

HR DATA PROTECTION POLICY



I. INTRODUCTION

References in this Policy to ‘we’, ‘us’, ‘our’ are also references to Culture Coventry.

We have provided this Policy to explain our practices regarding the collection, use, and other processing of information that identifies or could be used to identify a job applicant or Staff Member (such information is referred to in this Policy as “**personal data**”). The term “**Staff Member**” refers to employees, officers, consultants, contractors, temporary staff, agency staff, seasonal workers, casual workers and fixed term employees.

Unless otherwise stated, Culture Coventry is the controller of its job applicants’ and Staff Members’ personal data for the purposes of applicable data protection laws. Where we refer to ‘**you**’ (or ‘**your**’), we are referring to you in your capacity as either a job applicant or Staff Member.

This Policy does not form part of any Staff Member’s contract of employment or contract of engagement and it may be amended by Culture Coventry at any time.

II. REMIT

Culture Coventry is committed to safeguarding the personal data that is collected, processed or maintained by or on behalf of Culture Coventry regarding you. We will comply with all applicable data protection laws regarding the processing of your personal data, as follows:

- It is used lawfully, fairly and in a transparent way.
- It is collected for valid purposes that we have clearly explained to you and not used in a way that is incompatible with those purposes.
- It is adequate, relevant and limited to what is necessary for the purposes for which it is being processed and which we have told you about, and limited to those purposes.
- It is accurate (and where necessary) kept up to date.
- It is kept only as personal data for as long as is necessary, for the purposes which we have told you about.
- It is processed securely.

III. CATEGORIES OF STAFF MEMBER DATA

Culture Coventry collects and processes the categories of personal data referred to in this section (“**HR Data**”), for the purposes of administration and management of our business, employment, engagement and our ancillary activities, or as are required for contractual or statutory purposes (to the

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extent applicable to your application, employment or engagement). Sometimes, these activities are carried out by our third party service providers. The categories of data are:

- **General identification data:** name, contact information (including home address, personal e-mail, personal phone number, photographs and emergency contact information), driving licence, date of birth, government identification numbers, passport, citizenship/residency, personal status (marital status, dependents), next of kin, as well as other data collection required by applicable law (including your ability to work in the UK), full-time, part-time, or other status, leave of absence, and employment or engagement termination data.
- **Performance/experience/qualification information:** qualifications, evaluations and performance information, developmental planning and other management and team based assessments.
- **Background information:** education, training, and employment background, information commonly used for security screenings (including details of unspent criminal convictions), subject to the requirements of applicable law.
- **Organisation information:** work contact information, title/job function, department/location, hire date and any previous hire or service dates.
- **Compensation information:** salary/pay information, average hours worked, benefits information, annual leave and pension information.
- **Payroll information relating to a Staff Member:** tax information, bank details, financial information, deductions, time worked, leave and absence information.
- **Other information:** data specifying medical or health conditions, racial/ ethnic origin, religious/philosophical beliefs, trade union membership, disciplinary or grievance information, photographs, personal appearance/behaviour, CCTV footage, and other information obtained through electronic means, such as swipe cards, information about your use of our information and computer systems.

HR Data may be collected, either directly from job applicants or Staff Members, through their application process, activities in the course of their employment or engagement, or from third parties (including references, other or former Staff Members, former employers, business partners, sub-contractors in technical, payment and delivery services, colleagues or supervisors or recruitment agencies and recruitment or networking websites, and agencies carrying out background checks, social media and other public websites), subject to the requirements of applicable law.

We will also process any other personal data that is provided by you, to the extent that there is a lawful basis for processing such personal data.

Failure to Provide Personal data

There will be a legal or contractual requirement for job applicants or Staff Members to provide certain personal data (for example regarding a job applicant's or Staff Member's ability to work in the UK, and to enable us to administer pay and statutory benefits to Staff Members).

We will indicate where any personal data provision or processing is subject to you providing consent. In such circumstances, you can choose not to provide the respective consent and you will not suffer any detriment as a result. However, we will also indicate where we have other grounds upon which it is necessary to provide or process data.

It may not be mandatory for certain personal data to be provided by you (for example, the provision of equal opportunities information). If it is not mandatory to provide certain personal data then it will not affect your application, employment or engagement (as applicable to your status), and we will inform you if it is optional to provide such data.

If a job applicant/Staff Member fails to provide certain information when requested, we may not be able to proceed with the job application, or we may be unable to perform the contract we have entered into with that Staff Member (such as paying the Staff Member or providing a benefit, where we do not have the requisite information to enable us to do so), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our Staff Members).

IV. PURPOSE, USE AND DISCLOSURE

Purpose

Culture Coventry uses and processes HR Data to the extent necessary or appropriate for the legitimate interests of the business, such as in relation to the administration and management of our business, employment, engagement and our ancillary activities, or as are required for contractual or statutory purposes. Further details in relation to such purposes are shown at Schedule I.

Special Categories of Personal Data

Culture Coventry may use special categories of personal data, in the manner referred to in Schedule I, as well as in the following ways (where applicable):

- information relating to Staff Members' leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- information about physical or mental health, or disability status, for the purposes of our Staff Members' health and safety in the workplace and to assess fitness to work. We will use such information to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- information about race or national or ethnic origin, religious or philosophical beliefs, to ensure meaningful equal opportunity monitoring and reporting.

