



## Privacy Notice

### 1. Background

This Privacy Notice contains all the information you need to know about how and why we collect, use, store, transfer and keep secure personal data about you which relates to your work with us as an employee, worker or self-employed consultant ('Data'). For ease, throughout this notice, we use employee to cover all staff; contract of employment to cover all types of work or provision of service contracts; and job offers to cover offers of work or provision of services. It also explains your rights and obligations in relation to your Data.

We are committed to protecting the privacy and security of your Data in accordance with the General Data Protection Regulation (GDPR) and relevant UK law.

This Privacy Notice should be read in conjunction with our Data Protection Policy and Data Retention Policy.

**IT IS IN YOUR INTERESTS TO READ THIS PRIVACY NOTICE AS IT CONTAINS IMPORTANT INFORMATION ON HOW AND WHY WE ARE USING YOUR DATA AND WHAT WE WILL DO WITH IT EVEN AFTER YOU HAVE STOPPED WORKING FOR US.**

This Privacy Notice does not form part of your employment contract and may be updated by us at any time.

### 2. GDPR Data Protection Principles

We comply with UK data protection law and GDPR. This says that any Data 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 other way.
- 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.

These principles apply to Data about you, from which you can be identified. It does not include data where your identity has been removed (anonymous data).

### 3. The different types of Data we hold and why we hold them

#### 3.1 These are the types of Data we may hold about you:

Type of employee personal data	Details of employee personal data
<b>For Static Site workers only.</b>	
<b>DATA THAT MAY BE ENTERED INTO PROCESSOR HR SOFTWARE SPECIFIC FIELDS</b>	
<b>Recruitment Data</b>	<ul style="list-style-type: none"> <li>• Job offers- not accepted</li> </ul>
<b>Contact / Personal Data</b>	<ul style="list-style-type: none"> <li>• Personal home and work contact details</li> <li>• Emergency Contact details of next of kin</li> </ul>
<b>General Employment Contract Data</b>	<ul style="list-style-type: none"> <li>• Contract data including details of role, reporting structure, job location, holiday entitlement, notice period, working hours, and amendment to contract letters</li> <li>• Probation data</li> <li>• Overtime and TOIL data</li> <li>• Lateness data</li> <li>• Annual leave data</li> <li>• Family leave data</li> <li>• Privacy notices and data processing consent records</li> <li>• Working time data</li> </ul>
<b>Performance and Training Data</b>	<ul style="list-style-type: none"> <li>• Absence data</li> <li>• Appraisal data</li> <li>• Probation data</li> <li>• Qualification and skills data</li> <li>• Training data</li> <li>• Employee of the month and Good Job data</li> </ul>
<b>Pay and Benefits Data</b>	<ul style="list-style-type: none"> <li>• Payroll and tax data</li> <li>• Date of birth</li> <li>• Gender</li> <li>• Loan data</li> <li>• Advancements and deductions from wages data</li> <li>• Court Orders data</li> <li>• Statutory Pay data</li> <li>• Bank Account details</li> <li>• Expenses records</li> <li>• Pension data</li> <li>• Benefit schemes data</li> </ul>
<b>Leavers Data (not covered above)</b>	<ul style="list-style-type: none"> <li>• Leaver's report</li> </ul>
<b>Health and Safety data</b>	<ul style="list-style-type: none"> <li>• Data on any reportable accident, death or injury in connection with work</li> </ul>

## For Static Site workers and Sports Stewards.

### DATA THAT MAY BE HELD BY THE COMPANY AS CONTROLLER IN EMPLOYEE DOCUMENTS / FILE NOTES ON OUR HR SOFTWARE SYSTEM OR ELSEWHERE, INCLUDING ON PAPER

