



PRIVACY NOTICE

1. INTRODUCTION

1.1 Brace's Bakery Limited ("Brace's", "we" or "us") is committed to protecting the privacy and security of your personal information. We make sure we comply with all aspects of the UK's data protection framework including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

1.2 This privacy notice describes how we collect and use personal information about you during and after your working relationship with us. It applies to all employees, workers and self-employed contractors.

1.3 It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation. This notice does not form part of any contract of employment or other contract to provide services.

2. DATA CONTROLLER

2.1 Brace's is the controller and responsible for your personal data. We are not required to appoint a Data Protection Officer under the GDPR. However, queries or concerns relating to personal data should instead be directed to The HR Manager.

3. WHAT INFORMATION DO WE HOLD ABOUT YOU?

3.1 The personal information we hold about employees, workers and self-employed contractors includes:

3.1.1 Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;

3.1.2 Date of birth, gender, marital status and dependants;

3.1.3 Next of kin and emergency contact information;

- 3.1.4 National Insurance number, bank account details, payroll records and tax status information, salary, pension and benefits information;
 - 3.1.5 Other pay information such as enforcement orders, student loans, childcare vouchers;
 - 3.1.6 Start date of employment, continuous employment details, leaving date and your reason for leaving;
 - 3.1.7 Location of employment or workplace;
 - 3.1.8 Recruitment information (including ID (copy of driving licence / passport) copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process);
 - 3.1.9 Employment records (including job titles, work history, working hours, holidays, time spent on statutory leave, training records and professional memberships);
 - 3.1.10 Performance information;
 - 3.1.11 Disciplinary and grievance information;
 - 3.1.12 CCTV footage and other information obtained through electronic means;
Fingerprint Clocking Scanner

and
 - 3.1.13 Photographs.
- 3.2 Certain types of personal information are in a special category under data protection laws, as they are considered to be more sensitive. Examples of this type of data include information about health, race, religious beliefs, political views, trade union membership, sex life or sexuality and genetic/biometric information.
- 3.3 We may also collect, store and use from time to time the following sensitive types of personal information:
- 3.3.1 Biometric identification data;
 - 3.3.2 Information about your health, including any medical condition, health and sickness records, including details of any absences from work;

3.3.3 Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;

3.3.4 Trade union membership; and

3.3.5 Criminal offences and alleged criminal offences.

4. **SOURCES OF PERSONAL INFORMATION**

4.1 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 or background check provider.

4.2 We also collect additional personal information in the course of job-related activities throughout the period of you working for us.

4.3 When you start work, we create a personnel file for all our employees. All of the information we have collated about you to date is stored in your personnel file which is kept securely.

4.4 Where personal information has been shared by you with your manager in the course of dealing with employment matters, including in relation to illness, religious background, sexual orientation or other family situations, please rest assured that any information of this nature will be treated with the utmost sensitivity.

5. **THE LAWFUL BASIS FOR PROCESSING PERSONAL INFORMATION**

5.1 We will only use your personal data when the law allows us to. Most commonly, we rely on the following legal bases to process your personal information:

Performance of a contract	This applies where we need to collect and use your personal information in order to take steps to enter into a contract with you or to perform our obligations under a contract with you
Legal obligation	This applies where we need to collect and use your personal information to comply with applicable laws and regulatory requirements
Legitimate interests	We may collect and use your personal information to further our legitimate business interests. We only do this where we are satisfied that your privacy rights are protected satisfactorily. You have a right to object to any processing of your personal

	information based on this legal basis (see below)
Consent	Generally we do not need to rely on consent as a legal basis for processing your personal data, but where we do, you have a right to withdraw consent at any time

5.2 Additional legal bases are required when we process special category personal data and additional safeguards. In the case of information about criminal convictions and actual and alleged offences, this will only be collected where appropriate to do so given the nature of your role.

6. WHY DO WE COLLECT AND USE PERSONAL INFORMATION?

6.1 We collect and use personal information for the following purposes, relying on the specific lawful bases set out in the table below:

Reason for processing	Legal Basis
Checking you are legally entitled to work in the UK.	To comply with a legal obligation
Paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs). Making decisions about your remuneration.	Performance of a contract To comply with a legal obligation
Providing employee benefits to you.	Performance of a contract Necessary for legitimate interests Consent where this involves sharing your medical information with a third party provider.
Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.	To comply with a legal obligation

Otherwise administering the contract we have entered into with you.	Performance of a contract
Business management and planning, including accounting and auditing.	To comply with a legal obligation Necessary for legitimate interests
Monitoring and recording your attendance at work	Performance of a contract Consent (where biometric data is used)
Conducting performance reviews, managing performance and determining performance requirements. Assessing your qualifications for a particular job or task, including decisions about your ongoing suitability and /or promotions.	Performance of a contract Necessary for legitimate interests
Gathering evidence for possible grievance or disciplinary hearings.	Necessary for legitimate interests To comply with a legal obligation To establish, exercise or defend legal rights
Education, training and development requirements.	Performance of a contract Necessary for legitimate interests
Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.	To comply with a legal obligation Necessary for legitimate interests To establish, exercise or defend legal rights
Ascertaining your fitness to work and providing appropriate workplace adjustments where legally required.	Necessary for legitimate interests To comply with a legal obligation including our obligations under employment law and social

	protection law
Monitoring and managing sickness absence and administering sick pay.	Performance of a contract Necessary for legitimate interests To comply with a legal obligation including our obligations under employment law and social protection law
To obtain occupational health advice where necessary	Necessary for legitimate interests Your consent is required under the Medical Reports Act 1988.
Complying with health and safety obligations.	To comply with a legal obligation To protect vital interests
To prevent fraud.	To comply with a legal obligation
To monitor your use of our information and communication systems to ensure compliance with our IT policies and to ensure network and information security.	Necessary for legitimate interests
To conduct data analytics studies to review and better understand employee retention and attrition rates.	Necessary for legitimate interests
Equal opportunities monitoring.	Public Interest For the purpose of monitoring equality of opportunity or treatment between different groups. You can require us to stop processing your data for this purpose by giving us written notice.

6.2 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

7. **IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

7.1 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).

8. **SITUATIONS IN WHICH WE WILL USE YOUR SENSITIVE PERSONAL INFORMATION**

8.1 We may process special categories of personal information in the following circumstances:

8.1.1 In limited circumstances, with your explicit written consent.

8.1.2 Where we need to carry out our legal obligations or exercise rights in connection with employment.

8.1.3 Where it is needed in the public interest, such as for equal opportunities monitoring.

8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed 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.

8.3 The situations in which we will process your particularly sensitive personal information are listed below.

8.3.1 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 including statutory maternity pay, statutory sick pay and pensions.

8.3.2 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.

8.3.3 We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

8.4 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.

9. **INFORMATION ABOUT CRIMINAL CONVICTIONS**

9.1 We do not envisage that we will hold information about criminal convictions.

10. **AUTOMATED DECISION-MAKING**

10.1 We do not currently take any decisions about employees, workers or self-employed contractors using automated means, however we will notify you in writing if this position changes.

11. **DATA-SHARING**

11.1 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.

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

11.2.1 Payroll – Kilsby

11.2.2 Pension administration – Aviva and Mark Pugh (Pension Advisor)

11.2.3 Occupational Health – Caer Health

11.2.4 Private Health – Jelf/Health Assured

11.3 A number of third parties, bound by obligations of confidentiality, may have access to your personal information or we may share or send it to them. This may include:

11.3.1 occupational health providers

11.3.2 suppliers that help maintain our systems or host our data

11.3.3 other suppliers who provide us with goods, services or who give us professional advice to help us run our businesses such as accountants, lawyers and auditors.

11.4 We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC, and disclosures to shareholders such as directors' remuneration reporting requirements.

11.5 We do not sell, rent or otherwise make personal information commercially available to any third party.

12. **TRANSFERS OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)**

12.1 We do not send the personal data of candidates for employment outside the EEA.

13. **DATA SECURITY**

13.1 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.

14. **DATA RETENTION**

14.1 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. We have a specific Retention Guidelines for employee data.

15. **YOUR RIGHTS**

15.1 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.

15.2 Under certain circumstances, by law:

15.2.1 you have a right of access to the personal information we hold about you.

15.2.2 you have the right to ask us to correct any information we hold about you that you think is wrong or incomplete.

15.2.3 you have the right to object to any processing of your personal information where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop. There may, however, be legal or other legitimate reasons why we need to keep or use your information. If this is the case, we will consider your request and explain why we cannot comply with it. You can ask us to restrict the use of your personal information while we are considering your request.

15.2.4 you have the right to object if we process your personal data for the purposes of direct marketing. If you no longer want to receive communications from us, please contact us. We will stop sending you communications, but will continue to keep a record of you and your request not to hear from us. If we deleted all of your information from our direct marketing databases, we would have no record of the fact that you have asked us not to communicate with you and it is possible that you may start receiving communications from us at some point in the future, if we obtain your details from a different source.

15.2.5 you have the right to ask us to delete your information. This is also known as the right to be forgotten or to erasure. We will not always agree to do this in every case as there may be legal or other legitimate reasons why we need to keep or use your information. If this is the case, we will consider your request and explain why we cannot comply with it. You can ask us to restrict the use of your personal information while we are considering your request.

15.2.6 where our processing of your personal information is based on your consent, you have the right to withdraw it at any time. Please contact us if you wish to do so.

15.2.7 you may have a right to obtain the personal information that you have given us in a format that be easily re-used and to ask us to pass this personal information on in the same format to other organisations. Please contact us to find out if this right applies to you.

15.3 If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Privacy Manager. 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.

16. **CHANGES TO THIS PRIVACY NOTICE**

16.1 This privacy notice was last updated on the 30th April 19. We keep this privacy notice under regular review and may change it from time to time in order to reflect changes in the law and/or our privacy practices. We would encourage you to check this privacy notice for any changes on a regular basis.