

Privacy notice for employees, workers and contractors

1. The Purpose of this Privacy Notice

- 1.1. Joyce Design UK Limited ('the Employer') is committed to protecting the privacy and security of the personal information of the people who work on its behalf.
- 1.2. The Employer's registered office is Abbey House, 51 High Street, Saffron Walden. Essex. CB10 1AF. Any of its directors can be contacted in relation to this privacy notice.
- 1.3. This privacy notice:
 - 1.3.1. describes how we collect and use personal information about you prior to, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).
 - 1.3.2. applies to all employees, workers and contractors.
 - 1.3.3. does not form part of any contract of employment or other contract to provide services.
 - 1.3.4. may be updated at any time.
- 1.4. It is important that you read this notice, together with any other privacy notice we may issue from time to time, including in relation to specific occasions when we wish to process personal information about you, so that you are aware of how and why we are using your information.

2. Data Controller

- 2.1. The Employer is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.
- 2.2. We are required under data protection legislation to notify you of the information contained in this privacy notice.

3. Data Protection Principles

- 3.1. We will comply with data protection law. This says that the personal information we hold about you must be:
 - 3.1.1. Used lawfully, fairly and in a transparent way.
 - 3.1.2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

- 3.1.3. Relevant to the purposes we have told you about and limited only to those purposes.
- 3.1.4. Accurate and kept up to date.
- 3.1.5. Kept only as long as necessary for the purposes we have told you about.
- 3.1.6. Kept securely.

4. What information we hold about you

- 4.1. Personal data, or information, is any information about an individual from which that person can be identified. It does not include data where the identity of the person it relates to has been removed (anonymous data). Where possible we will retain information in an anonymous form.
- 4.2. We will collect, store and use the following categories of personal information about you:
 - 4.2.1. Personal contact details such as name, title, addresses, telephone numbers and personal email addresses.
 - 4.2.2. Date of birth.
 - 4.2.3. Gender.
 - 4.2.4. Marital status and dependants.
 - 4.2.5. Next of kin and emergency contact information.
 - 4.2.6. National Insurance number.
 - 4.2.7. Bank account details, payroll records and tax status information.
 - 4.2.8. Salary, annual leave, pension, childcare voucher and benefits information.
 - 4.2.9. Start date.
 - 4.2.10. Workplace.
 - 4.2.11. Copy of driving licence.
 - 4.2.12. 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).
 - 4.2.13. Employment records (including job titles, work history, working hours, training records and professional memberships).

- 4.2.14. Performance information.
- 4.2.15. Disciplinary and grievance information.
- 4.2.16. Information relevant for motor insurance (claims history, driving licence information).
- 4.2.17. Information about your use of our information and communications systems.
- 4.2.18. Photographs.
- 4.2.19. CCTV records.

5. How we use special categories of information

- 5.1. "Special categories" of information include information relating:
 - 5.1.1. your racial or ethnic origin, political opinions, religious and philosophical beliefs and sexual orientation.
 - 5.1.2. trade union membership.
 - 5.1.3. your health.
 - 5.1.4. criminal convictions and offences.
- 5.2. Special categories of information require higher levels of protection. We may process special categories of personal information in the following circumstances:
 - 5.2.1. with your explicit written consent.
 - 5.2.2. where we need to carry out our legal obligations or exercise rights in connection with employment. Processing will be carried out in accordance our policy on processing special categories of information and the additional safeguards in place for such processing.
 - 5.2.3. where it is necessary to assess your working capacity, in accordance with employment law or pursuant to a contract with a health professional, and subject to confidentiality safeguards.
 - 5.2.4. where it is needed in the public interest, such as for equal opportunities monitoring or in relation to eligibility for or benefits payable under our occupational pension scheme.
- 5.3. Less commonly, we may process this type of information where:
 - 5.3.1. it is needed in relation to legal claims

- 5.3.2. it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent
 - 5.3.3. you have already made the information public.
- 5.4. We will use special categories of information:
 - 5.4.1. about your physical and/or mental health or disability status to carry out our legal obligations or exercise rights in connection with employment, for example to ensure your health and safety in the workplace and to assess your fitness to work and working capacity, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits on occasions in conjunction with a health professional subject to confidentiality. Processing will be carried out in accordance our policy on processing special categories of information and the additional safeguards in place for such processing.
 - 5.4.2. 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.
 - 5.4.3. relating to trade union membership to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.
- 5.5. In limited circumstances we may approach you for your written consent to allow us to process certain particularly sensitive information in exceptional circumstances. 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. It is not a condition of your contract with us that you agree to any request for consent from us and you would have the right to refuse.
- 5.6. We will only collect information about criminal convictions if it is appropriate given the nature of your role and where we are legally able to do so as part of the recruitment process or any promotion or we may be notified of such information directly by you (or another) in the course of you working for us.
- 5.7. We may only use information relating to criminal convictions where:
 - 5.7.1. the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and provided we do so in line with our policy on processing special categories of information.

- 5.7.2. 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.

6. How we collect your personal data

- 6.1. We 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.
- 6.2. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies, referees and online sources.
- 6.3. We will collect additional personal information in the course of job-related activities throughout the period of you working for us directly from you, colleagues, online sources and/or third parties.

7. How we use information about you

- 7.1. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
 - 7.1.1. Where we need to perform the contract we have entered into with you.
 - 7.1.2. Where we need to comply with a legal obligation.
 - 7.1.3. 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.
 - 7.1.4. We may also use your personal information in the following situations, which are likely to be rare:
 - 7.1.4.1. Where we need to protect your interests (or someone else's interests).
 - 7.1.4.2. Where it is needed in the public interest.
- 7.2. We may process your personal information without your knowledge or consent, in compliance with this privacy notice, where this is required or otherwise permitted by law.
- 7.3. We need all the categories of information set out in paragraph 4 to allow us to perform our contract with you and to enable us to comply with legal obligations. 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.