<b>Recruitment documents</b>	<ul style="list-style-type: none"> <li>• CVs of rejected applicants</li> <li>• CVs of applicants offered jobs but not accepted</li> <li>• References provided by third parties for job offers whether accepted or not</li> </ul>
<b>Contact / Personal Data</b>	<ul style="list-style-type: none"> <li>• Personal home and work contact details</li> <li>• Emergency Contact details of next of kin</li> </ul>
<b>General Employment Contract documents</b>	<ul style="list-style-type: none"> <li>• CVs of current employees</li> <li>• Application forms of current employees</li> <li>• Employment Contracts</li> <li>• Probation records</li> </ul>
<b>Photographic Records</b>	<ul style="list-style-type: none"> <li>• Photograph – passport style</li> <li>• Copy of identification card containing photograph and signature</li> </ul>
<b>Performance and training records</b>	<ul style="list-style-type: none"> <li>• Disciplinary records</li> <li>• Grievance records</li> <li>• Capability / Poor Performance records</li> <li>• Appraisal / Performance records</li> <li>• Probation records</li> <li>• Absence Management records</li> <li>• Family Leave records</li> <li>• Training agreements</li> <li>• Qualification and skills documents, including professional certificates and driving licence copies</li> <li>• Redundancy consultations</li> </ul>
<b>Pay and Benefits records</b>	<ul style="list-style-type: none"> <li>• HMRC records</li> <li>• Loan agreements</li> <li>• Court Order records</li> <li>• Statutory Pay records</li> <li>• Bank Account details</li> <li>• Expenses records</li> <li>• Pension records</li> <li>• Benefit schemes records</li> </ul>
<b>Leavers records (not covered above)</b>	<ul style="list-style-type: none"> <li>• Exit interviews</li> <li>• Redundancy records</li> </ul>
<b>Health and Safety records</b>	<ul style="list-style-type: none"> <li>• Records of any reportable accident, death or injury in connection with work</li> </ul>
<b>Immigration checks</b>	<ul style="list-style-type: none"> <li>• Identification records</li> <li>• Details of right to work in UK including any work permit</li> </ul>
<b>Criminal convictions records</b>	<ul style="list-style-type: none"> <li>• Disclosure and Barring Service (DBS) checks pre-recruitment</li> <li>• Disclosures of criminal records during employment</li> <li>• DBS periodic updates</li> </ul>
<b>File Notes</b>	<ul style="list-style-type: none"> <li>• Any Data included in File Notes</li> </ul>

### 3.2 We have good reason for wanting to hold all this Data.

Type of employee personal data	Purpose for processing
<b>Recruitment data and documents</b>	To enable us to make recruitment decisions
<b>Contact / Personal data</b>	To enable us to contact you and in emergencies, your next of kin and for PAYE and pension purposes
<b>General Employment Contract data and documents</b>	To enable us to manage effectively your employment contract and to enable us to make accurate payments to you
<b>Photographic Records</b>	A requirement of relevant British Standard Code of Practise for those in certain roles; as a security safeguard for those gaining access to multiple sites; as a security safeguard for those gaining access to sports and music events
<b>Performance and Training data and records</b>	To enable us to manage your performance under your employment contract, to investigate and deal with grievances, complaints or legal disputes, to assess your qualifications and skills to do particular work, to assess any training needs and to recognise good work, and to monitor use of email and communications systems to ensure compliance with relevant employment polices
<b>Pay and Benefits data and records</b>	To enable us to make accurate payments to you, and to calculate statutory leave
<b>Leavers data and records (not covered above)</b>	To keep accurate information in case of any dispute or claim over work or pay
<b>Health and Safety data and records</b>	To comply with health and safety obligations
<b>Immigration checks</b>	To check that you have the right to work in the UK
<b>Criminal convictions records</b>	To assess suitability as part of a recruitment process where the role involves dealing with large amounts of sensitive data, and to check that we can lawfully employ you and continue to employ you to work in certain roles
<b>File Notes</b>	To make general notes about situations related to your employment, and explain documents being stored

### 3.3 Under the GDPR, we need to have a legal basis for processing your Data.

There are 6 acceptable reasons why we are allowed to hold your Data.

Mostly we rely on 3 of these:

- Where we need it to **perform your employment contract** (such as Data about your working hours or holiday entitlement),
- Where we need it to **comply with a legal obligation** (such as tax Data)
- Where it is necessary for our **legitimate interests** (or those of a third party), and where your interests and fundamental rights do not override those interests. (such as Employee of the Month Data)

Occasionally we may need to rely on 2 further reasons:

- Where we need it to **protect your vital interests** or someone else's (such as when there are serious Health and Safety issues),
- Where it is needed in the **public interest**.