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Information about Criminal Convictions

Culture Coventry will only collect information about unspent criminal convictions, when it is appropriate and lawful to do so, given the nature of your role or proposed role. Where appropriate, we will collect information about unspent criminal convictions as part of the recruitment process, or we may be notified of such information directly by you. We will process information about unspent criminal convictions and offences pursuant to our legitimate interest, to put in place appropriate measures to safeguard our job applicants or Staff Members, business, customers and any other relevant parties.

Section IV Purposes

(We refer to all of the above purposes referred to in this Section IV, as the “**Engagement Purposes**”).

Disclosure

Staff working in human resources, legal, finance and accounting, security, communications, and information technology roles, as well as certain managers (i.e. persons with assigned responsibility or managerial responsibility for the job applicant, Staff Member or groups of Staff Members) of Culture Coventry will receive access to certain of your personal data when necessary in connection with their job responsibilities.

Disclosure to Processors

For normal business operation purposes, we may disclose certain HR Data to service providers acting as processors in connection with benefits and payroll-related tasks for Staff Members (e.g. payroll providers and other benefit providers) for Culture Coventry’s legitimate interests of fulfilling HR, benefit and payroll provision.

We may disclose HR Data to service providers for information technology and human resources support (e.g. online training programs and support services for performance evaluations and human resource management applications and for external HR and legal advice) for Culture Coventry’s legitimate interests of ensuring appropriate information technology and support solutions are implemented and that specialist advice is sought and obtained for the benefit of its business.

All such service providers are bound by contract to refrain from using the HR Data which we collect from you for any purpose other than providing the respective service to Culture Coventry. Culture Coventry is responsible for its service providers’ processing of the HR Data which is transferred to them, in a manner consistent with applicable data protection law.

Culture Coventry may also share certain data with external advisors (such as lawyers, accountants, and auditors) and other recipients (such as banks and insurers, your family, associates and representatives, employment and recruitment agencies, current or prospective employers, educators and examining bodies, government authorities, suppliers and service providers, debt collection and tracing agencies, financial organisations, police forces and security organisations) for Culture Coventry’s legitimate interests, for the purpose of functioning or safeguarding Culture Coventry’s business.

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Culture Coventry will: (i) exercise appropriate due diligence in the selection of its service providers; and (ii) require that its service providers maintain adequate technical and organisational security measures to safeguard the HR Data, and process the HR Data only as instructed by Culture Coventry and only in accordance with applicable data protection law.

We may disclose or transfer HR Data for the legitimate interests of pursuing Culture Coventry's or its shareholders' interests, in connection with, or during negotiations of, any merger, acquisition, spin-off, sale of Culture Coventry or its assets, product lines or divisions, any financing or any similar transaction. Culture Coventry may also disclose HR Data for our legitimate interests, to prevent damage or harm to any of the Culture Coventry Group, any of the Culture Coventry Group's services, or any person or property; or where disclosure is required by law (including to meet national security or law enforcement requirements); or in response to lawful requests by government authorities.

Lawful Basis

Culture Coventry collects and processes HR Data to the extent: (i) that it has a lawful basis for processing it; and (ii) that such HR Data is relevant for Engagement Purposes. Processing of HR Data for Engagement Purposes will therefore be undertaken by us on the relevant lawful basis of:

- Consent – in situations where Culture Coventry has expressly requested consent, and you have freely provided it. You may withhold consent (or withdraw it subsequently), without any detriment to you.
- Performance of a contract to which the Staff Member is a party or in order to take steps at a job applicants' or Staff Member's request prior to entering into a contract – where this is necessary for such purposes.
- Compliance with a legal obligation (i.e. of a statutory or regulatory nature) that Culture Coventry is subject to.
- Processing is necessary in order to protect your vital interests or of another person – so this would apply in the event of a medical emergency where Culture Coventry has to take action.
- Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party (where such interests are not overridden by your interests or fundamental rights and freedoms which require protection of personal data) – this would apply in cases where we do not use the above lawful bases, and the legitimate interest pursued by us would be: staff retention; maintaining or improving staff morale; ensuring staff are performing as required by the Culture Coventry business (and providing any support where applicable); checking or ensuring the suitability of staff to a role or task; exercising, defending, resolving or conducting claims; allowing ease of communication within Culture Coventry and the Culture Coventry Group; safeguarding the physical and mental wellbeing of our staff; or the prudent safeguarding, functioning or management of Culture Coventry's or Culture Coventry Group's business.

Retaining Data

For our record keeping purposes, we will retain personal data in accordance with applicable law, for so long as is required for the Engagement Purposes. To determine the appropriate retention period for HR Data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of

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harm from unauthorised use or disclosure of HR Data, the purposes for which we process the HR Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise HR Data, so that it can no longer be associated with the respective job applicant or Staff Member, in which case we may use such information without further notice to the respective job applicant or Staff Member.

Once a Staff Member is no longer engaged by us, we will retain or securely destroy the HR Data in accordance with our data retention policy or applicable laws.

