

GEG Capital Limited advances Scotland's legacy of innovation through investment in people, technology and infrastructure.

We are committed to safeguarding the privacy of all persons under the control of GEG Capital and meeting the data protection obligations under the General Data Protection Regulation (GDPR). This purpose of this document is to make you aware of how we collect and use personal information about you during and after your working relationship with us.

We are responsible for deciding how we hold and use your personal information. We are required to notify you of the information contained in this privacy notice. This notice applies to employees, customers, suppliers, business contacts and other individuals the business has a relationship with or may need to contact. This notice does not form part of any contract of employment or other contract to provide services.

### **GDPR PRINCIPLES**

We will comply with data protection law. This says that the personal information 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 way that is incompatible with those purposes.
- 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

### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, address, telephone numbers and personal email addresses
- Date of Birth
- Gender
- Marital Status and dependants
- Next of kin and emergency contact information National Insurance number
- Bank Account details, payroll records and tax status information Salary, annual leave, pension and benefits information
- Start and end date
- Location of employment or workplace Copy of driving licence
- Recruitment information (including copies of the right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships) Compensation history
- Performance information
- Disciplinary and grievance information
- CCTV Footage and other information obtained through electronic means such as swipe card records Information about your use of our information and communication systems
- Photographs

We may also collect, store and use the following "special categories" of more sensitive personal information

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences.

### **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency. We may sometimes collect additional information from third parties including former employers or background check agencies, e.g. Disclosure Scotland. We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

### **HOW WILL WE 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

### **Situations in which we will use your personal information**

We will only use your personal information when the law allows us to. Most commonly, the situations in which we will process your personal information are listed below;

- Making a decision about your recruitment or appointment Determining the terms on which you work for us
- Checking your eligibility to legally work in the UK
- Paying you and, if you are an employee, deducting tax and National Insurance contributions Providing the following benefits to you: Healthcare and Death in Service Liaising with your pension provider
- Administering the contract, we have entered into with you
- Business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions Gathering evidence for possible grievance or disciplinary proceedings
- Making decisions about your continued employment or engagement Making arrangements for the termination of our working relationship Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contactors, including accidents at work Ascertaining your fitness to work
- Managing sickness absence
- 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

### **If you fail to provide personal information**

If you fail to provide certain information when requested, 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).

## **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 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

"Special categories" of particularly sensitive personal information require higher levels of protection. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. 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

## **PRIVACY NOTICE**

Where it is needed in the public interest, such as for equal opportunities monitoring [or in relation to our occupational pension scheme]

### **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 absence 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

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We do not envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data. We will use information about criminal convictions to ascertain whether entering into a working relationship with you contravenes any law.

## **DATA SHARING**

We may have to share your data with third parties, including third-party service providers and other entities in the group. 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 within our group.

The following activities are carried out by third-party service providers:

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

### **How secure is my information with third-party service providers and other entities in our group?**

All our third-party service providers and other entities in the group 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.

### **When might you share my personal information with other entities in the group?**

We will share your personal information with other entities in our group [as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

### **Transferring information outside the UK**

GEG Capital 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, GEG Capital 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 group contact at any time.

## **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: Gordon Farmer - DPO [dataprotection@gegroup.com](mailto:dataprotection@gegroup.com) 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.

## **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.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE AND RESTRICTION**

### **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.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please email People And Culture <PeopleAndCulture@gegroun.com>.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other 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.

### **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.

## **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email People And Culture <PeopleAndCulture@gegroun.com>.. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **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@gegroun.com or write to us at:

Data Protection Department, GEG Capital, 13 Henderson Road, Inverness, IV1 1SN

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.