And if none of these reasons apply, we will ask for your **consent** to hold Data. (see below under section 3.7)

### 3.4 And here's how these reasons relate to the Data we may hold about you:

Type of employee personal data	Legal basis for processing
Recruitment data and documents	Legitimate interests of an employer
Contact / Personal data	Performance of your employment contract, compliance with legal obligations, legitimate interests of an employer
General Employment Contract data and documents	Performance of your employment contract and compliance with legal obligations
Photographic Records	Performance of your employment contract, compliance with legal obligations and legitimate interest of an employer
Performance and Training data and records	Performance of your employment contract, compliance with legal obligations and legitimate interests of an employer
Pay and Benefits data and records	Performance of your employment contract and compliance with legal obligations
Leavers data and records (not covered above)	Performance of your employment contract and compliance with legal obligations
Health and Safety data and records	Compliance with legal obligations and to protect your vital interests
Immigration checks	Compliance with legal obligations
Criminal convictions records	Compliance with legal obligations and legitimate interests of an employer
File Notes	Performance of your employment contract, compliance with legal obligations and legitimate interests of an employer

### 3.5 Special Category Data

A small amount of the Data an organisation may collect from an individual can be classified as 'Special Category Data'. Understandably, organisations have to be especially careful with this data, and have to be satisfied that there are additional lawful reasons for holding it. Special Category Data is Data that reveals:

- Racial or ethnic origin,
- Political opinions,
- Religious and philosophical beliefs,
- Trade union membership,
- Genetic data,
- Biometric data,
- Health data, or
- Sex life and sexual orientation.

Within the categories of information we have listed above in section 3.1, we may collect the following Special Category Data, and have outlined the lawful reasons for processing it:

- Sickness absence records and family leave records in order to comply with employment and other laws
- Other information about your physical, mental health or disability status, to ensure your health and safety in the workplace, to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence, and to administer any benefits.

If we need to hold any other Special Category Data, we will ask for your explicit consent to hold it. (see under section 3.7a)

### **3.6 Criminal Convictions Data**

We may hold Data about any criminal convictions you may have. We will only collect this Data if it is appropriate given the nature of your role and where we are legally able to do so.

We may collect Criminal Convictions Data in the following ways:

- In our recruitment process
- As part of a DBS Checking process
- Where you have notified us directly during your employment

Where we collect Criminal Convictions Data as part of our recruitment process, then this data is destroyed at the completion of the vetting period.

Where we do hold Criminal Conviction Data then we are permitted to do so for one of the following reasons:

- You have voluntarily supplied it to us
- You have consented to carrying out a DBS check (see section 3.7 below)
- It is necessary to carry out employment rights and obligations, including, for example, where the employee is dealing with large amounts of sensitive data or is working with vulnerable individuals
- You have made the Data public, or
- It is necessary for us to establish or defend a legal claim

### **3.7 Consent**

Here's what you need to know about the limited circumstances in which we may need your explicit, written consent to process specific elements of your Data:

#### **a. Special Category Data and Criminal Convictions Data**

In the limited circumstances where we are relying on your consent to provide us with either additional health or other Special Category Data, or to provide us with additional Criminal Convictions Data not covered by the reasons explained in sections 3.5 and 3.6 above, we will provide you with full details of the information we wish to collect and the reason we need it so that you can carefully consider whether you wish to consent. It is not a condition of your employment contract with us that you will agree to such a request. Our HR software system will alert you where consent is needed before you disclose the information there.

You have the right to withdraw your consent in relation to processing under (a) above at any time. To withdraw your consent, please contact your Manager. Once we have received your withdrawal of consent, we will no longer process your information for the purposes you originally agreed to, unless we have another legal basis for doing so which we will advise you of at the time.

### **3.8 Employee Photo and Identification Card**

We may be required to provide you with a Spears Worldwide Security identification card, showing your photograph and signature, for the following reasons:

- As a requirement of the relevant British Standard Code of Practise for those in certain roles
- As a security safeguard for those gaining access to multiple sites

- Our core business is providing security workers at sports and music events. Since April 2017 the threat level from international terrorism in the UK has been severe / critical for the majority of the time. It is therefore vital that Spears Worldwide Security and their customers ensure that only registered security staff enter the events. Photographic identification cards are one of the tools we use to do this.

#### **4. Data Sharing**

We will only share your personal information with third parties where required by law, where it is necessary to carry out our working relationship with you or where we have another legitimate interest in doing so.

Third parties will only process your Data on our instructions and where they have agreed to treat the Data confidentially and to keep it secure. 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. All of our third party service providers are GDPR compliant.

