

THE BANKS GROUP LIMITED PRIVACY NOTICE

1. What is the Purpose of this Document

The Banks Group Limited (the **Banks Group**) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (**UK GDPR**).

It applies to all employees, workers and contractors.

The Banks Group is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

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 that information and what your rights are under the data protection legislation.

2. Data Protection Principles

We will comply with data protection law, which says that the personal information we hold about you must be:

- a) used lawfully, fairly and in a transparent way;
- b) collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- c) relevant to the purposes we have told you about and limited only to those purposes;
- d) accurate and kept up to date;
- e) kept only as long as necessary for the purposes we have told you about; and
- f) kept securely

3. Data Protection Officer (DPO)

We have appointed a DPO, David Martin, to oversee compliance with this privacy notice. The DPO provides help and support on all aspects of data protection. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO.

4. What information do we collect about you and why?

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 person's identity has been removed (anonymous data).

There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health, sexual orientation or criminal convictions.

In the normal course of human resources activities, we will collect store and use the following types of personal information about you:

- personal identification information, such as your name, home address, date of birth, gender, work- related photographs, and home phone number;
- Government-issued identification numbers, such as National ID for payroll purposes;
- immigration, right-to-work and residence status;
- family and emergency contact details;
- job-related information, such as years of service, work location, employment ID, work record, holiday absences, and contract data;
- educational and training information, such as your educational awards, certificates and licenses, vocational records and in-house training attendance;
- recruitment and performance-related data, such as objectives, ratings, comments, feedback results, career history, work equipment, career and succession planning, skills and competencies and other work-related qualifications;
- information needed for compliance and risk management, such as disciplinary records, background check reports (including criminal records checks) and security data; and
- payroll and payment or benefits-related information, such as salary and insurance information, dependents, government identifier or tax numbers, bank account details, and employment related benefits information.

We may also collect, store and use the following more sensitive types of personal information:

- information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- information about your health, including any medical condition and sickness records, including:
 - where you leave employment and under any share plan or Long Term Incentive Plan operated by a group company the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave;
 - any health information in relation to a claim made under the permanent health insurance scheme; and
 - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes;
- information about criminal convictions and offences.

5. How do we collect information about you?

We collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We may also collect personal information from the trustees or managers of pension arrangements operated by us or any group company.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us. We may use the intranet for this purpose.

6. Use of personal information

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; or
- where it is necessary for legitimate interests pursued by us or 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); or
- where it is needed in the public interest or for official purposes

We have established routine processing functions (such as processing for regular payroll and benefits administration). We also process personal information on an occasional or ad hoc basis (such as when an employee is being considered for a particular new position or in the context of changes to their marital status for example).

We process personal information for the following purposes:

PROCESSING	PURPOSE
Workforce planning, recruitment and staffing	Legitimate interests
Workforce administration, payroll, compensation and benefit programs	Legitimate interests Performance of contract
Performance management, learning and development	Legitimate interests
Advancement and succession planning	Legitimate interests

Legal compliance, including compliance with government authority requests for information and tax compliance	Legal obligation
Workplace management, such as travel and expenses and internal health, safety and well being	Legitimate interests Legal obligation
Internal reporting	Legitimate interests
Audit	Legitimate interests Legal obligation
To protect the organisation, its workforce, and the public against injury, theft, legal liability, fraud or abuse	Legitimate interests
Business development, such as responding to tenders and promoting our activities	Legitimate interests Consent

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

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, safety and well being of our workers).

8. 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 and that reason is compatible with the original purpose. 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.

9. How We Use Particularly Sensitive Personal Information

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation, or trade union membership, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. 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;
- where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme or insurance schemes; or



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- where it is necessary to protect you or another person from harm

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.

In general, we will not process particularly sensitive personal information about you unless it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so. The situations in which we will process your particularly sensitive personal information are listed below. We have indicated the purpose or purposes for which we are processing or will process your more sensitive personal information.

- we will use information about your physical or mental health, or disability status, to:
 - ensure your health, safety and wellbeing in the workplace;
 - assess your fitness to work;
 - provide appropriate workplace adjustments;
 - monitor and manage sickness absence; and
 - administer benefits including statutory maternity pay, statutory sick pay, pensions, permanent health insurance, and death in service insurance.

We need to process this information to exercise rights and perform obligations in connection with your employment.

