



GDPR – Privacy notice

This Privacy notice outlines the information necessary for you as a data subject to understand how, why and what happens to the data collected from you and about you, throughout its life with Black Mountain HR, outsourced provider of HR services for Wallacespace.

The Privacy notice should be read in conjunction with your contract of employment and the Company's handbook, as both provide further details of the GDPR policy of Black Mountain HR and Wallacespace.

The information below is prepared based on the Information Commissioner's Officer (ICO) guidance and provided with reference to employment law, no other commercial law basis are covered. Should you require any further information please speak to the representatives at Wallacespace.

I. Black Mountain HR and WALLACESPACE contact details:

Black Mountain HR, The Office, North Waltham Business Centre, Basingstoke, RG25 2DJ; email: hr@blackmountainhr.com; Data Protection Officer: Mitzi Clarke, HR Business Partner

Wallacespace, 2 Dryden Street, London WC2E 9NA.

II. Purpose of processing of your data and the legal basis for it.

Black Mountain HR process personal data on the following lawful basis:

- Performance of a contract
- Compliance with a legal obligation

Also:

- Consent of the data subject
- Protection of the vital interests of a data subject or another person
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- Legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedom

Black Mountain HR process special categories of data on the following lawful basis:

- Consent of the data subject
- Carrying out obligations under employment, social security or social protection law, or a collective agreement
- The exercise or defence of legal claims or where courts are acting in their judicial capacity
- For the purposes of preventative or occupational medicine, for accessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or managements of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional

For further lawful basis for processing special categories of data please refer to the regulation. Should there be any other basis needed apart from the above, Black Mountain HR and Wallacespace reserve the right to refer to them to process the data in line with the regulation.

III. The legitimate interests of the controller or third party



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At the point of introducing GDPR, throughout your employment with Wallacespace, Black Mountain HR will not rely on legitimate interest or third party to process your data. Should this be changes, you will be notified appropriately.

IV. Personal data and sensitive data collected and processed

Black Mountain HR processes the following personal and sensitive data of the data subjects employed by their clients:

i. On commencement of your employment we collect the following data:

whether you are a direct hire or temp to perm/agency worker, your job title, department, location, line manager, start date with the Company, working hours and pattern, annual holiday entitlement and any pre-booked holiday prior to starting with the Company, your annual salary or hourly rate, your full home address, your phone and mobile phone number, your email address, national insurance number, details of your passport/birth certificate/id card, visa or other right to work in the UK documentation, details of the benefit package offered to you, i.e. life assurance, bonus, commission, etc., details of the company property you will be using throughout your employment, who authorised the vacant position you were offered within the business, your title, full name, including middle names, date of birth, your GP full name, address and phone number, details of your current or past health conditions and current or past treatments and medication, your gender, ethnic origin, age group, your sexuality, religion or beliefs, marital/partnership status, number of dependents if applicable, details of your disability if applicable, name of your beneficiary(s) for death in service benefit if applicable, details of your P45, whether you receive or have received state benefits, have another job, are self employed, have a student loan, receive a state or occupational pension, your bank details, i.e. bank account name, number, sort code and address, your two next of kin full name, contact number and relationship to you, details of your right to work document, including its type, number, date valid from and valid to, who, where and when was it produced, details of birth certificate if applicable including names of parents, marriage certificates or change of name deed if applicable, details of recent utility bills in your name, your uniform size if applicable, details of your employment history, including previous post, job title, employer details, start date, salary and benefits, details of education and training, professional qualifications, current courses undertaken, details of professional memberships, notice period from previous employer, whether you hold a full driving licence if applicable, whether you have or have had any criminal convictions if applicable, most recent criminal check certificate (DBS or Disclosure Scotland), referee details from the previous employers.

