntarily choose to give us your personal details via email, or by using an electronic form, or enquiring about any of our services. In these circumstances, the personal information that you give us will only be used to provide the information or service you have requested. If you have any questions about any aspect of this, eg how we store cookies, or any information about the third-party processors we use, please contact us at email address: compliance@phullservices.co.uk. Click here <http://phullservices.co.uk/third-party-data> to view a list of all cookies used on this site.

What is the purpose of this document? PHH is 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 (GDPR).

It applies to all employees, workers, contractors, suppliers and clients or potential clients of ours. PHH is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. 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, or potential clients of ours in respect of whom we hold personal data.

Changes to this statement

We reserve the right to change this statement at any time by posting revisions on the site. This privacy policy is not intended to, and does not, create any contractual or other legal rights.

This privacy statement was last updated on 4th June 2018.

B. PERSONAL INFORMATION

Your personal information

Your personal information is only collected when voluntarily submitted by you. We will only use the information we collect to provide you with updates and other information which you may have requested.

You will be asked for your consent where required, whenever you give us your personal information, and given the option to unsubscribe whenever appropriate.

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

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

The kind of information we may hold about you. Personal data, or personal information, means any information about an individual from which that person 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. Depending on the circumstances, we may collect, store, and use the following categories of personal information about you:

IN GENERAL:-

- Personal contact details such as name, title, addresses, telephone numbers, and email addresses.
- Business information, such as VAT number, Company Registration number, Waste Registration number, Insurance information, Compliance Certificates
- Bank account details - if we have needed to make payments to yourself, this is held on our on line business banking accounts and on our Business Processing/Accounts Systems.
- credit information
- CCTV footage and other information obtained through electronic means such as telephone recordings, email usage data, internet usage data and swipe-card records.
- Information about your use of our information and communications systems.
- Photographs.

AS AN EMPLOYER ONLY:-

- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.

- Payroll records and tax status information
- Salary, annual leave, pension and benefits information.
- Start date(s) of job roles.
- Location of employment or workplace.
- Copy of identity documents, such as passport, driving licence, utility bills.
- 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).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Salary/payments history.
- Performance information.
- Disciplinary and grievance information.

We may also collect, store and use the following "special categories" of more sensitive personal information, as an Employer:

- Information about your health, relevant to your work, including, for example, any medical condition, health and sickness records.
- Information about criminal convictions and offences, as part of a recruitment process.

C. HOW WE COLLECT, USE AND PROCESS PERSONAL INFORMATION

How may your personal information be collected? We may collect personal information about employees, workers, contactors, clients or potential clients of ours in a number of different ways. This includes through an application and recruitment process. We may sometimes collect information from third parties including former employers, credit reference agencies or other background check agencies. Individuals at clients may provide us with their contact details as part of a discussion about our services. We may also collect personal data which is publicly available on websites such as jobs boards, LinkedIn, or similar recruitment-related websites. We may use third-party applications which source their data from publicly-available websites.

How we may use information about you. We will only use your personal information when the law allows us to. Most commonly, we may use your personal information in the following circumstances:

1. Where we are taking steps at your request prior to entering into a contract.
2. Where we need to perform a contract which we have entered into with you.
3. Where we need to comply with a legal obligation.
4. 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.

We may also use your personal information in the following situations, which are likely to be rare:

5. Where it is necessary to protect the vital interests of you or another person.
6. Where it is needed in the public interest or for official purposes.

Situations in which we may use your personal information. We may need the categories of information (in the section 'The kind of information we hold about

you') for the reasons set out above ('How we may use information about you'). Primarily this will be where we are taking steps at your request prior to entering into a contract and to perform a contract we have entered into with you (or your employer or a company related to you), and in some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

The situations in which we may process your personal information are listed below. The list below indicates the categories of data which may be involved in processing your personal information (depending on the circumstances). The list also indicates, by numbers at the end of each category corresponding to the list in the box above 'How we may use information about you', the purpose or purposes for which we may process your personal information (depending on the circumstances).

