

OUR EMPLOYEE PRIVACY NOTICE

DATA CONTROLLER DETAILS

KGJ Price [Railway Contractors] is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

KGJ Price [Railway Contractors]
Pant Glas Industrial Estate
Bedwas
Caerphilly
CF83 8DR

We want you to be confident we'll protect your personal information and respect your privacy. This notice explains how we use your personal information - what information we collect about you (including from third parties), why we collect it, what we do with it and on what basis.

Please read it carefully. It applies to personal information we collect about Our People in enrolment, during employment/engagement and after they leave us. It also applies if you need to give us personal information about someone else.

We regularly review our privacy notice. It was last updated on 10th October 2023. We'll post any changes to the privacy notice and take reasonable steps to provide notice of those changes.

WHO DOES THIS AFFECT?

By Our People and "you" we mean prospective, present, and past employees, contractors, agency staff and people connected to you (such as the person you nominate to contact in an emergency).

KGJ Price [Railway Contractors] is a group of companies made up of KGJ Price [Railway Contractors] Rail Engineering and KGJ Price [Railway Contractors] Training Academy.

By "we", we mean the company within KGJ Price [Railway Contractors] that you are employed/engaged by, have applied for a role with or used to work for. If you need to give us personal information about another person in relation to your employment/engagement, this notice will also apply to that personal information.

WHAT'S NOT INCLUDED?

This notice doesn't apply to the information we hold about companies or other organisations. The privacy notice is intended to tell you how we use personal information but is not intended to create a contract with you. This notice doesn't apply to other companies or organisations collecting and using your personal information. You should review their privacy policies before giving them your personal information.

WHAT INFORMATION WE COLLECT AND WHAT WE USE IT FOR

What kinds of personal information do we collect and how do we use it?

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The personal information we collect about you depends on your circumstances, your role, the law and whether you are a prospective, current, or past employee/contractor. We also reserve the right to monitor electronic communications, such as email or internet usage, sent using the accounts we provide to you for work purposes.

We've explained the different ways we use your personal information below.

For recruitment purposes

We will use your personal information to assess whether you are suitable for a role with us and put in place arrangements for any interviews and assessments. This applies whether you have made an application direct to us, through an agency or a third party. This means we'll:

- Assess your suitability to do the job you have applied for.
- Contact you to arrange, conduct, evaluate and feedback on assessments and interviews, and where successful to make and offer and provide contract of employment.
- Carry out pre-employment checks which would include your legal right to work, carrying out criminal record checks (if applicable to your job role) and follow up references provided to us.

More details about these checks are set out below.

- Look for reasons why you left us if you have worked for us before, check whether you have applied before, ask why you have declined a job offer from us if you do and see if you would be interested in other roles with us (you can always ask us not to contact you and we won't).
- Make reasonable adjustments to the recruitment process based on accessibility requirements you make us aware of or we become aware of.
- Track how we deal with applications as part of our equal opportunities in employment monitoring to enable us to identify any areas that require steps to be put in place. We use the following personal information to carry out your recruitment:
- Your contact details and other information to confirm your identity and your communications with us. This includes your name, gender, address, phone number, date of birth, and email address, national insurance number and bank details if you are successful. We also collect documents to verify this information such as your passport, driving licence, photographs, and electronic signatures.
- Further information about you to help us understand you better, so we can assess adjustments which need to be made or work restrictions which may apply. This may include your nationality, preferred language, and details of any accessibility requirements.
- Information from you about your health, race, ethnic origin, religion, sexual orientation, which we only use to comply with equality and diversity requirements as an employer.
- Information about your employment history. This includes your CV, resumes, application forms, references, records of qualifications, skills, training, and other compliance requirements.
- Records of when you contact us, this includes emails, webchats, and phone conversations.
- Unless otherwise stated above we use this information as it is in our legitimate interests as a recruiter to fully understand and assess an applicant's suitability for a role and verify the information provided to us.

