



WILSON JAMES LTD

EMPLOYEE PRIVACY NOTICE

10 August 2021

V2.1

EMPLOYEE PRIVACY NOTICE

Title	Employee GDPR Privacy Notice	Date Issued	Sep-20
Owner	The Data Protection Officer	Date Reviewed	August-21
Scope	This privacy notice applies to employees of Wilson James and should be served up at the point of data capture.		

About Us

Wilson James Ltd (or 'Us') is registered in England, with the trading address: Chalkwell Lawns, 648-656 London Rd, Westcliff On Sea, Essex, SSO 9HR. For the purposes of the General Data Protection Regulation (GDPR), Wilson James Ltd is a data controller with respect to the personal data that you provide to us.

Wilson James is committed to respecting and protecting your privacy. Questions and comments about this privacy notice are welcomed. These, and any enquiries about the processing of your personal data should be directed to dataprotection@wilsonjames.co.uk in the first instance.

What is Personal Data?

The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified by reference to data items such as: name, contact details, unique identification numbers, location data or online identifiers.

Special Categories of Personal Data

GDPR refers to sensitive data as 'special categories' of personal data. Special categories are racial and ethnicity information, political or religious beliefs, trade-union membership, genetic and biometric data, health information and anything concerning an individual's sex life.

How Wilson James uses your information

To employ you, Wilson James needs to collect personal data about you. This is required to provide duty of care to you as an employee, to comply with employment law and to enable the fulfilment of any contract that may exist between yourself and Wilson James. Failure to provide the required information in a timely manner may result in Wilson James being unable to provide you with employment.

Wilson James will process – that means collect, store and use – the information you provide in a manner that is compatible with the GDPR. Wilson James will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances, the law sets the length of time information must be kept, but in most cases, Wilson James uses a set of retention rules to ensure that data is not retained any longer than to fulfil the purpose for which it has been collected. These retention rules are contained within a Document Control Standard Operating Procedure.

The aim is not to be intrusive, and Wilson James will not ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure. These measures are described in the Wilson James Information Security Policy and the Data Protection Policy.

What information Wilson James may collect from you

Under the lawful basis of legal obligation, Wilson James may collect the following information:

- Medical information or information on any ongoing condition which may require us to consider any “reasonable adjustments”
- Maternity/paternity related information in line with statutory requirements
- Payroll, Payment, and financial information
- Proof of identification and proof of address
- Proof of right to work in UK
- Information relating to disciplinary, grievance or redundancy procedures
- Information on identity and criminal record for security licensing

Health related information is a ‘special category’ of data and as such there is a second lawful basis for the processing of this data: processing is necessary for the purposes of occupational medicine, for the assessment of the working capacity of the employee.

A description of these legal obligations:

- To assist us in considering any “reasonable adjustments” that are required in the workplace
- To enable Wilson James to comply with statutory requirements around statutory leave
- To enable us to comply with HMRC regulations
- To be able to vet you in accordance with the relevant regulating body
- To enable verification of your right to work in the UK in accordance with Home Office regulations
- To adhere to employment law regarding the appropriate handling of disciplinary procedures and staff exits
- To license our security staff in accordance with Home Office licensing requirements

Under the lawful basis of contractual obligation, Wilson James may collect the following information:

- Personal information such as employee reference number, name, address and contact details
- Bank details
- Feedback on your performance e.g., appraisals etc.

A description of these contractual obligations:

- To enable an up-to-date record of your details as required, to contact, pay and maintain a duty of care to you
- To monitor your performance against your contracted terms and conditions

Under the lawful basis of legitimate interests, Wilson James may collect the following information:

- Personal information such as name, work email address, job role and shift pattern
- General correspondence between staff
- Beneficiary details / Next of kin
- Emergency contact
- Information or CV used in job applications including previous employment history details
- Training records and requirements
- Photographs (Head shots) – for security passes
- Photographs (Head shots) – for client facing employee profiles

- Photographs – for internal communications purposes
- CCTV footage – for security purposes at Wilson James offices and sites
- Biometrics – fingerprint and facial recognition for payment processing of timesheets

A description of these legitimate interests:

- To manage the workforce operations for example, the use of information on rotas and timesheets
- To provide you with communications relevant to your employment such as payslips, P60s and job opportunities
- To maintain a record of business-related communications
- To ensure any benefits due to you are executed in accordance with your wishes
- To ensure a nominated person can be contacted in case of emergency
- To maintain a record of your skills and experiences
- To record the attainment of, and provide you with appropriate training and qualifications
- To be able to identify staff at all Wilson James and client sites
- To promote employee profiles to prospective clients during the tendering process
- To promote Wilson James workforce and employee achievements in publications and communications such as staff bulletins or the Wilson James Connect magazine

In addition to the above, Wilson James also collects data on equality and diversity, including ethnicity, religion, and sexual orientation - it is entirely optional whether you provide this information if, for example, you would like Wilson James to facilitate prayer times within the shift rotas for the role. Where this information is gathered, it may also be compiled into anonymised statistics to provide insight and promote the rich diversity of the Wilson James workforce.

Where the information we process is special category data, for example your Biometric data, the additional bases for processing that we rely on are:

- Article 9(2)(b) which relates to carrying out our obligations and exercising our rights in employment and the safeguarding of your fundamental rights. In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1 of the DPA 2018.

Disclosure of your personal data

Wilson James may pass your personal data on to our service providers for example our insurers, employee benefit providers, pension providers, training providers and occupational health professionals who are contracted to Wilson James while dealing with your employment lifecycle. These service providers are obliged to keep your details secure and use them only for the specific services that they provide to you, on our behalf. Once this service need has been satisfied or the case has been closed, they will dispose of the details in line with Wilson James' retention procedures.

In addition to this, Wilson James provides staffed services to end-clients. In circumstances where your resource forms part of such a service, your name and a sub-set of your employee file will be provided to those end clients so that you can be identified and work effectively on those client sites. Client organisations and statutory bodies may also need to audit a subset of our HR data to ensure our staff are trained or certified. Depending on your role, Wilson James may also exchange information with licensing organisations or aviation screening authorities or pass certain information to suppliers such as uniform, vehicle or equipment providers.

Wilson James may give out your work mobile number and work email addresses as part of day-to-day business operations, to facilitate correspondence between Wilson James employees, our clients, and our suppliers.

On occasion, client contracts are gained or lost by Wilson James or services may be outsourced or insourced. These situations are subject to Transfer of Undertakings (Protection of Employment) Regulations (also known as TUPE) which means that certain employee information must be provided in bulk to the new employer, to provide a seamless transition for all employees.

In rare circumstances, Wilson James operates services overseas. If you have volunteered for such an assignment, any transfer of your information overseas will only happen after an appropriate risk assessment to ensure adequate levels of protection are in place, with effective safeguards such as binding corporate rules.

Your rights

You have the right to access information held about you. You have a right to request a copy of the personal data you have provided, to be sent to you or other parties in machine readable format (data portability). Where there are any changes to the purposes for which your data is processed, or any changes to the way in which your personal data is disclosed, you have a right to be informed of these changes. Wilson James will do this by contacting you with the relevant information in a timely and transparent manner.

You have the right to ask for your personal data to be rectified where there is an inaccuracy and you have the right to ask for your personal data to be erased, where there is no overriding legal basis for it to be retained. You have the right to ask for your data not to be processed for marketing purposes and where any processing of personal data is carried out based on your consent, you have the right to withdraw that consent as easily as it was given.

You have the right to object to decisions Wilson James has taken about the processing of your personal data and where you believe Wilson James has contravened the General Data Protection Regulations, you have the right to lodge a complaint with the Information Commissioner's Office.

You have the right to request that processing of your personal data is restricted, where there is an objection or request for rectification pending, or where you require data that would otherwise be deleted to be retained, for example for the defence of legal claims.

You also have the right to request meaningful information about the logic involved in any automated decision-making or profiling processes. Although Wilson James do not have any such internal processes, automated services from third parties may be used as part of the employee screening process for Security roles such as Credit Checks, Counter Terrorism Checks, and the Disclosure Barring Service. These checks are necessary to provide you with an employment contract for such roles.

For any questions about, or to exercise any of your rights as a data subject, please contact dataprotection@wilsonjames.co.uk