

Privacy Notice: employees and contractors

EMF is committed to processing data in a transparent, fair and lawful manner (in compliance with Data Protection Act 2018, General Data Protection Regulation and Privacy and Electronic Communications Regulation) and to honouring the rights of data subjects. This notice applies to prospective, current and former employees and contractors, placement students and interns of Ellen MacArthur Foundation and Ellen MacArthur Foundation Trading Limited (collectively 'EMF', 'we').

Principles

- We will process your data fairly, lawfully and in a clear, transparent way;
- We only collect your data for specific, explicit and legitimate purposes related to your employment with us;
- We only collect the data we need for the purposes of your employment;
- We only use your data as outlined in this privacy notice;
- We will ensure that your data is correct and take steps to keep it up to date;
- We only keep your data for as long as we need it or are legally bound to keep it;
- We will apply appropriate security including protection against unauthorised or unlawful processing, accidental loss or destruction;
- We only transfer your data outside of the EU in situations where it can be and is appropriately secured.

Types of data

- your personal details including your name, address, date of birth, email address, phone numbers
- your image in the form of photograph(s)
- your gender
- your marital or relationship status
- the names of your dependants, next of kin and their contact details
- your medical or health information including details of any disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin
- information included on your CV including education and employment history
- references from former employers or other referees
- documentation relating to your right to work in the UK
- your driving licence and passport details (including copies of them)
- your bank account details
- your tax codes, National Insurance and/or social security number(s)
- your current and previous job titles, job descriptions, pension entitlement, hours of work and other terms and conditions relating to your employment
- any formal warnings or meeting notes relating to any disciplinary, grievance or capability management proceedings involving you

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- details and opinions about your performance during your employment with us
- your leave and absence records
- details of any criminal record held by you
- training information.

How we collect your data

We collect data from you directly during the role application process including information provided on any CV, in a covering letter, or in notes made by our team during a recruitment interview. Further information is collected directly from you when you complete forms in preparation for and at the start of your employment and from time to time during your employment. In some cases, we will collect data about you from third parties, such as colleagues, employment agencies, former employers, your doctor or an occupational health assessor or credit reference agencies.

You should notify us promptly of any changes to your personal data and we will update our records accordingly. Annually you will be given an opportunity to review and confirm certain personal data held within our HR system, Salesforce. We will not be responsible for information that is out-of-date, or for any inaccurate processing of your data, where you have not informed us of the current or correct information.

How we process or use your data

Personal data is kept in hard copy and electronic files within GSuite, Salesforce, Access and Sage. We process your data in compliance with data protection principles and the law applicable to employers in the UK, in order for us to:

- perform the employment contract between us (eg to pay you your agreed salary and other contractual benefits);
- perform our legal duties (eg to meet our obligations regarding deductions for social security and tax or to check your right to work in the UK);
- exercise our legitimate interests (eg to monitor your conduct and performance and undertake appropriate procedures if the need arises);
- protect your interests (eg assessing your needs with regard to health and safety); and
- satisfy any obligations relating to public interest.

Examples of other ways in which your data will be processed or used are:

- when making decisions about who to offer initial employment to, and subsequent internal appointments, promotions and role transfers;
- when making decisions about salary and other benefits;
- to maintain HR records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points can be found in the event of an emergency;

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- to monitor the amount of leave (eg for sickness, maternity, paternity or other absence) you have taken for the relevant and appropriate actions to be taken including the making of reasonable pay adjustments and returns;
- to gain expert medical opinion when making decisions about your fitness for work;
- to offer a method of recourse for you against any decisions made about you via a grievance, disciplinary or capability management process;
- in business planning and restructuring exercises;
- when dealing with any legal claims made against us;
- to prevent fraud or corruption;
- to ensure our administrative and IT systems are secure and robust against unauthorised access.

Special categories of data

We process special categories of data in accordance with more stringent access guidelines. This includes data relating to your health, gender, sexual orientation, race, ethnic origin, religion, trade union membership and biometric data (eg fingerprint, facial or retina access to a laptop).

Most commonly we will process special categories of data in the following circumstances:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- in our sickness absence management processes
- for the purposes of equal opportunities monitoring
- to determine reasonable adjustments to pay, other benefits or your working conditions
- to provide adequate and convenient access security to EMF laptops and devices.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data and you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

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 to. This data will usually be collected at the recruitment stage, however, may also be collected during your employment.

If you do not provide your data to us

If you do not provide us with the data needed to do allow us to carry out our duties set out in the contract of employment between us, we will be unable to perform those duties (eg ensuring you are paid and pay taxes correctly). We may also be prevented from confirming, or continuing with, your employment with us due to certain legal obligations (eg confirming your right to work in the UK).

Sharing your data

Your data will be shared with other EMF employees and contractors, where it is necessary for them to perform their duties, based in the UK, EEA, Brazil, USA and China. This includes your line manager for their management of you, our Operations Team for maintaining HR records, administering the payroll and certain other benefits under your contract of employment and for employee welfare purposes. Your data may be shared with third parties or our professional advisers to enable us to fulfil our obligations to you under your contract of employment eg payroll administrator(s), pension scheme provider, wellness coach(es) and insurers. Data is only shared with third parties with whom we have a contractual relationship which include obligations designed to protect your data and ensure its integrity, security and lawful processing.

Protecting your data

We have a duty to ensure that your data is protected against accidental loss or disclosure, destruction and abuse and we have appropriate processes and systems in place to fulfil this obligation (see IT and Device and Data Protection policies).

In the event of a data breach which is likely to result in a risk to the rights and freedoms of individuals, it will be reported to the Information Commissioner within 72 hours of EMF becoming aware of it and may be reported in more than one instalment. You will also be informed without undue delay.

How long we keep your data for

Your HR file will be retained for seven years after the date of termination of your employment or contract with us. It contains the data listed in this policy under "Types of data", your employment or services contract with us and any updates or changes to that contract. Other types of data are retained as follows:

Type of Data	Retention period
CVs and documentation for unsuccessful candidates	Twelve months from date of notification to the candidate (unless otherwise jointly agreed)
Payroll, tax and National Insurance or social security information (including payslips and associated documents)	Seven years
Accounting information	Seven years
Travel and expenses records	Seven years
Statutory maternity pay records, calculations, certificates or other medical evidence	Three years after the end of the tax year in which the maternity period ends
Living performance review documents and 360 degree feedback reports	Seven years after the date of termination of your employment contract
Accident books containing accident records and reports	Three years from the date of its last entry

In certain circumstances we may need to keep your data for a longer period in which case we will notify you, together with the reasons for the proposed extended retention period.

Automated decision making

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

Your rights in relation to your data

You have certain legal rights in relation to your personal data held in our systems:

1. The right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice.
2. The right of access. You have the right to access the data that we hold on you by making a subject access request. You can read more about this in our Subject Access Request policy which is available on the Google drive.
3. 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.
4. The right to have information deleted. If you believe there is no reason for us to continue holding or processing certain data about you, you have the right to ask us to delete it from our systems and records.
5. The right to restrict the processing of the data. If you believe the data we hold is incorrect, you have the right to stop the processing of that data.

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6. The right to portability. You may transfer the data that we hold on you for your own purposes.
7. The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests.
8. 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 a 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 withdrawing your consent. However, in some cases, we may continue to use the data where we have a legitimate reason for doing so.

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

Making a complaint

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

Data controller details

EMF are registered with the Information Commissioner as 'data controllers' which means that we determine the processes applied when using your personal data. The Data Protection Officer is Jo Bootle and our contact details are:

The Ellen MacArthur Foundation
The Sail Loft
42 Medina Road
Cowes
PO31 7BX