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Whilst you work for us

- We will mainly use your personal information for the **purposes of your employment contract with us**. This means we'll:
- Carry out our role as your employer by paying you, managing expense and overtime claims, assessing your performance, helping change your work pattern when appropriate, arranging business travel, providing you with HR support and case management, and developing your skills (such as training and certifications).
- Respond to requests made of us such as internal job applications, references, grievances, and anything else required under our contract with you.
- We'll also use your personal information **to comply with our legal obligations**. This means we'll:
- Monitor and document activity as required to demonstrate legal compliance. This includes conflict of interest records, gifts and hospitality and anti-bribery and corruption reporting and mandatory training certifications.
- Provide you with pension benefits and manage and administer your benefits (including your and our own contributions) in accordance with the applicable scheme rules. We are required by law to provide you with a pension. Our pension plans are managed by third parties on our behalf, which third party will depend on the plan or scheme you are a member of. We will provide your personal details to them so they can contact you. We will also provide the details of any beneficiaries you nominate for death or other benefits to the relevant third party.
- Provide you with health and safety support at work. This includes work related injuries, illness, management of your health and safety, providing any accessibility support you may need (including where you make us aware in your health declaration on joining us and as updated by you when appropriate) and contacting your emergency contact if ever needed. This may include us making a referral to the occupational health service.
- Further information about you. This may include your information relating to your health, nationality, race, religion, ethnic origin, preferred language, sexual orientation details of any accessibility requirements you have, criminal offences (more details below), proceedings and/or convictions and anything which would restrict your ability to work, and for us to comply with equality and diversity requirements as an employer.
- Use information as needed to prevent and detect unlawful activity. This may include the use of biometric information such as retina scans and fingerprints for secure building access.
- Compile and manage our case in a legal claim made by or against us. Such processing is subject to strict confidentiality provisions.

We'll use your personal information **where we have a legitimate interest in doing so** to promote and protect our business to do so. This means we'll:

- Manage our security and finances. This includes managing IT and building access rights and security monitoring, detection and prevention measures, forecasting, budget and account management and planning for the future.
- Handle requests that you may make to us. It could be to help you participate in activities and programmes as an eligible employee/contractor, or to match donations to non-profit organisations.
- Keep you up to date with our plans, how we are performing as a business and contact you on special occasions such as your birthday and to recognise 'length of service' milestones working for us (but you can always ask us not to).
- Conduct business reporting and analytics. Your data, if used, will normally be anonymised so that you would not be personally identified.
- Take measures to protect our business by preventing and detecting crime.
- Monitor our behaviour as an employer in accordance with equal opportunities in employment.

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- Respond to and manage our case in a legal claim made by or against us. Such processing is subject to strict confidentiality provisions. This could include an accident at work.
- Share with other organisations to comply with our obligations in connection with your employment/engagement, such as HMRC, pension scheme or provider details, reference requests and any professional bodies.

We'll use your personal information **where you have asked us to or where you have told us it is ok**. This means we'll:

- From time to time need to use your personal information to help run our business for example, photos or video footage which feature you (not CCTV). We will check you are happy to take part before.

We'll use these types of personal information to do this:

- Information to contact you, verify who you are and set you up as an employee/contractor on our systems, including pay, IT, building and vehicle access. This includes your name, address, phone numbers, date of birth, email address, gender, national insurance number, bank account details, next of kin, emergency contact details, a photo of you, your driver's licence, and electronic signatures.
- Information collected during recruitment.
- Information about your work contract, attendance and performance like start date, place(s) of work, performance reviews, development notes and plans, records of your training, HR records such as leave sickness, grievances, and other compliance requirements.
- Information about your shift pattern, if needed for your role, as part of planning and paying you for overtime due.
- Information about your pension and employee benefit options.
- Information generated when you travel in one of our fleet vehicles. This includes use of your fob and dash footage. We also use tracking devices in our fleet vehicles.
- We collect the majority of this information directly from you, but in some cases we'll collect it from third parties.

After you leave

We have certain obligations as a business which mean we may need your personal information after you end your employment with us. We'll keep some of your personal information for the following purposes:

- To deal with claims or disputes involving you or others. This could include an accident at work. We do this because we have a legal obligation to provide the information, or it is in our interests to bring or defend a claim.
- To understand and evidence decision making in your role and maintain know how within the business after you leave. And to understand why you left us. We do this because it is in our interests to use the information to help run our business, or it may be to support a legal obligation we have.
- To manage and administer your pension and any ongoing entitlements as we have a legal obligation to do so.
- To comply with obligations to third parties in connection with your employment, such as the HMRC, reference requests, any professional bodies and contractual commitments we have with our customers and suppliers.

We'll use these types of personal information to do this:

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- Your contact details and anything needed to verify who you are. This includes your name, address, phone numbers, date of birth, email address, national insurance number, bank account details and a photo of you.
- Further information about you. This includes your gender, nationality, race, ethnic origin, religion, sexual orientation, preferred language, health, and details of any accessibility requirements you have, criminal offences, proceedings and/or convictions and anything which would restrict your ability to work.
- Information about your time with us. This includes your start and finish date, contract of employment, place(s) of work, appraisals, development notes and plans, emails, records of your training, HR records such as leave, sickness, grievances and occupational health service reports and other compliance requirements.

