



Privacy Notice

03-HRM-PRO-020



Statement

This procedure, including any associated forms and templates, shall not be altered without written Technical Authority Approval.

Control	Name	Job Title / Position	Date
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Approver:	Kelly Golightly	HR Director	16/10/2024

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1 Introduction

Nexos (the Company) has prepared this Employee Data Protection Notice (the Notice) to explain its practices regarding the collection, use, storage, transfer and other processing of individually identifiable information about Employees (Employee Data). This Notice applies equally to non-employees who perform work for the Company, including consultants, contractors and agency workers. "Employee Data" and similar terms should be interpreted accordingly. The Company may also provide employees with additional data protection or privacy notices from time to time, such as computer use privacy notice or other documents. The Company acts as a data controller with respect to Employee Data in connection with the employment relationship, as described in more detail below. This notice is non-contractual and may be varied, replaced, or modified by the Company from time to time.

2 The Type of Data We Hold About You

Personal Information means information about you as an individual, whether linked to your name or any other way in which you could be identified, such as your National Insurance number or home address.

Certain types of personal information are considered to be "**special categories of information**" due to their more sensitive nature. Sometimes we will ask for or obtain **special categories of information** because it is relevant to your employment. We will clearly highlight when the Company processes a special category of personal information and provide our legal grounds for doing so.

Special categories of information:

Information about your health, criminal convictions, genetic or biometric data, sex life, sexual orientation, racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership.

As your employer, the Company will collect, use, and store your personal data (including **special categories of information**) for a wide variety of reasons in connection with the employment relationship. We've set out below the main categories of employee personal data which we process below:

Individual details: your name, address, contact details (e.g., personal email / personal telephone number(s)), gender, marital status, date of birth, nationality.

Core Employment information: your job title, corporate grade, and business contact information (including e-mail / telephone number).

Identification information: your passport, driving licence details, National Insurance details, and documents evidencing your right to work in the United Kingdom (including information about your immigration status where relevant).

Recruitment information: documents gathered during the recruitment process (e.g., CV, application form, references, professional memberships and qualifications, background vetting information including criminal records (a special category of personal information) and credit checks (including unsatisfied County Court Judgments). Please note that during employment the Company reserves the right to repeat such credit and criminal records checks.

Family information: details of your dependents (for the purposes of benefits cover) and details of your emergency contacts, including next of kin.

Banking information: your bank account details.

Photo / Video/Location information: your photograph and CCTV footage of you. Job specific GPS mobile phone location tracking software to determine employee location

The majority of the personal data provided by you is mandatory in order for us to administer the employment relationship and / or comply with statutory requirements relating to immigration or taxation. Failure to provide mandatory personal data may affect our ability to accomplish the purposes stated in this Notice and potentially affect your ongoing employment.

The list set out above is not exhaustive, and there may be other personal data which the Company collects, stores and uses in the context of the employment relationship. We will update this Notice from time to time to reflect any notable changes in the categories of personal data which we process.

In limited circumstances your personal data may be provided by third parties, such as former employers, official bodies (such as regulators or criminal record bureaus), medical professionals, recruitment agencies, governmental bodies (e.g. HMRC, the Department for Work and Pensions (DWP) and / or professional regulators, e.g. the Financial Conduct Authority).

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 interests (or someone else's interests).

- Where it is needed in the public interest or for official purposes.

Complying with Health and Safety obligations:

- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.

3.1 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. If we need to use your personal information for unrelated purposes, 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.

4 How we use Particularly Sensitive Personal Information

“Special categories” of particularly sensitive personal information require higher levels of protection. 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 or exercise rights in connection with employment.
- Where it is needed in the public interest, such as for equal opportunities monitoring [or in relation to our occupational pension scheme].

4.1 Our Obligations as an Employer

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 absences 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.

5 Data Sharing

We may have to share your data with third parties, including third-party service providers and other entities. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my 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.

Which third-party service providers process my personal information?

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

- Payroll.
- Pension administration.
- Benefits provision and administration.
- IT services.

6 How we Protect your Information

HOW WE PROTECT YOUR INFORMATION

All our third-party service providers and other entities 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.

Transferring information outside the UK

Nexos conducts business with a list of international clients and may therefore be required to transfer personal data across borders as a requirement of the recruitment process. We may also be required to transfer data across borders in the event of an emergency situation overseas. At all times, nexos shall ensure that the transfer of personal data over an international border is through binding corporate rules, a copy of which can be obtained via your contact at any time.

7 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. Details of these measures may be obtained from: dataprotection@nexos.solutions. 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.

8 Data Retention

How long will you use my information for?

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. If we have a relationship with you, we hold your personal information for a maximum of 7 years from the date our relationship ends, the only exception to this is some Health and Safety records which we are required to keep for a minimum of 40 years. All personal information held will be securely and effectively destroyed or permanently erased from IT systems when no longer necessary to be held. 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.

9 Changes to Data

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.

10 What are my Rights in Relation to Personal Data?

The Company will always seek to process your personal data in accordance with its obligations and your rights.

You will not be subject to decisions based solely on automated data processing without your prior consent.

In certain circumstances, you have the right to seek the erasure or correction of your personal data, to object to particular aspects of how your data is processed, and otherwise to seek the restriction of the processing of your personal data. You also have the right to request the transfer of your personal data to another party in a commonly used format. If you have any questions about these rights, please contact the Data Protection Officer using the details set out below.

You have a separate right of access to your personal data processed by the Company. You may be asked for information to confirm your identity and/or to assist the Company to locate the data you are seeking as part of the Company's response to your request. If you wish to exercise your right of access you should set out your request in writing to the Data Protection Officer using the details set out below.

Finally, you have the right to raise any concerns about how your personal data is being processed with the Information Commissioner's Office (ICO) by going to the ICO's website: <https://ico.org.uk/concerns/> or contacting the ICO on 0303 123 1113 or casework@ico.org.uk.

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.

11 Data Protection Officer

We have not appointed a Data Protection Officer however if you have any questions about this privacy notice or how we handle your personal information, please contact dataprotection@nexos.solutions