



Privacy Notice

For employees, workers and consultants (UK)

01 May 2020

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PRIVACY NOTICE – Employees, workers and consultants - UK

Roles

| Policy Role | Person/Team/Department |
|----------------------|--|
| Author | Data Protection Team, Legal Director, Head of Internal Audit, People Team. |
| Consulted | Chief People Officer and People Team advisors |
| Informed/Responsible | All Employees |

Version Control

| Version | Rev. Date | Approval Date | Author | Change Description |
|---------|-------------|---------------|--------|------------------------------------|
| 1.0 | 21 May 2018 | | | |
| 1.1 | April 2020 | 28 May 2020 | DPO | Updated to include SMCR provisions |

Document review requirements

| Type | Frequency | Responsible |
|-------------|-----------|--------------------------------------|
| Full Review | Annually | Data Protection Team and People Team |

Related Documents

| Document Title | Relationship |
|--|--|
| Data Protection Policy | Sets out overarching principles for processing of personal data. |
| Special Categories of Personal Data Policy | Legally required, sets out requirements for processing of special categories of personal data. |
| Retention Policy | Sets out details of defined retention policies. |
| Privacy Policy (Recruitment) | Sets out processing of personal data of candidates. |
| SM & CR Policy | Regulatory requirement. |

Privacy Notice – Employees, workers and consultants - UK

Overview

AO¹ is responsible for deciding how we hold and use personal information about you. AO is required under the data protection legislation to notify you of the information contained in this Privacy Notice. AO is committed to protecting the privacy and security of your personal information. The General Data Protection Regulation contains the overarching principle that all personal data should be processed lawfully, fairly and transparently. Individuals have the right to understand how personal data relating to them will be processed at the time that they provide the data to the organisation which will hold and use the personal data.

Purpose

The purpose of this Privacy Notice is to set out in a clear and comprehensive manner details of how any of the companies within the AO Group in the UK will collect and use personal information about you before, during and after your working relationship with AO.

Scope

This Privacy Notice applies to all current and former employees, workers and contractors in the AO Group in the UK. The controller of your personal data will be the company that has signed your contract of employment, or any other contract to provide services.

AO keeps and processes information about you during the normal course of its business. This is your personal data. Collection of your personal data starts during the recruitment process, takes place continuously during the course of employment, and continues after your employment with AO ends. AO is committed to being clear about how it collects and uses your personal data and also to providing clarity on what your rights are in respect of your personal data.

This Privacy Notice does not form part of your contract of employment, or any other contract to provide services.

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.

¹ You are employed by AO World PLC or one of its subsidiary companies (“AO Group”). Whichever AO company that is, that company is the data “controller” of the information we hold on you. For the purposes of simplicity, in this notice we use “AO” to mean the company within the AO Group which is the data controller.

It is important that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

Data Protection Principles

AO takes your privacy and compliance with the General Data Protection Regulations (“**GDPR**”) and Data Protection Act 2018 (“**DPA**”) very seriously. We ensure that we adhere to the data protection principles set out in the legislation. We have a Data Protection Policy that applies to the handling of all personal data at AO. A copy is available on the company intranet or upon request.

What information does AO collect about me?

Personal data or personal information means any information about an individual from which that person can be identified. It does not include data where identity has been removed (anonymous data).

There are certain types of more sensitive information which require a higher level of protection, such as information about a person’s health or sexual orientation. Information about criminal convictions also requires this higher level of protection.

