

## PRIVACY NOTICE

Simbec-Orion Group Limited (the 'Company') and its affiliates is aware of its obligations under the General Data Protection Regulation (GDPR) and domestic data protection legislation and is committed to processing your data securely and transparently. In this privacy notice whenever you see the words 'We', 'Us' or 'Our', it refers to the Company. This privacy notice sets out, in line with current data protection obligations, the types of data that we hold on you as a director, employee, worker, consultant, contractor or secondee of the Company. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former director, employee, worker, consultant, contractor or secondee.

### Data controller details

The Company is a data controller, meaning that it determines the way your personal data is used and processed.

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please contact the DPO. Her contact details are as follows: Sandra Davies, VP, Group Head of QA by email [DPO@SimbecOrion.com](mailto:DPO@SimbecOrion.com) or by calling her on 01443 694316.

### Data protection principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment and/or the fulfilment of contractual obligations in ways that have been explained to you
- only process personal data that is relevant to the purposes we have told you about and limited only to those purposes
- ensure it is correct and up to date
- keep your data for only as long as we need it for the purposes we have told you about
- keep it secure

### Types of data we process

We hold many types of personal data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers \*
- your photograph
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin

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- information collected during the recruitment process that we retain, to include information on your CV including references, education history and employment history, information provided about you from your previous employer(s) and other referees\*
- documentation relating to your right to work in the UK \*
- your skills, experience and membership of professional bodies\*
- driving licence
- bank details\*
- tax codes\*
- National Insurance number\*
- current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment/engagement with us
- letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings or, in the case of workers, confirmation of other discussions about your conduct
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms or, in the case of workers, confirmation of other discussions about your performance
- leave records including annual leave, family leave, sickness absence etc
- details of your criminal record\*
- training details
- details of any other offices or appointments or business interests you hold
- any other personal information you share with us, including lifestyle and social circumstances
- information about your use of our IT, communication and other systems
- details of your use of business-related social media such as LinkedIn
- CCTV footage, where this is in place
- building entry card records.

Some of the personal data we hold will be because of a legal or contractual requirement to obtain and use the information or it is necessary for the information to be provided in order to be able to enter into a contract with you (this information is noted with an \* above). Failure to provide certain information will prevent us from engaging you or from performing the contract entered into with you.

## How we collect your data

We collect data about you in a variety of ways and this will usually start when you apply for a position via our recruitment process where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our recruiting officers during a recruitment interview. Further information will be collected directly from you when you complete your personal details within our online HR system to include for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, if applicable, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, via our pre employment screening agencies or DBS checking services, pension administrators, medical professionals, our occupational health provider, other employees, the Home Office, intranet and internet facilities.

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Personal data is kept in personnel files or within the Company's HR and HR Information System, Group Finance and Business Systems Group.

## Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the contract that we are party to or to take steps at your request prior to engaging you
- in order to carry out legally required duties
- where it is in our legitimate interests to do so or in the legitimate interests of a third party
- to protect your vital interests
- where we are performing a public task in the public interest or in accordance with official requirements
- where we have obtained your consent.

All of the processing carried out by us falls into one of the above permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

For example, there are many situations where we need to process your personal data to perform the contract between us. These will include to the following:

- to comply with and enforce the contract that we have entered into with you
- to pay you and provide you with any contractual benefits you are entitled to including pension<sup>2</sup>
- to record your absences from work and your leave<sup>3</sup>
- to assess your fitness for work<sup>4</sup>
- to deal with any disciplinary and grievance issues which may arise<sup>5</sup>
- for general employment and contract administration purposes<sup>6</sup>

We also need to collect your data to ensure we are complying with legal requirements such as:

- ensuring tax and National Insurance is paid<sup>7</sup>
- carrying out checks in relation to your right to work in the UK<sup>8</sup>
- making reasonable adjustments for disabled individuals and complying with equality legislation generally and other employment laws<sup>9</sup>
- preventing fraud
- monitoring equality and diversity <sup>10</sup>
- health and safety obligations<sup>11</sup>
- regulatory requirements<sup>12</sup>.

