

BALNAGOWN

PRIVACY NOTICE FOR EMPLOYEES

INTRODUCTION

This is the Privacy Notice of Balnagown Castle Properties Limited (company registration no. 01048050), whose registered office is at 55 Park Lane, London W1K 1NA, (referred to as “Balnagown Estate”, “the Estate”, “we”, “us” or “our” in this Privacy Notice).

In terms of data protection law (EU General Data Protection Regulation 2016 and the Data Protection Act 2018, as amended or superseded from time to time) (“Data Protection Law”), we act as a Data Controller because we determine the personal data to be collected by us and the means by which, and purposes for which, we process that data. Personal data means any data that relates to a living individual who can be identified directly or indirectly from that data. It does not include data where the individual’s identity has been removed completely (anonymised data).

As a data controller under Data Protection Law, we are committed to protecting and respecting your privacy. We will process your personal data in accordance with Data Protection law and this Privacy Notice.

PURPOSE OF THIS PRIVACY NOTICE

The Privacy Notice outlines how we may collect and use personal data about you during and after your working relationship with us. We are required under Data Protection Law to notify you of the information contained in this Notice. This Notice also outlines your privacy rights and provides details of how we aim to protect personal data we collect relating to you. You should read this Privacy Notice, together with any other notice we provide on specific occasions when we are collecting or processing your personal data, so that you are fully aware of how and why we are using your personal data. This Privacy Notice applies alongside any other information we may provide about a particular use of personal data, for example, when collecting data *via* an online or paper form. This Privacy Notice also applies in addition to our other relevant terms and conditions and policies. However, this notice does not form part of any contract of employment or other contract to provide services.

PURPOSES OF PROCESSING PERSONAL DATA

We may process the personal data of employees in order to meet our obligations under a contract, to meet any other legal obligations, in the vital interests of our employees where appropriate and in our legitimate interests or those of a third party in some instances. For the purposes of this Privacy Notice, ‘employee’ includes those who work on a permanent contract, a fixed-term contract, a temporary contract, agency workers, contractors, consultants, professional advisers and other third parties providing services to us. We may process personal data for administrative, statutory, support and health and safety purposes. All personal data are collected and held in accordance with Data Protection Law.

THE PERSONAL DATA WE COLLECT

We may process your personal data to meet our legal, statutory and contractual obligations and for our legitimate interests. We may process the following personal data relating to you:

Identity and contact data: e.g. names; home address; business address; location of employment; contact phone numbers; email addresses; personal correspondence; date of birth; gender; national insurance number.

Financial data/contractual data: e.g. bank account details and other financial information; salary information; credit check information; tax details; expenses details; employment details; pension and benefits information.

Education/Professional data: e.g. educational and professional qualifications; training records; professional memberships.

HR data: e.g. right to work documentation; sickness or other absence information; disciplinary and grievance information; application forms; CVs; agency referrals; references given or received by us; annual leave information; performance information.

Images and monitoring: e.g. photographs; images captured by the CCTV system; swipe/fob records; PC login details; car details (about those who use our car parking facilities); use of email and internet.

Relationship data: e.g. contact details for their next of kin; information about family relationships; marital status and dependants.

CHILDREN

We do not knowingly collect personal data from children. If you believe your child has provided personal data to us, please contact us at: Estates Office, Balnagown, Kildary, Ross-shire IV18 so that we can delete your child’s information.

HOW WE COLLECT PERSONAL DATA

In most cases, we collect your personal data from you directly. However, we may also obtain some personal data about you from third parties, such as background check providers and former employers.

LEGAL BASIS FOR PROCESSING

Much of the personal data of employees that we process is necessary for the purpose of a contract or potential contract with each employee or with a prospective employee.

In some cases, we may process the personal data of employees to fulfil a legal obligation to which we are subject, e.g. where processing is necessary to fulfil a statutory duty.

In other circumstances, we may process personal data on the basis of our legitimate interests, for example, in order to function efficiently, provided that these interests are not outweighed by the impact on the rights of the individuals concerned and provided that the processing does not involve special or sensitive types of personal data.

We will only use personal data for the purposes for which they were provided, unless it is considered reasonable for us to use the personal data for another reason and that reason is related to and compatible with the original purpose. If we consider that we need to use your personal data for an unrelated purpose, we will notify you of that decision and we will explain to you the legal basis which we consider allows us to do the processing for that purpose. We may also process your personal data without your knowledge or consent, where such processing is either required or permitted by law.

