



HOLKHAM

Staff Privacy Information Notice

1.0 ABOUT THIS POLICY

Holkham Estate and all its associated companies (The “Estate”) is committed to protecting the privacy and security of your personal information.

This privacy information 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).

The Estate 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 information notice.

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

It is important that you read this notice, together with any other privacy information notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2.0 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 up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

2.1 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 (anonymous data). We may process personal data about you and your dependants, beneficiaries and other individuals whose personal information has been provided to us. The types of personal information we will collect, store, and use includes, but is not limited to, the following categories:

- Identification data, for example, your name, photograph, gender, date of birth, employee or payroll number.
- Contact details such as your home addresses, personal telephone numbers and email addresses, emergency and/or next of kin contact details.
- Marital status and dependants.
- Financial and benefits information, for example, bank account details, your tax code, PAYE and other tax information and information on payments to you from us, including payment of salary, bonus, overtime and other variable pay elements, expenses, benefits (e.g. information on pension entitlement, life assurance, share option / share scheme, private medical insurance etc.) and company allowances, information provided in response to credit checks.
- Information relating to annual leave.
- Employment details, for example, your job title/position, grade, status (e.g. contractor, full-time employee, part-time employee), reporting line and manager, employee number, start date, place or places of work (or, in some cases your home address), business unit/division, records of time spent on tasks, employment contract, performance, appraisal and disciplinary records (including disciplinary issues you have been involved in), training and career development records, records of any grievance procedure you have initiated or been involved in, information on holiday/annual leave requested and taken, information on any other type of leave requested and taken (including maternity / paternity / adoption leave, parental leave, sabbaticals etc.), sickness records and information relating to the termination of your employment (if applicable). Other information necessary for administering payments to or from you, for example, information on any loans to you, on contributions made before or through payment of salary (for example, for trade union membership fees), deductions from payments to you and on any attachments to your earnings.
- Recruitment information (including reference requests and responses and other information included in a CV or cover letter or as part of the application process).
- National or other identification documents, for example, your national ID/passport, "right to work" details, details of any visa applications, driver's licence, NHS number and national insurance number (or equivalent) and supporting documents where relevant (e.g. utility bill, bank statement, birth certificate etc.).
- Employment records (including job titles, work history, working hours, training records, compensation history and professional memberships). This will also include any authorisations required in respect of your work, for example, evidence that you hold a particular category of driving licence and Disclosure and Barring Service ("DBS") (or equivalent)
- Spouse or partner and dependents' information, for example, names, ages and contact details. In some circumstances, we may be required to process information on the health of your spouse / partner and dependants for the purposes of insurance benefits in place
- CCTV footage and other information obtained through electronic means such as swipecard/key fobs/gate entry records.
- Information about your use of our information and communications systems (including emails or voicemails, logs of websites visited, recordings of telephone calls)
- Information provided in response to any engagement survey (e.g. your views on salary, benefits etc.)
- Information relating to relevant external business and other interests (e.g. trusteeships and directorships)

There are "special categories" of more sensitive personal data which require a higher level of protection. We may also collect, store and use the following "special categories" or more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions which may be required to comply with anti-discrimination laws and government reporting obligations, and which we may use to help ensure equal employment opportunities.

- Trade union membership, to allow us to effect payment of any membership fee through payroll and/or as may otherwise be relevant to your employment.
- Information about your health, including any medical condition, health and sickness records so that we can monitor absence, consider your fitness to work, consider and provide work-related accommodations or adjustments, help to process claims under any applicable insurance schemes and/or to comply with our obligations in respect of health and safety at work.
- Information about criminal convictions and offences as a part of DBS (or equivalent criminal records) checks. You may also be required to provide information relating to any threatened or actual criminal proceedings or convictions to the extent that they affect your employment.

2.2 HOW IS YOUR PERSONAL INFORMATION COLLECTED?

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 provider. We may sometimes collect additional information from third parties including former employers (or other referees), recruitment agencies, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

2.3 HOW WE WILL USE INFORMATION ABOUT YOU

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:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- 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:

- Where we need to protect your's or someone else's vital interests (for example where you are incapacitated at work and we need to arrange emergency medical treatment).
- Where it is needed in the public interest.

