

DATED: 17 APRIL 2018

HOLLYBOURNE DEVELOPMENTS LIMITED

ALSO TRADING AS

**ALTON HOUSE HOTEL
FARNHAM HOUSE HOTEL
RED LION HOTEL**

(“HOLLYBOURNE DEVELOPMENTS”)

DATA PROTECTION PRIVACY NOTICE FOR EMPLOYEES

1. What is the purpose of this document?

Hollybourne Developments is committed to protecting the privacy and security of your personal information.

This notice describes what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during your employment and after it ends, in accordance with the General Data Protection Regulations (GDPR). We are required by law to notify you of the information contained within this notice.

Please ensure that you read this notice (sometimes referred to as a '*privacy notice*') and any other similar notice we may provide to you from time to time when we collect or process personal information about you in order that you are aware of how and why we are using your personal information.

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

2. Who collects the information

Hollybourne Developments is a '*data controller*' and gathers and uses certain information about you. As a data controller, we are also responsible for deciding how we hold and use personal data about you. This information is also used by our affiliated entities and group companies, namely Alton House Hotel, Farnham House Hotel and Red Lion Hotel, (our 'Group Companies') and so, in this notice, references to 'we' or 'us' mean the Company and our Group Companies.

3. Data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection Policy and which confirm that all 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 which 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 for as long as is necessary for the purposes we have told you about; and
- Kept securely.

4. The kind of information we 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.

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

We may collect, store and use the following categories of personal information about you during your employment:

- Your name, contact details (i.e. title, address, home and mobile phone numbers, personal email address);
- Next of kin and emergency contact information (i.e. name, relationship and home and mobile phone numbers and personal email address);
- Your date of birth;
- Your gender;
- Information collected during the recruitment process that we retain during your employment (including copies of right to work documentation, references and other information included in a CV or cover letter);
- Employment contract information, including your start date and workplace, job titles, work history and working hours;
- Training records;
- Professional memberships;
- Details of salary (including salary history) and benefits, bank/building society, payroll records, National Insurance and tax information;
- Your age;
- Details of your spouse/partner and any dependants;
- A copy of your driving licence;
- Details of your pension arrangements, and all information included in these and necessary to implement and administer them;
- Criminal records information, including the results of Disclosure and Barring Service (DBS) checks;
- Information on grievances raised by or involving you;
- Information on conduct and/or other disciplinary issues involving you;
- Details of your appraisals and performance reviews;
- Details of your performance management/improvement plans (if any);
- Details of your time and attendance records;
- Information in applications you make for other positions within our organisation;
- Photographs;
- CCTV footage and other information obtained through electronic means such as swipecard records;
- Information about your use of our IT, communication and other systems, and other monitoring information;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within our organisation; you will be notified separately if this is to occur); and
- Details in references about you that we give to others.

We may also collect, store and use the following “*special categories*” of more sensitive personal information:-

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

- Information about your health, including any medical condition, health and sickness records.
- Genetic information and biometric data.

5. How we collect the information

We collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check providers.

We may sometimes collect additional information from third parties including former employers in the course of job-related activities throughout the period of you working for us, credit reference agencies or other background check agencies, the Home Office, pension administrators, your doctors, from medical and occupational health professionals we engage, from our insurance benefit administrators, the DBS, your trade union, other employees, door entry systems, swipe card systems, automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV, access control systems, remote access systems, email and instant messaging systems, intranet, telephones and voicemail.

6. How we will use information about you

We will only use your personal information where the law allows us to. Most commonly, we will use your personal information in the following circumstances:-

- a) Where we need to in order to perform the contract we have entered into with you.
- b) Where we need to comply with a legal obligation.
- c) Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights to not override those interests.

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

- d) Where we need to protect your interests (or someone else's interests);
- e) Where it is needed in the public interest or for official purposes.

We need all the categories of information in the list outlined within section 4 above primarily 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 for other permitted reasons, outlined in the list above. The situations in which we will process your personal information are listed below. We have indicated by letters (see key above) the purpose or purposes for which we are processing or will process your personal information:-

- Making a decision about your recruitment or appointment. (c)
- Determining the terms on which you work for us. (a) and (c)
- Checking you are legally entitled to work in the UK. (b)
- Paying you and, if you are an employee, deducting tax and Social Insurance contributions. (a) and (b)
- Providing the following benefits to you: Private Medical Insurance; Life Assurance Assurance; Pension; Employee Assistance Programme. (a) and (b)

- Liaising with your pension provider. (a) and (b)
- Administering the contract we have entered into with you. (a) and (b)
- Business management and planning, including accounting and auditing. (b) and (c)
- Conducting performance reviews, managing performance and determining performance requirements. (c)
- Making decisions about salary reviews and compensation. (a)
- Assessing qualifications for a particular job or task, including decisions about promotions. (c)
- Gathering evidence for possible grievance or disciplinary hearings. (b) and (c)
- Making decisions about your continued employment or engagement. (b) and (c)
- Making arrangements for the termination of our working relationship. (b) and (c)
- Education, training and development requirements. (c)
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work. (b) and (c)
- Ascertaining your fitness to work. (b) and (c)
- Managing sickness absence. (c)
- Managing holiday leave (b)
- Complying with health and safety obligations. (b)
- To prevent fraud. (b) and (c)
- To monitor your use of our information and communication systems to ensure compliance with our IT policies. (b) and (c)
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution. (b) and (c)
- To conduct data analytics studies to review and better understand employee retention and attrition rates. (d)
- Equal opportunities monitoring. (b) and (c)

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

Further information on the monitoring we undertake in the workplace and how we do this is available from our Human Resources Department based at Head Office.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

7. How we use particularly sensitive information about you

"*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:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring or 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.

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 of staff in the course of legitimate business activities with the appropriate safeguards.

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 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 this information public.

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

8. How we may share the information

We may also need to share some of the above categories of personal information with other parties, such as external contractors and our professional advisers and with potential purchasers of some or all of our business or on a re-structuring. Usually, information will be anonymised but this may not always be possible. We may also be required to share some personal information with our regulators or as required to comply with the law.

The following activities are carried out by external contractors/advisers: payroll, pension administration, benefits provision and administration and IT services.

All third-party service providers and other entities with whom we share data are required to take appropriate security measures to protect your personal information in line with our policies and is bound by confidentiality obligations. 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.

9. Where information may be held

Information may be held on our grounds and those of our group companies, and third party agencies, service providers, representatives and agents as described above.

10. How long we keep your information

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 retention policy which is available from Head Office 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 company we will retain and securely destroy your personal information in accordance with our data retention policy.

11. **Your rights to correct and access your information and to ask for it to be erased**

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.
- **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.
- **Request the transfer** of your personal information to another party.

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 Head Office, for attention The Director, in writing.

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.

12. Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way, altered or disclosed. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

13. How to complain

We hope that the Director can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at ico.org.uk/concerns/ or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

14. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and 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.

If you have any questions about this privacy notice, please contact the HR Manager or Head Office.