We disclose employee personal data to the following categories of recipients:

- Parent company, subsidiaries, and affiliated entities, including branches
- Business partners
- Auditors and professional advisors, such as lawyers and consultants
- Law enforcement officials

As well as the following third-party service providers

- HR software system provider: Citrus HR Ltd
- Payroll Services Company: Worldwide Admin Solutions Ltd
- Workforce Scheduling System Provider: Smart Task Security
- Screening Provider for Public Financial Information checks: VettingandScreening.com
- Training Provider: The Skills Network
- Pensions Provider: E3ECO Ltd through Warwick and Eaton Ltd

We currently use an internet platform (popularly known as a cloud) from a third party service provider, which may hold data outside of the European Economic Area (EEA). The platform service provider is committed to GDPR compliance, and has introduced Data Processing and Security Terms and EU Model Contract Clauses which we have reviewed and accepted. This means you can expect a similar degree of protection in respect of your Data, whether it is held in the UK, the EEA or outside the EEA.

#### **5. Data Security**

We have put in place measures to limit access to your Data through our employment policies and the use of our HR software system. In addition, we limit access to your Data to those employees, agents, contractors and other third parties who have a business need to know.

We have put in place appropriate security measures to prevent your Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We have implemented, where

practical, the following technical and organisational security measures to protect employee personal data:

- Encryption of personal data
- Segregation of personal data from other networks
- Pseudonymisation of personal data
- Access control and user authentication
- Employee training on information security
- Written information security policies and procedures.

Further details about the security of your Data can be found in our employment policies.

All our third-party service providers are required to take appropriate security measures to protect your Data in line with our policies. For further information please review the third-party service providers' Privacy Policies which can be found on their websites or by contacting your Manager.

We have put in place procedures to deal with any suspected data security breach (recorded within our Data Protection Policy) and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **6. Data Retention**

We also don't want to keep your data for any longer than is necessary. We do have legal obligations to keep your Data even after you have left, for example, under legal requirements from HMRC. We have created a Data Retention Policy, using the same categories of Data that are used in this Privacy Notice, and defined a retention period for each category. In situations where we are able to anonymise your Data, we may continue to process the anonymised data without reference to the Data Retention Policy.

**Please refer to the Data Retention Policy for full details of our retention periods and how Data will be deleted at the end of that time.**

## **7. Your rights in relation to your Data**

It is important that you know what rights you have in relation to your Data.

### **7.1 Right to Request Access**

You have the right to request – through a Subject Access Request – that we provide you with a copy of the Data we hold about you and to check that we are lawfully processing it. You may already have direct access to the majority of the current data we hold on our HR software system, which you can access at any time. If you want access to any other Data held on you, eg paper Employee Documents or File Notes please contact your Manager.

If you do not have access to our HR software system and you require a copy of the Data we hold about you, please contact your Manager.

## **7.2 Right to Request Correction**

You have the right to request that inaccurate or incomplete Data be corrected. If you have access to our HR software system then this will enable you to correct much of your own Data, and we rely on you to ensure that you provide us with details of any changes in your personal circumstances.

If you do not have access to our HR software system and you wish to correct any of your Data please contact your Manager.

## **7.3 Right to Object to Processing**

Where we are processing Data only on the basis that it is necessary for our legitimate interests (or those of a third party) (see above section 3.4), you have the right to object to that processing and it is then for us to establish whether your interests and fundamental rights override those interests.

## **7.4 Right of Erasure (the 'right to be forgotten')**

You have the right to request that we delete your Data where there is no good reason for us continuing to process it. You will appreciate that much of your Data is essential for you and us to be able to work effectively. For instance, 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). This right mainly applies when you have objected to processing (see section 7.3 above) or you are withdrawing your consent.

## **7.5 Right to Restrict Processing**

You have the right to ask us to suspend processing your Data whilst its accuracy or reason for processing is established. However, there may be certain circumstances where we cannot suspend processing if it prevents us complying with a legal obligation, or without impacting our ability to continue to employ you. If this situation occurs, we will advise you at the time the reason why we cannot suspend processing.

## **7.6 Right of Data Portability**

You have the right to request that we transfer your Data to another organisation when you leave our employment.

To exercise any of these rights, please put a request in writing to your Manager. You will not have to pay a fee to access your Data or to exercise any of these 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. Automated Processing (including Profiling) and Automated Decision-Making**

We can confirm that your Data is not subject to any automated processing including profiling, or any automated decision making.

**9. We need to check that you have read and understood this Privacy Notice**

We realise this is a lot to take in in one go! If you have any questions on this Privacy Notice, please direct them firstly to your Manager. We also have a Privacy Officer, who has overall responsibility for data protection and your Manager will be able to provide their contact details.

**Once you have read and understood this Privacy Notice and had answered any questions you have raised, please acknowledge this. Thank you.**

**I have read and understood this Spears Worldwide Security Privacy Notice**

**Name.....**

**Date.....**