AO collects, processes, stores and uses a range of personal information about you. This may include if appropriate, amongst other things:

- Personal contact details such as your name, address and other contact details, including email address and telephone number;
- date of birth;
- marital status and information about your dependants;
- the terms and conditions of your employment;
- location of your employment or workplace;
- information provided by you during your application to AO which may include your Curriculum Vitae, covering letter, email correspondence, reference and details and results of any assessments undertaken by you during the recruitment process;
- details of your qualifications, skills, experience and employment history, including start and end dates and gross salary / tax deducted, with previous employers and with AO;
- details of any agreed salary reviews;
- details of any training undertaken while you are an employee;

- recordings of telephone calls received or made by you in the course of your employment;
- in certain circumstances details of your driving licence (and a copy of such document) and any driving convictions;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- participation in any share plans or savings schemes and the administration of such plans and schemes;
- information about any deductions to be made from your remuneration including but not limited to the cycle to work scheme;
- information about any non-contractual benefits that apply to you;
- photographs and CCTV images of you;
- data from access swipe cards;
- your car registration number plate;
- details of your bank account and national insurance/social security number;
- information about your next of kin and emergency contacts;
- identification information (including a copy of your driving licence, birth certificate, passport, national identity card, Work Permit or Visa, marriage certificate and/or utility bills);
- information about your credit history;
- where applicable, proof of your address history;
- where applicable (and in line with Senior Managers & Certification Regime legislation), information on your past and current directorships and other information to support your 'fit and proper' assessment (for Senior Managers and Certified staff);
- information about any student loan you may have;
- details of your schedule (days of work and working hours) and attendance at work (including by biometric means such as hand print or finger print);
- details of periods of leave taken by you, including (but not limited to) holiday, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about your use of AO's information and communications systems;
- your leaving date and any reason for you leaving; and

- correspondence with or about you.

Processing Special Categories of Personal Data

AO may also collect, process, store and use the following more sensitive types of personal information, these are called Special Categories of Personal Data. AO may use the following types of sensitive data:

- AO will use information about your nationality and entitlement to work in the UK, this is a legal obligation for AO;
- AO may process records relating to your physical or mental health in order to administer and manage sick pay, health benefits and to adapt working practices to improve working conditions for you and ensure that AO can make reasonable adjustments if necessary. Such processing is carried out in accordance with either our contractual or legal obligations or in accordance with legitimate business interests;
- AO processes biometric data for security purposes and time recording purposes;
- AO may process information about your trade union membership in administration of your pay or in discussions with the trade union;
- AO may use the results obtained in respect of drug and alcohol testing;
- AO may process records about past criminal convictions (where applicable) for the purpose of complying with its legal obligations under SM&CR;
- AO may process data about the commission or alleged commission of any criminal offence and proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings;
- Where AO processes special categories of information relating to political opinions, religious and philosophical beliefs or gender identification / sexual orientation, we will always obtain your explicit consent to those activities unless this is not required by law;
- AO may also process special categories of data (such as gender and sexual orientation) to measure diversity across the business in accordance with either our legal obligations or in accordance with legitimate business interests; and
- AO may also process gender information to comply with legal obligations such as gender pay gap reporting.

AO does not need your consent if it uses special categories of personal information in accordance with its written policy to carry out legal obligations or exercise specific rights in the area of employment law. In some limited circumstances, AO may ask you for your written consent to allow us to process some particularly sensitive data. If this is the case, AO will provide you with full details of the information that it wishes to collect and the reason it is needed. This will allow you to consider if you wish to consent. It is not a condition of any contract of employment that you provide consent in these circumstances. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

AO has an appropriate policy document in place regarding the Processing of Special Categories of Personal Data. The policy is available on the intranet or upon request.

Most of this information is obtained directly from you, specifically from online application forms, CVs, identity documents (passport and driving licences), forms completed at the start of your employment as part of your induction pack and information provided by you to allow us to undertake the necessary background checks.

Some of the information is also obtained from internal sources within AO, such as your manager, as well as external sources outside of AO, such as former employers and background check providers. Your personal data is stored in a range of different places, including in your personnel file, in the HR management systems and on our IT systems (including AO's email system).

Why does AO collect and process personal data about me?

AO needs the categories of information set out above to allow AO to perform its contract with you and to enable AO to comply with legal obligations. In some cases, AO uses your personal information to pursue legitimate interests, provided that your rights do not override those interests. AO will only use your personal information when the law allows it to. Most commonly, AO will use your personal information in the following circumstances:

- 1. Where AO needs to perform the contract it has entered into with you.** This use of personal information includes fulfilling our obligation to pay you or provide you with any relevant benefits.