SPECIAL CATEGORY PERSONAL DATA

In some circumstances, we may need to collect, or request on a voluntary disclosure basis, some special category personal data, as defined in Data Protection Law, for example, for employment-related purposes. This may include:

- information about your racial/ethnic origin, gender and disabilities for the purposes of equal opportunities monitoring, to comply with anti-discrimination laws;
- information about your physical or mental condition to provide work-related accommodations or health and insurance benefits to you and your dependents, or to manage absences from work.

We will process any information about our employees where they have had an accident at work, to comply with legal obligations under health and safety law, for the purposes of preventive or occupational medicine, or for an assessment of their working capacity, subject to appropriate confidentiality protections.

WHO WE SHARE YOUR INFORMATION WITH

We will share your personal data with third parties where we are required to do so by law. We may also share your personal data with third parties where it is necessary to do so to administer the working relationship with you or where we have another legitimate interest in doing so e.g. our professional advisers, external contractors and auditors.

If our business enters into a joint venture with or is merged with or sold to another business entity, your information may be disclosed to our new business partners or owners. Countries outside the EEA do not always have strong data protection laws. We will take steps to ensure that any data that is provided to such third parties is shared in accordance with Data Protection Law and the data is used by third parties in accordance with Data Protection Law and this Privacy Notice. Unless required or permitted by law to do so, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

INFORMATION RETENTION

We will retain your personal data for as long as we need it for the purposes for which we collected it, or for as long as we are legally required to do so. Further information is available on our retention periods from: Estates Office, Balnagown, Kildary, Ross-shire IV18 ONU.

DATA SECURITY

We take all appropriate technical and organisational measures, in accordance with Data Protection Law, to protect your personal data against accidental or unlawful destruction or loss, alteration, unauthorised disclosure or unauthorised access. To this end, we have implemented technical and operational measures such as login/efficient password and physical protection.

YOUR RIGHTS AS AN INDIVIDUAL

As an individual, you have the following rights as a data subject under Data Protection Law in relation to the processing of your personal data:

- To be informed about what of your personal data is being processing, and how it is being processed.

- To request access to your personal data (a data subject access request), which enables you to receive a copy of the personal data we hold about you and the check that we are lawfully processing it.
- To request correction of any incomplete or inaccurate information being processed.
- To request erasure of your personal data, so that we delete or remove personal data where there is no good and lawful reason for us to continue to process it.
- To object to processing of your personal data where we are processing your personal data for direct marketing or where we are relying on a legitimate interest (of our own or of a third party) and there is something specific to your situation which gives rise to your objection.
- To request the restriction of processing of your personal data, through the suspension of our processing, e.g. where you want us to establish its accuracy or the reasons for the processing.
- To request the transfer of your personal data to another party in an easily portable and readily accessible form.
- To withdraw consent at any time where we are relying on consent to process your personal data (although this will not affect the lawfulness of any processing carried out before the withdrawal of consent).
- Where processing is under a contract or by consent, to request that a decision made using automated processing of your personal data, which significantly affects you, be reviewed by an individual to whom you may make representations and contest the decision.

We do not usually charge individuals for any requests made regarding the collection of information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. We will need you to identify yourself properly prior to responding to your request. To this end we may request a valid identification such as a current driver's licence, identity card or passport.

CHANGES TO OUR PRIVACY NOTICE

The Privacy Notice was last updated on 24/05/2018, In order to assist us in keeping the personal data we process about you accurate and up to date for the duration of your relationship with us, it is important that you inform us of any change to your personal data that you have provided to us, as soon as possible, by contacting us at info@balnagown.com. We keep our Privacy Notice under regular review and we will place any updates to this Notice on our website.

QUERIES OR INDIVIDUAL REQUESTS

If you wish to place a query about any aspect of how we use your personal data, submit a Data Subject Access Request or exercise your other rights as an individual under Data Protection Law, please contact us at info@balnagown.com or write to us at Estates Office, Balnagown, Kildary, Ross-shire IV18.

CONCERNS OR COMPLAINTS

We only process your personal data in compliance with this Privacy Notice and in accordance with Data Protection Law. If, however you have a concern, or wish to make a complaint, about the processing of your personal data by us, you have the right to lodge a complaint with the UK Information Commissioner at any time. The website of the UK ICO's office contains details of how to make a complaint: <https://ico.org.uk/>.