2.4 SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

We need all the categories of information in 2.1 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 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 will process your personal information are listed below:

Purpose of processing	Lawful grounds relied upon
Making a decision about your recruitment or appointment	The performance of a contract Necessary for our legitimate business interests
Determining the terms on which you work for us	The performance of a contract

	To comply with a legal obligation Necessary for our legitimate business interests
Checking you are legally entitled to work in the UK	To comply with a legal obligation
Paying you and, if you are an employee, deducting tax and National Insurance contributions	The performance of a contract To comply with a legal obligation
Providing employee benefits to you	The performance of a contract To comply with a legal obligation
Liaising with your pension provider	The performance of a contract To comply with a legal obligation
Administering the contract we have entered into with you	The performance of a contract Necessary for our legitimate business interests
Business management and planning, including accounting and auditing	To comply with a legal obligation Necessary for our legitimate business interests
Conducting performance reviews, managing performance and determining performance requirements	To comply with a legal obligation Necessary for our legitimate business interests
Making decisions about salary reviews and compensation	The performance of a contract To comply with a legal obligation Necessary for our legitimate business interests
Assessing qualifications for a particular job or task, including decisions about promotions	The performance of a contract To comply with a legal obligation Necessary for our legitimate business interests
Gathering evidence for possible grievance or disciplinary hearings	To comply with a legal obligation Necessary for our legitimate business interests
Making decisions about your continued employment or engagement	To comply with a legal obligation Necessary for our legitimate business interests
Making arrangements for the termination of our working relationship	The performance of a contract To comply with a legal obligation
Education, training and development requirements	The performance of a contract Necessary for our legitimate business interests

Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work	To comply with a legal obligation Necessary for our legitimate business interests
Ascertaining your fitness to work	The performance of a contract To comply with a legal obligation Necessary for our legitimate business interests
Managing sickness absence	The performance of a contract To comply with a legal obligation Necessary for our legitimate business interests
Complying with health and safety obligations	The performance of a contract To comply with a legal obligation Necessary for our legitimate business interests
To prevent fraud	To comply with a legal obligation Necessary for our legitimate business interests
To monitor your use of our information and communication systems	Necessary for our legitimate business interests
To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution	To comply with a legal obligation Necessary for our legitimate business interests
To conduct data analytics studies to review and better understand employee retention and attrition rates	Necessary for our legitimate business interests
Equal opportunities monitoring	To comply with a legal obligation Necessary for our legitimate business interests
Gender pay gap reporting	To comply with a legal obligation

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

2.5 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.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3.0 SENSITIVE PERSONAL INFORMATION

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

3.1 WHEN WE WILL USE SENSITIVE INFORMATION

We will use your particularly sensitive information in the following ways:

Purpose of processing
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 may collect and use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, marital status or your sexual orientation which may be required to comply with anti-discrimination laws and government reporting obligations, and to ensure meaningful equal opportunity monitoring and reporting.
We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment obligations

3.2 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 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.

3.3 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 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 our recruitment process or we may be notified of such information directly by you in the course of you working for us.

We will use information about criminal convictions and offences as a part of DBS (or equivalent criminal records) checks. You may also be required to provide information relating to any threatened or actual criminal proceedings or convictions to the extent that they affect your employment.

4.0 AUTOMATED DECISION-MAKING

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:

- Where we have notified you of the decision and given you 10 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

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.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you if this position changes.

5.0 DATA SHARING

We may have to share your data with third parties, including third-party service providers and other entities in the Holkham Estate group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

If we do, you can expect a similar degree of protection in respect of your personal information.

5.1 WHY MIGHT WE SHARE YOUR PERSONAL INFORMATION WITH THIRD PARTIES?

We will 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.

5.2 WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY PERSONAL INFORMATION?

“Third parties” includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers:

- Pensions, benefits, expenses reporting providers/ tax advisors retained by us from time to time who help us to process payments to and administer benefits for you, to ensure that appropriate tax is deducted and shared with or otherwise paid to the relevant tax authorities;
- trade unions and/or other local employee representative groups – who are sometimes involved in employee engagement and bargaining;
- legal, financial, benchmarking or market research and other third party advisors retained by us from time to time;
- Organisations who assist us in maintaining and updating our systems (including general software/IT troubleshooting), including Google and Microsoft;
- occupational health advisers;
- local criminal records checking agencies; and
- our insurance providers or their appointed agents.

5.3 HOW SECURE IS MY INFORMATION WITH THRID-PARTY SERVICE PROVIDERS AND OTHER ENTITIES IN OUR GROUP?

All our third-party service providers and other entities in the group 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.

5.4 WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE GROUP?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data. We may also share data for employee recognition such as birthday celebrations and long service awards.

5.5 WHAT ABOUT OTHER THIRD PARTIES?

We may share your personal information with other third parties, for example in the context of the possible sale, restructuring, outsourcing or transfer of parts of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

5.6 TRANSFERRING INFORMATION OUTSIDE THE EU

We will not transfer the personal information we collect about you outside the EU.

6.0 DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will 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 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.

7.0 DATA RETENTION

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 or contractor of the Estate we will retain and securely destroy your personal information in accordance with the applicable laws and regulations.

Please refer to the Data Protection Policy for further information.

8.0 RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal information we hold about you is accurate and correct. Please keep us informed if your personal information changes during your working relationship with us.

8.1 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.
- 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 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 the HR Manager in writing.

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.

8.2 WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us to 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.

8.3 RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the HR Manager. 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 in law.

9.0 CHANGES TO THIS INFORMATION NOTICE

We reserve the right to update this notice at any time, and we will provide you with a new information 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.