2. Where AO needs to comply with a legal obligation

AO maintains employment records and records of all other contractual documentation relating to workers and contractors in order to be able to comply with legal obligations placed upon us, for example:

- the obligation to deduct relevant tax payments;
- to comply with health and safety and occupational health obligations or duties in relation to individuals with disabilities;
- obligations in relation to statutory rights such as maternity leave, paternity leave, adoption leave, shared parental leave, sick pay, time off for dependants, flexible working and any other such rights;
- recording your right to work in the UK; and
- for the purposes of maintaining insider registers.

3. Where AO needs to have relevant documents in the event of legal proceedings

AO needs to be able to have appropriate information in the event it is involved in any legal proceedings.

4. Where it is necessary for the legitimate interests pursued by AO or (if applicable) a third party and your interests and fundamental rights do not override those interests

As AO is committed to ensuring it has a positive working environment, it may also have a legitimate business interest to use your personal data including, but not limited to, the following purposes:

- recruitment and promotion processes;
- use of photographic images of you taken during your employment (these images may continue to be used once you are no longer employed);
- maintaining accurate and up-to-date contact details (including details of who to contact in the event of an emergency);
- operating and keeping a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operating and keeping a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;

- operating and keeping a record of absence and absence management procedures, to allow for effective workforce management;
- operating and keeping a record of other types of leave (including but not limited to maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management;
- conducting surveys about your views;
- ensuring effective general HR and business management and administration including accounting and auditing and aggregation and/or statistical analysis;
- providing references (regulatory references or those to confirm employment) on request for current or former employees;
- in relation to mergers or acquisitions with a third party;
- maintaining and promoting equality in the workplace; and
- processing your personal data to provide you with any non-contractual benefits that we have agreed to provide from time to time.

Please note that certain information, such as your contact details, your right to work in the UK and your payment details, have to be provided to AO in order for us to comply with relevant obligations under your employment contract, including, for example, the obligation to pay you for your work. If you do not provide certain information, this will hinder AO's ability to administer certain obligations to you.

You have some obligations under your employment contract to provide the organisation with personal data, for example, details about absences or relevant details. In the event you need to take any sort of statutory leave, for example maternity leave, you will also be required to provide relevant personal data.

Change of Purpose

AO will only use your personal information for the purposes for which it collected it, unless AO reasonably considers that it needs to use it for another reason and that reason is compatible with the original purpose. If AO needs to use your personal information for an unrelated purpose, AO will notify you and explain the legal basis which allows us to do so.

AO may process your personal information without your knowledge or consent where it is required or permitted by law.

Monitoring

AO may monitor employees, workers and contractors by various means including, but not limited to, recording activities on CCTV, checking emails, listening to voicemails (on devices owned by AO), monitoring telephone conversations and screen recording in its legitimate interests. AO will retain such data in line with the retention period detailed in the Retention Policy.

In exceptional circumstances, AO may use monitoring covertly. This may be appropriate where there is, or could potentially be, damage caused to AO by the activity being monitored and where the information cannot be obtained effectively by any non-intrusive means (for example, where an employee, worker or consultant is suspected of stealing property belonging to AO). Covert monitoring will take place only with the approval of the Data Protection Officer.

In addition, AO monitors computer and mobile phone use (on devices owned by AO), as detailed in the relevant IT policies.

For employees, workers and consultants at certain sites, AO also retains records of your hours of work by way of clocking on and off system(s) which may include biometric data (fingerprints).

Who has access to my personal data?

AO may need to share your data with third parties, including service providers and entities within AO's corporate group.

AO requires any third party to respect the security of your personal data and to treat it in accordance with the law. AO does not allow these third parties to use your personal data for their own purposes. AO only permits them to process your data for a specified purpose and in accordance with AO's instructions.