We also collect data so that we can carry out activities which are in the legitimate interests of the Company or a third party. We have set these out below:

- making decisions about who to offer initial employment/engagement to, and subsequent internal appointments, promotions etc<sup>13</sup>
- making decisions about salary and other benefits<sup>14</sup>

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- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- if you are an employee, effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises □
- monitoring compliance with any of our policies and procedures □
- if you are an employee, offering a method of recourse for you against decisions made about you via a grievance procedure □
- to gather evidence for possible grievance or disciplinary hearings □
- assessing education, training and development needs □
- implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments □
- gaining expert medical opinion when making decisions about your fitness for work □
- making decisions about your continued employment □
- managing statutory leave and pay systems such as maternity leave and pay etc □
- business planning and restructuring exercises
- dealing with legal claims made against us ∞
- ensuring our administrative and IT systems are secure and robust against unauthorised access
- monitoring your use of our information and communication systems
- to enable business management and planning, including accounting and auditing
- to respond to reference requests
- to promote our services

## Special categories of data

Special categories of personal data are personal data relating to your:

- physical or mental health (including details of any disability)
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religious or philosophical beliefs
- trade union membership
- genetic and biometric data
- commission or alleged commission of any offence, including the results of Disclosure and Barring Service ('DBS') checks

We must process special categories of data in accordance with more stringent guidelines. We have identified in the 'Why we process personal data' section above situations where we may need to process special categories of personal data, this is done by the use of symbols (□ β and ∞). These symbols correspond to the specific ground for processing special category data that we would rely upon and these are identified below:

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- the processing is necessary in order to carry out obligations and exercise rights that either you or we have in employment law ☐
- it is necessary for reasons of substantial public interest, for example to monitor equality and diversity β
- it is necessary for the establishment, exercise or defence of legal claims
- it is necessary to protect your vital interests ∞

There may also be emergency situations where we will need to process your special category personal data where this is necessary to protect your vital interests.

We will only use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data in the following ways:

- where this is required as part of the key responsibilities within specific roles as governed by the Home Office or legislative requirements
- to ensure that we are able to comply with Health Inspectorate Wales standards

We process this data because of our legal obligation to the Care Standards Act 2000 and subsequent regulations and is necessary either for the purposes of carrying out the obligations and exercising specific rights in the field of employment law or for reasons of substantial public interest, namely, preventing or detecting unlawful acts, protecting the public against dishonesty, safeguarding, preventing fraud or suspicion of terrorism or money laundering.

## Sharing your data

Your personal data will be shared with colleagues within the Company where it is necessary for them to undertake their duties and where this is reasonably necessary for the processing purposes set out above. This includes, for example, your line manager for their management of you, the HR department for maintaining personnel records and the payroll department for administering payment under your contract.

From time to time we will need to share your information with external people and organisations. We will only do so where we have a legitimate or legal basis for doing so and in compliance with our obligations under data protection laws.

We share your personal data with third parties in order to obtain references, health screening, where permitted, to process payroll where these services are outsourced, to administer benefits and biographies used for our bid defence process and business CV's and training records as required for trial master files.

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We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us.

## Sharing your data outside of the EEA

If you are employed in an operational role we may need to share your personal data with bodies outside of the European Economic Area ('EEA'). This will be because your personal data is included in bid defence documents and trial master files. The type of personal data shared in this situation will be limited to names, photos, professional registration numbers (for medical staff only), educational establishments attended and names of previous employers.

If we do transfer your personal data outside the EEA, we will use one of these safeguards to make sure it is protected:

- We will only transfer it to a non-EEA country which the European Commission has decided has an adequate level of protection for personal data. You can find more about such countries here [https://ec.europa.eu/info/law/law-topic/data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection_en); or
- We will put a written contract in place between us and the recipient that incorporates EC model clauses relating to the transfer of personal data outside the EEA. You can find out more about such clauses here [ICO/international transfers](#);
- We will only transfer it to businesses that have signed up to a special agreement between the UK and the USA known as the Privacy Shield; or
- If none of the above situations apply we will not transfer your personal data unless you have given your express consent to the proposed transfer, after having been informed of the possible risks.

## Protecting your data

We are aware of the requirement to ensure your personal data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. Details of how we will protect your data can be found in the Company's Information Security Policy.

Where we share your personal data with third parties, we provide written instructions to them to ensure that your personal data are held securely and in line with current data protection requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your personal data.

## How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended.

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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.

Retention periods can vary depending on why we need your data, as set out below:

- HR, Payroll and HMRC records will be held for 7 years
- H&S and Occupational Health records will be held for 40 years
- CV & Training records contained in trial master files and/or eTMF's will be held for 25 years.

## Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

## Your rights in relation to your data

The law on data protection gives you certain rights in relation to the personal data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your personal data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our subject access request policy which is available from our Company Intranet
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. In certain circumstances, you may have the right to require that we provide you with an electronic copy of your personal information either for your own use or so that you can share it with another organisation. Where this right applies, you can ask us, where feasible, to transmit your personal data directly to the other party.
- the right to object to processing of your personal data. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for

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withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the DPO.

## Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner's Office (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.