GDPR privacy notice – for employees, workers and contractors

The VGC Group (VGC) which includes V G Clements Contractors Ltd, VG Clements Ltd, VGC Construction Ltd, VGC Personnel Ltd, VGC Services Limited and Cole Services Ltd

VGC collects and processes personal data relating to our employees, workers and contractors during and after your working relationship with us.

As a data controller, VGC is committed to being transparent about how it collects and uses that data and will comply with its data protection obligations under the General Data Protection Regulations (GDPR) at all times.

Data protection officer
VGC's data protection officer is Peter Ball, Director – Legal, Governance & Compliance; email:peter.ball@vgcgroup.co.uk, postal address: VGC Group, Cardinal House, Bury Street, Ruislip, HA4 7GD.

Data Protection Principles
VGC will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes and not used in any way that is incompatible with those purposes
- Accurate and kept up to date
- Kept only as long as necessary
- Kept securely

What data do we collect about you?
VGC collects and processes a range of information about you. This includes:

- name, address and contact details, including email address and telephone number
- date of birth and gender;
- contractual terms and conditions;
- details of qualifications, skills, experience and employment history including previous employers and VGC;
- information about your remuneration;
- details of your bank account and national insurance number;
- information about your marital status and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your driving licence and driving offence records;
- information about your criminal record;
- details of your days of work and working hours;
- details of periods of leave taken by you, including holiday, sickness absence
- details of any disciplinary, grievance, performance management or conduct procedures in which you have been involved, including any warnings and related correspondence;
- assessments of your performance, including appraisals, performance reviews, training you have participated in and performance improvement plans;
- Special category data such as:
    - information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
    - details of trade union membership (where subs are paid by the company);
    - equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

How is this information collected?
VGC collects this information in a variety of ways, such as registration forms, CVs, information on passports or identity documents such as driving licence; or through interviews, telephone calls, meetings or other internal assessments.

VGC may also collect personal data about you from third parties, such as references supplied by former employers, qualification awarding bodies, information from the UKBA Home Office, information from the DVLA and information from criminal records checks permitted by law.

Any information that you supply to VGC or data that VGC collects will be processed by VGC.

Reasons for processing personal data?
VGC must have a legal basis for processing your personal data before, during and after the end of the employment relationship

- Statutory/contractual requirements
    - to meet contractual obligations such as wage payment and to administer pension entitlements.

    - comply with legal obligations such as entitlement to work in the UK, HMRC deductions and compliance with health and safety laws.
    - processes health information - if needed to make reasonable adjustments for a disability.
    - For certain positions it may be necessary to process information about criminal convictions where the role involves working in a highly secure environment such as an airport or nuclear infrastructure or requires a high degree of trust and integrity.
- Legitimate interest
    - run recruitment / promotion processes
    - maintain accurate and up-to-date employment records and contact details
    - operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
    - obtain occupational health advice, to ensure compliance with duties in relation to individuals with disabilities, obligations under health and safety law;
    - provide references on request for current or former employees;
    - respond to and defend against legal claims; and
    - maintain and promote equality in the workplace
    - implement high quality health and safety systems
- Consent
    - By completing equal opportunity monitoring forms you have provided consent for VGC to process this data. Special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, is only processed for the purposes of equal opportunities monitoring. You are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

VGC has considered whether or not our legitimate interests to process your personal data are overridden by the rights and freedoms of employees, workers or contractors and have concluded that they are not.

Who has access to data?
Your personal data will be shared internally including with members of HR, payroll, line managers and any staff where access to the data is necessary for performance of their roles.

Recipients of data.
VGC may, where necessary share your data with other group companies or third parties for the following reasons

- in order to obtain employment references from your previous employers
- obtain necessary criminal records checks from the Disclosure and Barring Service (only for jobs where a criminal record is required in order to carry our job role)
- obtain information from UKBA on entitlement to work in the UK
- in connection with payroll requirements such as HMRC, umbrella companies etc
- in connection with benefit providers such as pension companies
- with Clients whom we have a contractual relationship
- with external auditors
- to ensure we maintain appropriate insurance cover for our activities
- disclose personal data relating to a safety issue or breach of the RTAS scheme rules with the assurance organisation of the responsible team with the client.

VGC will not transfer your data to countries outside the European Economic Area.

How does VGC protect data?
VGC is committed to protecting and respecting your privacy and we take the security of your data very seriously. VGC has organisational and security measures in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by VGC data processors in the performance of their duties.

Where is data stored?
Data is stored in a range of different places;

- company servers;
- third party servers;
- email accounts;
- HR and payroll systems
- backup storage
- paper and electronic personnel files.

How long does VGC keep data?
VGC will hold your personal data for the duration of your employment / contractual relationship. The retention periods for which your data is held after the end of employment can differ based on the type of data processed, the purpose of processing or other factors such as legal requirements for the retention of any particular data under:

- Trade law
- Tax law
- Employment law
- Administrative law
- H&S law e.g. medical information

In the absence of legal requirements to retain, VGC will only retain personal data as long as necessary for the purpose of processing.

Your rights in relation to personal data and how to exercise them
As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require VGC to amend information or change incorrect or incomplete data;
- require VGC to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where VGC is relying on its legitimate interests as the legal ground for processing; and
- ask VGC to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.
- Right to withdraw consent at any time

If you would like to exercise any of these rights, please contact the data protection officer in writing. You can make a subject access request by completing the subject access form 3.HR.ADM.043 on our website www.vgcgroup.co.uk.

What if you do not want to provide personal data to VGC?
Certain information, such as contact details, your right to work in the UK and payment details have to be provided to enable VGC to enter into a contract with you. If you do not provide this information, this will hinder VGC's ability to administer the rights and obligations arising as a result of our employment/engagement relationship efficiently.

If you are unsure about providing personal data or wish to discuss the reasons why your personal data is being processed by VGC please contact the data protection officer named below.

Automated decision-making
VGC do not use automated decision-making to make employment decisions.

Right to withdraw consent
In circumstances where you 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 consent please contact the data protection officer in writing. Once VGC has received notification that you have withdrawn consent we will no longer process your application and subject to our retention policy we will dispose of your personal data securely.

There may be circumstances where VGC will still need to process your data for legal or official reasons. We will inform you if this is the case. Where this is the case, we will restrict the data to only what is necessary for the purpose of meeting those specific reasons

Changes to our privacy policy
VGC keep our policy under regular review.

Complaints
If you believe that VGC has not complied with your data protection rights or wish to complain about this privacy notice, you should inform the data protection officer in the first instance. You have the right to lodge at any time a complaint to the Information Commission Office (ICO).