ii. Throughout your employment we collect/process the following data:

your sickness record, including all dates off sick and the reasons for it, your self-certificates or fit notes from your GP, details of your return to work interviews, risk assessments carried out for you, any changes to your personal details such as phone, email, address, name, marital status change, tax code or bank details changes, working hours or shift pattern changes, annual salary or hourly rate, job title, department or location changes, reasons and details of flexible working requests, any maternity, paternity, shared parental leave, adoption, parental leave, secondment if applicable, performance management details and results, such as appraisals, performance improvement plans if applicable, on the job coaching and mentoring if applicable, any training or courses attended, qualification achieved, holiday booked or taken, any other leave booked or taken including for medical appointments, childcare, carers, bereavement, jury service or other, working from home arrangements if applicable, travel expenses and arrangements if applicable, details of your probation reviews,, your grades and assessments or extensions if applicable, your disciplinary records, including all the information, file notes and formal warnings and details and dates of them, your grievance record if any grievances are raised against you or by you, details of any promotions and important business communication with your details.

iii. After your employment we process the following data:



details of your resignation, including reasons and dates if applicable, or termination of your employment if applicable, including reason and dates, details of any disciplinary proceedings taken against you, details of any redundancy situation you were party of or business acquisition your were party of if applicable, details of your notice period with the Company, including payment method, notice to be worked, paid in lieu of notice or no notice and notice pay given if applicable, details of garden leave arrangements if applicable, settlement agreements if applicable, final contractual payments or ex-gratia payments if applicable, details of the company property you were in possession of whilst in employment and whether you returned it on time, in what condition, and whether any deductions are made due to inappropriate use of it, etc., details of your exit interviews if applicable; details of any future employer contacting the company for reference for you.

V. Recipients of the personal data

Throughout the course of your employment with Wallacespace your personal data will be circulated between you as a data subject and Wallacespace and external providers of services:

<u>HR suppliers</u>
Breathe HR – HR Software system – managed by Black Mountain HR
Black Mountain HR
<u>L&D suppliers</u>
Finance Talking
Excel Training
Lift Consultancy
Elite Fire
Safe & Sound
<u>Payroll/Accountant Suppliers</u>
Payroll – Black Mountain
Banking details - Barclays BIB System
Life insurance - Whiteleaf & Canada Life
Pensions - Compass - Legal & general
Health Insurance - Whiteleaf Ltd – Bupa
<u>IT/App Suppliers</u>
IT support - Intralan
mobiles – Apple
mobiles – Microsoft
office docs - Microsoft
<u>Ad hoc: Recruitment Companies</u>
Australasian recruitment
Catapult
ASAP recruitment

Data may be requested from industry specific recruitment agencies the Company works with on a ad hoc basis and some social media sites may be checked as part of the recruitment process. Some restricted data will be passed on as reference to a future employer.



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Information about the data subjects will be stored electronically at Black Mountain HR as well as on Breathe HR software; plus it will be backed up by JB Computers LTD, who are Black Mountain HR's provider of IT services. Both Breathe HR and JB Computers LTD are GDPR compliant. Should you require any further details please contact the Black Mountain HR team for Client Specific Information Flows.

VI. Details of data transfers to third country and safeguards applied

N/A

VII. Data retention periods

The retention periods are in line with various legislative documents covering employment law. As a general rule, and in line with legislation, Black Mountain HR will be retaining the data for six years from obtaining it. Please refer to Appendix 1 - GDPR Retention periods document should you require details.

VIII. The existence of each of data subject's rights

Under the GDPR regulation a data subject has the following rights:

i. The right to be informed

Your data is processed fairly, and it is explained in this privacy notice given to you at the start of your employment (or as soon as the GDPR comes into force). You have the right to be informed of the following:

- Identity and contact details of the controller (and where applicable, the controller's representative) and the data protection officer;
- Purpose of the processing and the lawful basis for the processing;
- The legitimate interests of the controller or third party, where applicable;
- Categories of personal data;
- Any recipient or categories of recipients of the personal data;
- Details of transfers to third country and safeguards;
- Retention period or criteria used to determine the retention period;
- The existence of each of data subject's rights;
- The right to withdraw consent at any time, where relevant;
- The right to lodge a complaint with a supervisory authority;
- The source the personal data originates from and whether it came from publicly accessible sources ;
- Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data;
- The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences.