- If you leave employment and under any share plan or Long Term Incentive Plan operated by us or any group company the reason for leaving is determined to be ill health, injury or disability, we will use information about your physical or mental health, or disability status, in reaching a decision about your entitlements under the share plan or Long Term Incentive Plan. If you apply for an ill-health pension under a pension arrangement operated by us or any group company, we will use information about your physical or mental health in reaching a decision about your entitlement.
- If we reasonably believe that you or another person are at risk of harm and the processing is necessary to protect you or them from physical, mental or emotional harm or to protect physical, mental or emotional well-being.
- 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.

10. 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.

We do not need your consent where the purpose of the processing is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

11. Information About Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This is usually where that processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

We envisage that we will only hold information about criminal convictions under limited circumstances.

12. Automated Decision-Making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- where we have notified you of the decision and given you one month to request a reconsideration;
- where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights; and
- in limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means. However, we will notify you in writing if this position changes.

13. Who Do We Share Your Information With?

We appreciate that you have provided your information to us, but from time to time we may have to share your data with third parties, including third-party service providers and other entities in our group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

When we transfer personal information outside the UK we will implement appropriate and suitable safeguards to ensure that such data will be protected as required by applicable data protection law. For example, we may use specific contracts approved for use in the UK

which give personal information the same protection it has in the UK. For further information as to the safeguards we implement please contact our DPO.

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.

We may share your information with, for example:

- any of your family, associates, or someone who represents you, where you have asked us to do so;
- employment and recruitment agencies, or current, past and prospective employers, where you require a reference from us;
- external agencies like the police, fire service, local councils, and marketing and communications agencies; or
- any person or organisation where we are required to because of a Court order, legal duty, or statutory obligation (such as a planning condition).

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. We will share personal data relating to your participation in any share plans and pension arrangements operated by us or any group company with other entities in the group for the purposes of administering the share plans and pension schemes.

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

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction. This may include sharing personal data pursuant to a transitional services agreement to ensure the continuity of a sold business.

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.

14. How do we protect your information?

When we use information about you we make all reasonable efforts to do so fairly and lawfully. We never use information about you unless it is lawful for us to do so and we have a clearly defined purpose.

When we collect information about you we ensure that we minimise what we collect. We try not to keep your information for longer than we need it and we ensure that the records we have about you are managed properly and deleted promptly and securely when we no longer need them.

We take appropriate care to secure the information we hold about you. We have robust technical security such as passwords and encryption. We also have policies and procedures to ensure your information is only available to our employees who need to see it to do their job. Details of our security measures are available from our DPO.

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.

Furthermore, we establish robust procedures and contracts to extend these protections to any other enforcement or regulatory bodies that we may be required by law to give your information to.

In everything we do with your information we try to be fair, lawful, and open, and we take seriously our obligations towards your privacy and the protection of information we hold about you.

15. Accuracy

We take reasonable steps to ensure that personal information is accurate, complete, and current.

Please note that you have shared responsibility with regard to the accuracy of your personal information. Please notify Human Resources of any changes to your personal information or that of your beneficiaries or dependents.

16. Data Retention

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Record Retention Policy.

To determine the appropriate retention period for personal data, we consider:

- the amount, nature and sensitivity of the personal data;
- the potential risk of harm from unauthorised use or disclosure of your personal data;
- the purposes for which we process your personal data and whether we can achieve those purposes through other means; and
- the applicable legal requirements.

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 that information without further notice to

you. Once you are no longer an employee, worker or contractor of the group, we will retain and securely destroy your personal information in accordance with our Record Retention Policy.

17. Your rights in connection with personal information

Under certain circumstances, the law grants you specific rights. These are summarised below. Please note that your rights may be limited and subject to restrictions in certain situations:

- **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 contact our DPO.

18. 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 unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

19. 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 contact the DPO. 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.

- **Complaints to the Information Commissioner's Office (ICO)**

You have the right to make a complaint at any time to the ICO, the UK supervisory authority for data protection issues. Its website can be found at <https://ico.org.uk/>

- **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.

If you have any questions about this privacy notice, please contact our DPO, David Martin, by email david.martin@banksgroup.co.uk

Related Documentation:

- ❖ Data Protection Policy
- ❖ Information Security Policy
- ❖ Record Retention Policy
- ❖ Social Media Policy
- ❖ Data Security Breach Procedure
- ❖ Subject Access Requests Procedure
- ❖ Deleting Personal Data Procedure
- ❖ Fair Processing Notice