Please ask the Company if you require any further information regarding retention periods.

V. OTHER PROCESSING

In addition to the activities and purposes referred to above, we may also process, disclose, and transfer HR Data to governmental authorities and regulators (e.g. tax authorities), social organisations (e.g. a social benefits agency or social security organisations (e.g. pension funds)), courts and other tribunals to the extent required by applicable law.

VI. RIGHTS WITH REGARD TO YOUR OWN HR DATA

With regard to your own HR Data, you have the following rights:

- right to access;
- the right to rectification;
- the right of erasure;
- the right to restrict processing;
- the right to object to processing;
- the right to data portability; and
- the right to withdraw consent.

You may exercise any of these rights by contacting us. Further details in respect of these rights are presented below. Under certain circumstances you have:

- **The right to access:** to receive a copy and certain details of the personal data which we process about you.
- **The right to rectification:** to have any incomplete or inaccurate personal data which we process about you, corrected.
- **The right to erasure:** to ask us to delete or remove your personal data, where there is no good reason for us continuing to process it.

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- **The right to restrict:** to ask us to suspend the processing of your personal data (e.g. if you want us to check its accuracy or the reason for processing it).
- **The right to object:** to object to processing of your personal data, where we are relying on a legitimate interest (or those of a third party), and there is something about your particular situation which makes you want to object to processing on this ground.
- **The right to data portability:** the right to obtain certain of your personal data which you have provided to us, in an electronic format.
- **The right to withdraw consent:** In the limited circumstances where you have provided your consent to the processing of your personal data for a specific purpose, you have the right to withdraw that consent for that specific processing.

The above rights are subject to any requirements or qualifications of applicable data protection laws.

We will respond to your requests in respect of the above rights within the appropriate timeframe (determined by applicable law). If the request is complex, we may extend our response time in accordance with applicable law.

VII. CHANGES

You are responsible for informing us if there are any changes to, or inaccuracies in, your HR Data.

We will only use your HR Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another purpose (in which case we will let you know this, as well as the lawful basis for such processing).

We may amend this Policy at any time. If we make any changes to this Policy or the purposes for which we process your HR Data, we will notify you.

VIII. DATA SECURITY

There are appropriate organisational and technical measures to safeguard your HR Data from unauthorised or unlawful processing and against accidental loss, destruction or damage. We limit access to your HR Data to those personnel who have a need to know. Our personnel and our processors will process your HR Data on our instructions and such personnel are subject to a duty of confidentiality.

We have procedures to deal with any suspected data security breach. We will notify affected job applicants or Staff Members and the supervisory authority of any personal data breach in accordance with applicable laws.

IX. FURTHER INFORMATION

If you have any questions, comments or complaints about this Policy or wish to: (i) exercise any of the rights described in Section VI above; (ii) make any other type of request in relation to the processing of your HR Data; or (iii) report a concern or complaint related to the processing of your HR Data; you should contact:

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Suki Sahota, Data Protection Administrator, email: DPA@culturecoventry.com

We hope that we will be able to address any of your requests. However, you have the right to make a complaint about the processing of your personal data to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

SCHEDULE I

Personal Data Purposes

We will process your personal data, include (as applicable to your status as a job applicant or Staff Member) for the following purposes:

- Making a decision about your recruitment or appointment.
- Making decisions about your initial or continued employment or engagement.
- Determining the terms upon which you work for us.
- Checking that you are legally entitled to work in the UK.
- Equal opportunities monitoring.
- Administering the contract we have entered into with you.
- Making decisions about salary reviews, remuneration and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Payroll processing, organisational and workforce administration and planning, finance and accounting, tax reporting, and, if you are an employee, deducting tax and National Insurance contributions.
- Providing discretionary and contractual benefits to you (including any applicable pensions, private health benefits, permanent health insurance, or other benefits programmes).
- Liaising with your pension provider.
- Conducting performance reviews, managing performance and determining performance requirements.
- Monitoring your use of our information and communications systems to ensure compliance with our IT policies.
- Checking and ensuring network, organisational and information security, including preventing unauthorised access to our organisation, computer and electronic communications systems and preventing malicious software distribution.
- Gathering evidence for possible grievances or disciplinary hearings.
- Managing sickness absence or other forms of leave (including parental, maternity and compassionate leave).
- Ascertaining your fitness to work.
- Checking and ensuring compliance with our policies and procedures, including whistleblowing.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Complying with health and safety obligations.
- Preventing fraud.
- Making arrangements for the termination of our working relationship.
- Conducting data analytics studies to review and better understand employee retention and attrition rates.

Some of the grounds for processing of HR Data will overlap.

We may process special categories of HR Data as required above, or in the following circumstances:

- For equal opportunities monitoring.
- In the course of legitimate business activities with the appropriate safeguards.
- In limited circumstances, with your explicit written consent.
- Where we need to carry out legal obligations.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate safeguards.
- In relation to legal claims or where it is needed to protect your vital interests (or someone else's interests) and you are not capable of giving your consent.
- Where you have already made the information public (but we will only process such personal data to the extent that we have a valid need to process it).