- 7.4. The situations in which we will process your personal information are listed below.
- 7.4.1. Making a decision about your recruitment, appointment or promotion.
 - 7.4.2. Determining the terms on which you work for us.
 - 7.4.3. Checking you are legally entitled to work in the UK.
 - 7.4.4. Paying you and determining and deducting appropriate tax and National Insurance contributions.
 - 7.4.5. Providing the benefits to you, including but not limited to pension, death in service, dental insurance, medical insurance and/or gym membership.
 - 7.4.6. Liaising with our motor insurance provider.
 - 7.4.7. Liaising with your pension provider.
 - 7.4.8. Administering the contract we have entered into with you.
 - 7.4.9. Business management and planning, including accounting and auditing.
 - 7.4.10. Conducting performance reviews, managing performance and determining performance requirements.
 - 7.4.11. Making decisions about salary reviews, remuneration and benefits.
 - 7.4.12. Assessing qualifications for a particular job or task, including decisions about promotions.
 - 7.4.13. Gathering evidence as part of an investigation relating to a grievance and/or disciplinary matter, including for possible grievance or disciplinary hearings.
 - 7.4.14. Making decisions about your continued employment or engagement.
 - 7.4.15. Making arrangements for the termination of our working relationship.
 - 7.4.16. Education, training and development requirements.
 - 7.4.17. Dealing with legal or other disputes involving you, or other employees, workers and contractors, including accidents at work.
 - 7.4.18. Ascertaining your fitness to work and/or managing sickness absence.
 - 7.4.19. Complying with health and safety obligations.

- 7.4.20. To prevent fraud.
- 7.4.21. To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- 7.4.22. To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- 7.4.23. To conduct data analytics studies to review and better understand employee retention and attrition rates.
- 7.4.24. Equal opportunities monitoring.
- 7.5. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.
- 7.6. If you do not provide information when requested or keep us up to date with any changes, we may not be able to perform the contract we have entered into with you (for example paying you or providing a benefit), or we may be prevented from complying with our legal obligations (for example ensuring the health and safety of our workers).
- 7.7. 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.
- 7.8. 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.

8. Automated decision-making

- 8.1. 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.
- 8.2. 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:
 - 8.2.1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
 - 8.2.2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.

- 8.2.3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.
- 8.3. We do not make any automated decision on the basis of any special categories of information. We will only do so in the future with your explicit written consent or where it is justified in the public interest and we have put in place appropriate measures to safeguard your rights.
- 8.4. 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.

9. Data sharing

- 9.1. We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you (including benefits) or where we have another legitimate interest in doing so.
- 9.2. "Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the Mitsui group.
- 9.3. The following activities are carried out currently by the following third-party service providers:
 - 9.3.1. payroll, Bentens Accountants
 - 9.3.2. pension administration, Bentens Accountants for NOW Pensions
 - 9.3.3. benefits provision and administration, Bentens Accountants and AXA PPP]
 - 9.3.4. IT services, Neos IT –
 - 9.3.5. Occupational health services, ELAS
- 9.4. All our third-party service providers, including any change in provider, and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies.
- 9.5. We do not allow our third-party service providers to use your personal data for their own purposes.
- 9.6. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

- 9.7. 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.
- 9.8. We do not anticipate transferring the personal information we collect about you to any country/countries outside the EU in order to perform our contract with you.

10. Data security

- 10.1. We have put in place measures to protect the security of your personal information, including to prevent your information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. For example, your personal information is kept in password protected files and accessible only by those authorised and who have a business need for access. When shared with third parties, your personal information is shared with encryption or in password protected files. Other details of measures are available upon request from Kate Joyce.
- 10.2. Your personal information will only be processed on our instructions and subject to a duty of confidentiality.
- 10.3. Third parties have agreed to treat your personal information confidentially and to keep it secure and will only process your personal information on our instructions and where they.
- 10.4. 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.

11. Data retention

- 11.1. 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.
- 11.2. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from Kate Joyce.
- 11.3. 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 any legal requirements.

- 11.4. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may anonymised information without further notice to you.
- 11.5. When you cease to be employed or engaged by us we will retain and securely destroy your personal information in accordance with our data retention policy and any applicable laws and regulations.

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

- 12.1. 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.
- 12.2. Under certain circumstances, by law you have the right to:
 - 12.2.1. **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.
 - 12.2.2. **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.
 - 12.2.3. **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 for which see below.
 - 12.2.4. **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.
 - 12.2.5. **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.
 - 12.2.6. **Request the transfer** of your personal information to another party.

- 12.3. 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 Kate Joyce in writing.
- 12.4. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). 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.
- 12.5. As a security measure to ensure that personal information is not disclosed to any person who has no right to receive it, 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).

13. Right to withdraw consent

- 13.1. Consent is usually, but not always, obtained where there is no other legal basis on which to process your personal information for a specific purpose. In these limited circumstances you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Kate Joyce. 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.

14. Data privacy manager

- 14.1. We have appointed a data privacy manager to oversee compliance with this privacy notice.
- 14.2. If you have any questions about this privacy notice or how we handle your personal information, please contact the data privacy manager.
- 14.3. The data privacy manager is Kate Joyce and can be contacted at Joyce Design (UK) Ltd. 40 Robjohns Road. Chelmsford. Essex. CM1 3AF
- 14.4. 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.

15. Changes to this privacy notice

- 15.1. We may update this privacy notice at any time. 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.
- 15.2. If you have any questions about this privacy notice, please contact Kate Joyce.