

Privacy Notice

In Summary:

- The Privacy Notice provides information on how your personal data is processed
- The data controller is the HR Manager at William King Ltd
- Personal data is processed for the purpose of carrying out the employment contract or to take steps to enter into an employment contract (recruitment)
- Your personal data is only received by certain categories of people
- Personal data will not be kept for longer than is strictly necessary
- The Privacy Notice outlines your rights in relation to your personal data

William King Ltd and Mi-King Ltd (both individually defined going forward as “**the company**” and together as “**the group**”) are committed to protecting and respecting your privacy and rights as job applicants/employees (“**you**”) of the company and are bound by data protection laws including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) coming into effect on 25 May 2018. We issue this privacy notice in the interests of transparency over how we use (“**process**”) the personal data that we collect from you.

Personal data for these purposes means any information relating to an identified or identifiable person. (Examples of personal data include individual’s name, clock number, home address, home phone number and email addresses, date of birth, names of family members etc..)

“**Sensitive personal data**” means personal data that may be more sensitive in nature for the individual concerned and examples include:

- a) Race and ethnic information.
- b) Political/religious beliefs.
- c) trade union membership.
- d) health and medical information, including genetic information.
- e) sexual orientation.
- f) criminal records.
- g) biometric data where processed to uniquely identify a person (e.g. a photo in an electronic passport)

Data Controller

For data protection purposes the “**data controller**” means the person or organisation who determines the purposes for which and the manner in which any personal data are processed. The data controller is Rachel Graville, Managing Director, and she can be contacted at William King Ltd, Atlas Centre, Union Road, West Bromwich, West Midlands or at hr@williamking.co.uk.

What Personal Information Do We Process?

We collect and maintain different types of personal information about you. Much of the information we hold will have been provided by you, but some may come from internal sources, such as your manager, or in some cases external sources, such as referees. Some examples include:

- Name, gender, home address and telephone number, date of birth, marital status, employee identification number, and emergency contacts.
- Residency and work permit status, military status, nationality and passport information.
- Social security or other taxpayer/government identification number.
- Payroll information, banking details.
- Wage and benefit information, including pensions and beneficiary information.
- Your application form and/or CV, cover letter, previous and/or relevant work experience or other experience, education, transcripts, or other information you provide to us in support of an application and/or the application and recruitment process.
- Information from interviews, references and profiles if undertaken.
- Letters of appointment and contracts of employment

- Start of employment, date(s) of promotion(s), work history, technical skills, educational background, professional certifications and registrations, language capabilities, and training records.
- Forms and information relating to the application for, or in respect of changes to, employee health and welfare benefits; including, short and long term disability, medical and dental care, etc.
- