

N.A.P.P.I. (UK) Limited - Staff, Contractor and Applicant Data Protection Statement

In the course of our business we collect, store and process personal information about our staff (which for the purposes of this document includes all of our employees, workers, agency staff and temporary workers), individual contractors and those who apply for a job or other role with us.

This Data Protection Statement ("**this Statement**") explains what information we collect from and about our staff, individual contractors and those who apply for a job or other role with us, how their information will be used, how long we keep it and what their related rights are.

1. Who are we?

- 1.1 We are N.A.P.P.I. (UK) Limited (registered company number 03050134). Our registered office and address for correspondence is 64 Falsgrave Road, Scarborough, YO12 5AX.
- 1.2 We are committed to ensuring that all personal information we hold is treated properly and in accordance with applicable data protection legislation. We are registered as a data controller with the Information Commissioner's Office ("**ICO**") and our registration number is Z8019492. In accordance with applicable data protection legislation, we are required to explain to you how we will treat any personal information which we collect about you.
- 1.3 This Statement applies to anybody who applies to us for a job or other role, or subsequently becomes a member of our staff or an individual contractor. This Statement covers the personal information we collect in connection with each application and in connection with each staff member's or individual contractor's employment or engagement with us.
- 1.4 You promise that any information you supply to us is accurate and up-to-date, that you will inform us if any such information requires updating and that where you submit any other person's details to us you have that other person's permission or are otherwise legally permitted to do so on their behalf.
- 1.5 You have the right to lodge a complaint with the ICO if you have any concerns with regard to the way in which we process your personal information. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

2. What information do we collect and how do we use it?

Application and Recruitment/Engagement Process

- 2.1 Where you apply for a job or other role with us, we will collect information from you during the application and recruitment/engagement process (e.g. if you complete an application form, send us a copy of your CV or attend an interview) and in any subsequent related correspondence by telephone, e-mail or otherwise. We may also receive relevant information from a third party such as your named referees, employment agencies, background check providers and (in respect of information relating to criminal convictions) the Disclosure and Barring Service.
- 2.2 This information may include:
 - (a) your name, title, postal address(es), telephone number(s), email address(es), date of birth, gender, languages spoken, qualifications, copy of driving licence (where relevant to the role applied for), recruitment information (including copies of right to work documentation, references and other information included in a CV or covering letter as part of the process); employment records (including job titles, work history, working hours, training records and professional membership); compensation history; and

- (b) the following special categories of more sensitive personal information: information about your health (including any medical condition), information about criminal convictions or offences, race or ethnicity, sexual orientation.

2.3 Regardless of the success of your application, any information collected by us in connection with the application and recruitment/engagement process (other than that mentioned in paragraph 2.4 below) will be used as necessary for our legitimate interests in processing the relevant application, carrying out background and reference checks (where applicable), assessing your suitability and eligibility for the role which you have applied for, communicating with you about the recruitment process and complying with legal or regulatory requirements.

2.4 We will use your particularly sensitive personal information in the following ways:

2.4.1 Where we process your date of birth, gender, race or ethnicity and sexual orientation in connection with the application, we do so on the basis that the processing is necessary for the substantial public interest in ensuring meaningful equal opportunity monitoring, reporting and compliance;

2.4.2 Copies of right to work documentation will be used as necessary for the purposes of checking you are legally entitled to work in the UK;

2.4.3 We will use information about your disability status in connection with our legal requirement to consider whether we need to provide appropriate adjustments during the recruitment process (for example whether adjustments need to be made during an interview); and

2.4.4 We will only collect information about criminal convictions where we would like to offer you the role, where it is appropriate for us to do so given the nature of the role and where we are legally able to do so. Any such checks will be carried out in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the relevant role, in particular where:

- (a) The role is one which is listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) so is eligible for a standard check from the Disclosure and Barring Service; or

- (b) The role requires a high degree of trust and integrity since it involves dealing with safeguarding matters and working within environments supporting vulnerable adults and/or children and so (as required under our accreditation with the British Institute of Learning Disabilities) we would like to ask you to seek a basic disclosure of your criminal records history.

2.5 If you fail to provide information when requested which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to consider your application any further.

Use of Staff and Contractor Information

Where you are or become a member of our staff or we engage you as an individual contractor:

2.6 We may collect the following information about you during your employment or engagement with us:

- (a) 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 date, location of workplace, performance and continuing professional development information; disciplinary and grievance information; information about your use of our information and communications systems; and

- (b) the following special categories of more sensitive personal information: health and sickness records (including medical history) and driving licence penalty points (where relevant to your role).

2.7 We will use your personal information (including information collected during the application and recruitment/engagement process) for a number of reasons, including (but not limited to):

- (a) to perform our obligations under your employment or other contract with us (for example, to arrange payment of your wages and to provide you with any benefits detailed in your employment or other contract);
- (b) to comply with a legal obligation to which we are subject (for example, to comply with employment laws, to monitor your eligibility to work in the UK, to comply with health and safety requirements and to enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties);
- (c) where it is necessary for the purposes of our legitimate interests and your interests and fundamental rights do not override those interests (for example, to conduct performance reviews and appraisals, to make decisions about salary reviews and compensation, to gather evidence for possible grievance or disciplinary hearings, to assess education, training and development requirements, to monitor your use of our information and communications systems to ensure compliance with our policies and procedures, and to prevent fraud. We may also use staff dates of birth to send birthday cards for our legitimate interest in maintaining staff morale);
- (d) where it is necessary for the purposes of us carrying out our obligations and exercising our or your rights under employment law or for the assessment of your working capacity (for example, information concerning health in order to monitor and manage sickness absence and ascertain your fitness for work);
- (e) where it is necessary for our legitimate interest in establishing, exercising or defending any legal claims;
- (f) where it is necessary for the substantial public interest (e.g. in ensuring meaningful equal opportunity monitoring, reporting and compliance); and
- (g) where it is necessary to protect the vital interests of you or another person where you are physically or legally incapable of giving us consent.

2.8 In limited circumstances, we may approach you for your consent to allow us to process certain information for purposes not referred to in this Statement. If we do so, we will provide you with full details of the information 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. If you do provide us with consent, you will be able to withdraw it at any time via the method that we notify you of when obtaining your consent. Any such withdrawal will not affect the lawfulness of our processing of your personal information before you withdrew consent.

2.9 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 staff and contractors).

3. To whom will we disclose your personal information?

You will be asked before we disclose your personal information to third parties, unless:

- 3.1 they are only processing your information on our behalf for specified purposes in accordance with our instructions. The following activities in particular are carried out by third party processors on our behalf: payroll and IT support;
- 3.2 such disclosure is required by law;
- 3.3 the third party is providing us with professional advice where necessary for our legitimate interests and permitted by law;
- 3.4 the disclosure is necessary for our legitimate interests in connection with obtaining or maintaining any professional accreditations relating to our activities, including but not limited to Pearson Edexcel and the British Institute of Learning Disabilities Physical Interventions Accreditation Scheme;
- 3.5 the disclosure is in connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our related legitimate interests and permitted by law;
- 3.6 the disclosure is necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing information to others for the purposes of fraud prevention) and permitted by law;
- 3.7 the disclosure is necessary to protect the interests of you or another person where you are physically or legally incapable of giving us your consent;
- 3.8 the disclosure is in connection with a proposed sale of any part of our business or assets (in which case we may disclose your personal information to the prospective seller or buyer of such business or assets and/or their professional advisors) or the proposed acquisition of substantially all of our assets by a third party. Any such disclosure will be made where necessary for the legitimate interests of us and/or the third party in respect of the proposed transaction; however we will not transfer your personal information to any such third party unless we are satisfied that they are able to provide an adequate level of protection in respect of your personal information; or
- 3.9 we have stated or informed you otherwise and such disclosure is permitted by law.

4. Your rights

- 4.1 You have a legal right to see a copy of the personal information that we keep about you and to require us to correct any inaccuracies, subject to certain exemptions. In some circumstances you may also have the right to:
 - (a) request that we erase any personal information held about you;
 - (b) restrict our processing of your personal information (for example to ask to suspend the processing of personal information to establish its accuracy or the reasons for processing it);

- (c) data portability (i.e. to request the transfer of personal information to a third party); and
- (d) object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party).

4.2 Requests in respect of the above should be made in writing to our Privacy Manager at N.A.P.P.I. (UK) Limited, 64 Falsgrave Road, Scarborough, YO12 5AX or via email at privacy@nappiuk.com. Please contact the same address if you have any reason to believe that information we hold about you is inaccurate. We will respond to your request as soon as possible and, in any event, within one month from the date of receiving the request. Please note that we may, where legally permitted, reject any such request or limit the scope of our response (e.g. if, in the circumstances, the right does not apply to you).

4.3 In accordance with applicable data protection legislation, we follow security procedures in the storage and disclosure of your information. We may therefore request proof of your identity and rights before complying with any request of a nature described in section 4.1 above.

4.4 You will not generally have to pay a fee to exercise any of your rights described in section 4.1 above. However, we may charge a reasonable fee if you make a request to see a copy of your personal information which is clearly unfounded or excessive. Alternatively we may refuse to comply with your request in such circumstances.

5. Security, retention and destruction of your personal information

5.1 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 that information.

5.2 We have put in place procedures to deal with any suspected data security breach and will notify you and/or any applicable regulator of a suspected breach where we are legally required to do so.

5.3 Any personal information held by us in relation to any of the purposes described in this Statement will be retained by us for as long as we need it to fulfil the purpose(s) for which it was collected (including for the purposes of satisfying any legal, accounting or reporting requirements and for the purposes of showing, in the event of a legal claim, that we have conducted any recruitment exercise in a fair, transparent and non-discriminatory way). Further details of our specific retention periods are set out in our information retention policy (a copy of which is available upon request from our Privacy Manager).

5.4 If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately seeking your consent to us retaining your personal information for a fixed period on that basis.

5.5 Whilst taking into consideration our legal obligations, we will on an ongoing basis: review the length of time that we retain personal data; consider the purpose or purposes for which we hold the personal data in deciding whether (and for how long) to retain it; securely delete personal data that is no longer needed for such purpose or purposes; and update, archive or securely delete information if it goes out of date.

6. How will you know if we make any changes to this Statement?

6.1 This Statement does not form part of any contract of employment or other contract to provide services.

6.2 We may amend this Statement at any time. If we make any changes to the way in which we use your personal information we will notify you by writing to you or by sending you an e-mail.

7. Contact

If you have any questions about this Statement or our treatment of your personal information, please contact our Privacy Manager by email at privacy@nappiuk.com or by telephoning 01723 353353.