ii. The right of access

You have the right to obtain the following information free of charge and within one month of the receipt of the request:

- Confirmation that their data is being processed;
- Access to their personal data; and
- Other supplementary information – as per the privacy notice document.

iii. The right to rectification

You have the right to have their data rectified if it is inaccurate or incomplete, including data passed on to third parties. Rectification will happen within one month of the receipt of the request.



iv. The right to be forgotten

You have the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing. This is when:

- Personal data is no longer necessary in relation to the purpose for which it was originally collected/processed;
- When the individual withdraws consent;
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing;
- The personal data was unlawfully processed;
- The personal data has to be erased in order to comply with a legal obligation;
- The personal data is processed in relation to the offer of information society services to a child.

Black Mountain HR reserves the right to refuse to comply in some special circumstances that will be discussed with data subjects

v. The right to restrict processing

You have the right to block or suppress processing of personal data and if this is in place Black Mountain HR is permitted to store but not further process it.

Restriction of processing applies:

- Where an individual contests the accuracy of the personal data, you should restrict the processing until you have verified the accuracy of the personal data;
- Where an individual has objected to the processing and Black Mountain HR are considering whether other legitimate grounds override those of the individual;
- When processing is unlawful and the individual opposes erasure and requests restriction instead;
- If you no longer need the personal data but the individual requires the data to establish, exercise or defend a legal claim.

vi. The right to data portability

You have the right to data portability that allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data from one IT environment to another in a safe and secure way without hindrance to usability.

Unfortunately, Black Mountain HR do not provide initiatives such as midata or other to provide portability.

vii. The right to object

Data subjects have the right to object to:

- Processing based on legitimate interests or the performance of a task in the public interest / exercise of official authority (including profiling);
- Direct marketing (including profiling);
- Processing for purposes of scientific / historical research and statistics.

It is highly unlikely that throughout your employment and your data processing by Black Mountain HR any of the above mentioned situations will occur. However, if they do, you will be provided with information on your right to object.

viii. Rights in relation to automated decision making and profiling



Black Mountain HR recognise the safeguards of GDPR for individuals against the risk that a potentially damaging decision is taken without human intervention. At the point of introducing GDPR there are no procedures in place that would include automated decision making, however, should there be any changes to this data subjects will be appropriately notified.

IX. The right to withdraw consent

If consent is relevant for the processing of your data, you will find it attached to the Privacy notice document. Please fill in the attached Consent form, sign and date it, and return it along with the other documentation in the pack provided to you. You have the right to withdraw your consent at any time and to do so, please contact the Black Mountain HR team on hr@blackmountainhr.co.uk, explaining your reasons for withdrawal and when you wish this to be effective from. A member of the team will contact you with the next steps of the process.

Please note that Consent is one of seven lawful basis for processing data and it will be a rare occurrence that Black Mountain HR would use a consent form as a basis for processing data. For other lawful basis for processing data please see point 2 of this Privacy document.

X. The sources of personal data collected

The vast majority of your data as a data subject will come from you. As part of recruitment process some of your data might come from an agency or any publicly accessible social media that would be relevant to the employment purposes. References from your previous employer will be taken directly from them. Should there be a need for obtaining any health information from your GP or specialist these will be taken directly from them, with your prior written consent.

XI. Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data

Provision of your personal data is part of both statutory and contractual requirement. Failure to provide your personal data whilst they are requested to process your data on a lawful basis may lead to not being offered employment with the Wallacespace, withdrawal of an offer already made or to disciplinary action taken against you during your employment, up to and including dismissal.

XII. The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences

At the point of introducing GDPR there are no procedures in places that would include automated decision making, however, should there be any changes to this data subjects will be appropriately notified.

XIII. The right to lodge a complaint with a supervisory authority

If you wish to lodge a complaint about Black Mountain HR handling your data, please contact the DPO at Black Mountain HR – Mitzi Clarke, HR Advisor on hr@blackmountainhr.co.uk, who will investigate your complaint. If you wish to take your complaint further please contact Information Commissioners' Office: <https://ico.org.uk/concerns/>