- Making a decision about your recruitment or appointment.[1]
- Determining or agreeing with you (or your employer or a company related to you) the terms on which we work together.[1]
- Checking you are legally entitled to work in the UK.[1]
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.[2]
- Providing contractual benefits to you. [2]
- Liaising with your pension provider.[2][4]
- Administering the contract we have entered into with you.[2]
- Business management and planning, including accounting and auditing.[2], [3], [4]
- Conducting performance reviews, managing performance and determining performance requirements. [2]
- Making decisions about salary reviews and compensation.[2]
- To contact you about your service requirements. [1], [2], [4]
- Assessing qualifications for a particular job or task, including decisions about promotions.[1] [2]
- Gathering evidence for possible grievance or disciplinary hearings.[2]
- Making decisions about your continued employment or engagement.[1], [2], [3]
- Making arrangements for the termination of our working relationship.[2], [3]
- Education, training and development requirements.[2], [3]
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.[2], [3]
- Ascertaining your fitness to work. [1], [2], [3]
- Managing sickness absence.[2], [3]
- Complying with health and safety obligations.[2], [3]
- To prevent fraud.[1], [2], [3]
- Equal opportunities monitoring. [1], [2], [3]
- To contact you with information about our services. [1], [2], [4]
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.[1], [2], [3]
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.[1], [2], [3]

- To conduct data analytics studies to review and better understand employee retention and attrition rates.[4]

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

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).

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. We may process your personal information without your knowledge or consent where this is required or permitted by law.

How we may use special categories of personal information. "Special categories" of sensitive personal data 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:

- Where we need to carry out our legal obligations or exercise specific rights (either yours or ours) related to employment and in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring, in relation to our occupational pension scheme, and in line with our data protection policy.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- In limited circumstances, with your explicit written consent.

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. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

D. OUR OBLIGATIONS AS AN EMPLOYER

Our obligations as an employer. We may use special categories of personal information in the following ways:

- We may use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We may 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 may use information about your race or national or ethnic origin, religious, philosophical or moral 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 in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. 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.

Information about criminal convictions. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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. We envisage that we may hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

We may use information about criminal convictions and offences in the following ways:

- To consider your suitability for a role with clients or with us.

E. DISCLOSURE OF YOUR PERSONAL INFORMATION

Disclosure of your personal information

Personal information is not disclosed to third parties unless this is explicitly indicated in order to fulfil our service offering (for example, a waste partner or haulage contractor) or the information is required for legal or statutory reasons. In all other circumstances consent will be sought for any disclosure of personal data to a third party. We require third parties to respect the security of your data and to treat it in accordance with the law.

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).

How secure is my information with third-party service providers? All our third-party service providers 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 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 also need to share your personal information with a regulator or to otherwise comply with the law.

F. DATA SECURITY & DATA RETENTION

Data security. We have put in place measures to protect the security of your information, for example to backup and protect the integrity of our electronic communications and data storage systems. Details of these measures are available upon request. Third parties may 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 may 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.

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. 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, contractor or candidate of the company or an individual working at a client or potential client of ours, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

G. RIGHTS OF ACCESS, CORRECTION, ERASURE & 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. In accordance with the Data Protection Act 1998, you are entitled to request a copy of the information we hold about you.

You have the right to contact us to remove consent, to correct, or to erase your personal data at any time, where relevant. Any questions regarding this policy and our privacy practices should be directed by email to compliance@phullservices.co.uk.

If you wish to request a copy of your personal information, a request should be sent via email to the DPO at our Ragdale office, details of which are provided below.

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.

H. DATA CONTROLLER / DATA PROTECTION OFFICER

Data controller

The data controller for the main elements of this site is P. H. Hull & Sons Limited (the company registered in England under registration no. 03979110 and with its registration address 14 Park Row, Nottingham, Nottinghamshire, NG1 6GR).

As a data controller under the Data Protection Act (1998) and the GDPR (2018), PHH adheres strictly to our legal duty to protect any personal information we collect from you.

How to contact your data protection officer

If you have any questions about this privacy notice or about the data we hold on you or how we handle your personal information, or are unhappy with our response or feel the need to escalate matters, please contact the data protection officer (DPO)/relevant contact at the PHH office. Email: compliance@phullservices.co.uk.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.