Monitoring of work communications

We reserve the right to monitor electronic communications sent using the accounts, network, and equipment we provide to you for work purposes. This means:

- We record your use of our communications services and activities. This includes your emails, phones, IT equipment and VPN and internet usage.
- We may monitor, record, or analyse your usage in accordance with our IT and Security Policies. This may extend to third-party facilities, property, and infrastructure as relevant to your job role, for example when you work on a client's site.

We may need to access these communications for a range of reasons. These include complying with legal obligations placed on us to disclose information, to prevent or detect crime, or where we have a legitimate interest in doing so to promote and protect the interests of our business. We may need to access records of your communications even after you have left us.

If your communication relates to a personal matter, you should send it from a personal account.

Your use of public social media may be monitored or reviewed to check to ensure our business policies (such as those concerning social media, security and internet use and keeping commercially sensitive information confidential) are adhered to, and for investigating complaints and allegations of criminal offences.

SHARING YOUR INFORMATION

Who do we share your personal information with, why and how?

- We share your personal information with other companies within the **KGJ Price [Railway Contractors] Group**. If there's a change (or prospective change) in who owns KGJ Price [Railway Contractors] or any of our assets, we may disclose personal information to the new (or prospective) owner. If we do, they'll have to keep it confidential.
- We do not share your data with bodies outside of the European Economic Area.
- We share your data with third parties in order to make payments to you (e.g., umbrella companies).

IN ACCORDANCE WITH THE LAW

We may have to disclose personal information about you to law enforcement agencies. The law enforcement agencies may ask for disclosure of one or more of the following items of personal information:

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- Your contact details or information to validate your identity.
- Your payment and financial information.
- Information about your time with us.
- Records of your use of communications services and activities.

We disclose personal information to law enforcement agencies so they can detect and stop crime, prosecute offenders, and protect national security. We only share your personal information in accordance with applicable law, we have strong internal oversight of what we do, and we take expert advice to inform our approach.

We will also share personal information about you where we are under a legal obligation to disclose it to another person. These obligations arise because of a law that obliges us to disclose that information or because of a court order requiring disclosure of that information. We may also disclose information to a public authority. We only do this where they have provided assurance and we have assessed that their request is proportionate and necessary. For example, the disclosure of information to the Department of Work and Pensions in benefit cases.

To third-party service providers and customers

We use third-party service providers to perform services on our behalf or to assist us with the provision of services to you. This could be for the purposes of your role, like a client for access purposes or unrelated to your role, like our staff discount platform, who offer discounts to you as an employee. We may also need to share your information with insurance providers in relation to our insurance policies. If there's a change (or expected change) in who owns us or any of our assets, we might share personal information to the new (or prospective) owner. Where we use a third-party service provider, we have strict controls in place to ensure your personal information is properly protected. Where we transfer your personal information to third-party service providers then we only do so where we have safeguards in place. We share your information with our clients where necessary to deliver services to them. We also share your information with organisations that provide services to us, but only where necessary to provide that service.

PROTECTING YOUR INFORMATION AND HOW LONG WE KEEP IT

How do we protect your personal information?

We have strict security measures to protect your personal information. We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction, and abuse. We have implemented processes to guard against such.

How long do we keep your personal information?

In line with data protection principles, we only keep your data for as long as we need it, which will be at least for the duration of your engagement with us though in some cases we will keep your data for a period after your engagement has ended. Retention periods can vary depending on why we need your data.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having

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a legitimate reason for doing so. your withdrawal of consent only applies to how we use your personal information in the future, not what we've done in the past.

UPDATING HOW WE USE YOUR INFORMATION

In some cases, we might have to continue to use or keep information, even if you ask us not to. That could be for legal or regulatory reasons, to comply with our obligations under our contract, or for another legitimate reason. But we'll always tell you why.

When you delete or change (or ask us to delete or change) your personal information from our systems, we might not do so straight away from our backup systems or residual copies on our active servers. And we may need to keep some information to fulfil your request (for example, keeping your email address to make sure it's not on a marketing list).

If you do not provide your personal information, provide it inaccurately or require us to delete it, then we may not be able to provide you with a contract for employment or carry out our obligations, such as paying you. It may also prevent us complying with our legal obligations, like paying your tax.

MAKING A COMPLAINT

The supervisory authority in the UK for data protection matters is the Information Commissioner's Office (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

Mervyn Harris



Director
01.05.24

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