AO will share your personal information with third parties where required by law, where it is necessary to administer AO's relationship with you or where we have another legitimate interest in doing so.

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

- IT services including HR, Payroll system provision and business continuity services provision;

- Occupational Health services
- Cycle to Work scheme operation;
- Benefits provision and administration;
- Pension administration;
- Agencies providing background information checks (such as criminal record checks and credit checks).

In the event that you leave employment with AO and gain employment elsewhere, AO may disclose your data to your new employer (for example your job title and your employment start and end dates while at AO); however, AO will not share this information without your prior consent. In the event that, post-employment with AO, you commence employment with a company regulated by the Financial Conduct Authority (FCA), under SM&CR legislation AO is legally obliged to share the data pertaining to your employment with AO to said company, should a regulatory reference be received.

AO will share your personal information with other entities in its group as part of 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 and provision of shared services such as HR, Tax, Payroll and Legal. AO will share personal data relating to your participation in any share plans and pension arrangements operated by a group company with other entities in the group for the purposes of administering the share plans. Your personal data will also be shared with AO World PLC to ensure our insider registers are kept up to date, in line with legal requirements.

AO may transfer your data to countries outside of the European Economic Area (“EEA”) to our service providers. However, AO will also make sure that the service provider provides the same protection that you would receive if the personal data was held in the EEA.

How does AO protect my personal data?

AO takes the security of your data very seriously. AO has internal policies and controls in place to prevent your data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, AO limits access to your personal information to those employees, workers, contractors and third parties who have a business need to know in the performance of their duties.

These individuals are subject to a duty of confidentiality. You may review any of the IT security policies which set out how AO protects data and also refer to our Data Protection Policy for further detail.

Where AO engages third parties to process personal data on its behalf, it does so on the basis of strict written instructions. In addition, relevant third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

AO has 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 it is legally required to do so.

For how long does AO keep my personal data?

AO will only retain your personal information for as long as necessary to fulfil the purposes it was collected for.

As a general rule, AO will hold your personal data for the duration of your employment and for six years after the calendar year in which you have left AO. For further details on retention, please refer to the Retention Policy.

In some circumstances AO may anonymise elements of your personal information so that it can no longer be associated with you, in which case it may use such information without further notice to you.

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

Your duty to inform us of changes

It is important that the personal information AO holds about you is accurate and current. Please keep AO informed if your personal information changes during your relationship with AO.

Your rights

Under the General Data Protection Regulation, you have a number of rights in respect of your personal data. You can:

- Request a copy of your personal data from us (known as a data subject access request);
- Request AO to change any of your personal data which is incorrect;
- Request AO to stop processing your data (in limited circumstances); and
- Object to the processing of your data where AO is relying on its legitimate interests as the legal ground for processing. The right to object is not absolute, therefore if AO can demonstrate that our legitimate interests outweigh any harm to you as an individual we may continue to process your personal data;
- Request that your personal data is deleted. This is not an absolute right and there will be limited employee data that can be deleted, as much of the personal data collected is required to fulfil our contract with you or for us to comply with a legal obligation.

If you would like to make any request please contact the Data Protection Officer (DataProtection@ao.com).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, AO may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, AO may refuse to comply with the request in such circumstances.

AO 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.

AO has appointed a Data Protection Officer (“**DPO**”) to oversee compliance with this Privacy Notice. If you have any questions or complaints about this Privacy Notice or how AO handles your personal information, please contact the DPO.

If you believe AO has not complied with your data protection rights, you can also complain to the Information Commissioner’s Office. The details of the Information Commissioner’s Office are as follows:

Information Commissioner’s Office: Wycliffe House, Water Lane, Wilmslow, SK9 5AF, Telephone: 0303 123 1113, <https://ico.org.uk/> .

Questions?

If you have any questions or concerns regarding the processing of your personal data you can contact:

The Data Protection Officer at dataprotection@ao.com