

## **BREBNERS**

### **Privacy Notice**

#### **FOR EMPLOYEES**

#### **Introduction**

Brebners collects, stores and processes personal data relating to its employees to manage the employment relationship. Brebners is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations in accordance with the General Data Protection Regulation (“GDPR”) and any other data protection legislation in the UK.

#### **What information does Brebners collect?**

Brebners collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Brebners;
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account, national insurance number and PAYE reference;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- details of periods of leave taken by you, including holiday, sickness absence, family leave, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which Brebners needs to make reasonable adjustments; and
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

Brebners collects this information in a variety of ways. For example, data is collected from CV; your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

Brebners also collects personal data about you from third parties, such as references supplied by former employers.

Data is stored in a range of different places, including in your personnel and training files, and within email and IT systems.

### **Why does Brebners process personal data?**

Brebners needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit entitlements.

In some cases, Brebners needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, Brebners has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows Brebners:

- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that Brebners complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure compliance with professional obligations;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Where Brebners relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Where Brebners processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

### **Do any third parties have access to my data?**

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

"Third parties" includes third-party service providers (including contractors and designated agents).

We will share your personal information within Brebners in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

The following activities are carried out by third-party service providers: IT (and cloud services), professional advisory and support services, administration services, marketing services and banking services.

### **How secure is my information with third-party service providers?**

All our third-party service providers are required to take commercially reasonable and 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.

### **What about other third parties?**

We may share your personal information with other third parties in specific instances, for example in the context of the possible sale or restructuring of the business. In these situations we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law, for example ICAEW or HMRC.

## **Transferring information outside the EEA**

Brebners will not store, transfer or process your data outside the European Economic Area (“EEA”) unless via a third party service provider who may store, transfer, or process data outside the EEA in carrying out their services.

However, where this relates to a relevant country or territory that has not been deemed by the European Commission to have an adequate level of personal data protection this will be subject to appropriate measures to ensure that an adequate level of protection in accordance with the GDPR is provided.

## **How does Brebners protect data?**

Brebners takes the security of your data seriously. Brebners has internal policies and controls in place in respect of security, which are regularly reviewed to ensure that they are commercially reasonable and appropriate, to prevent data from being accidentally lost or destroyed, used or accessed in an unauthorised way, altered or disclosed. Our policies and controls are designed to limit access to those employees, agents, contractors and other third parties who have a business need to know.

Where Brebners engages third parties to process personal data on its behalf, they do so on the basis of written instructions and are obliged to implement appropriate measures to ensure the security of data.

All employees, agents, contractors and other third parties are subject to a duty of confidentiality.

## **For how long does Brebners keep data?**

We will only retain your personal data for as long as it is necessary to fulfil the purposes for which it is collected.

When assessing what retention period is appropriate for your personal data, we take into consideration:

- the requirements of our business and the services provided;
- any statutory or legal obligations;
- the purposes for which we originally collected the personal data;
- the lawful grounds on which we based our processing;
- the types of personal data we have collected;
- the amount and categories of your personal data; and
- Whether the purpose of the processing could reasonably be fulfilled by other means.

## **Your rights**

Under certain circumstances individuals have certain rights over their personal data. These include:

- requesting access to and thereby receiving details of personal data held;
- requesting correction of personal data, where appropriate;
- requesting erasure of personal data, where appropriate;
- objecting to the processing of your personal data where Brebners is relying on its legitimate interests as the legal ground for processing; and
- requesting the restriction of processing of your personal data for a period if data is inaccurate or there is a dispute about whether or not your interests override Brebners' legitimate grounds for processing;
- Requesting the transfer of your personal data where processing is based on consent, is carried out by automated means and is technically feasible.

In addition, in the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose you have the right to withdraw your consent for that specific processing at any time. Thereafter we will no longer process your personal data for the purpose(s) you originally agreed to, unless we have another legitimate basis for doing so in law.

If you believe that Brebners has not complied with your data protection rights please contact us accordingly. We will look into any complaint carefully and promptly and do all we can to explain the position to you.

You also have the right to complain to the Information Commissioner's office (<https://ico.org.uk/>).

## **What if you do not provide personal data?**

You have some obligations under your employment contract to provide Brebners with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide Brebners with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable Brebners to enter a contract of employment with you. If you do not provide other information, this will hinder Brebners' ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

**Data Controller and contact information**

The data controller for Brebners is Brebners.

The Data Protection Point of Contact is John Chamberlain

Further information in respect of Brebners including contact details may be found at [www.Brebners.com](http://www.Brebners.com).

If you have any questions regarding this privacy statement or the manner in which we process your personal data or would like to exercise any of your rights please contact us at:

Head of Data Privacy  
Brebners  
130 Shaftesbury Avenue  
London  
W1D 5AR  
E-mail: [gdpr@brebners.com](mailto:gdpr@brebners.com)  
Telephone: 020 7734 2244

**Changes to this Privacy Notice**

Any changes we may make to this Privacy Notice will be provided on our website [www.brebners.com](http://www.brebners.com).

This Privacy Notice was last updated on 21<sup>st</sup> May 2018.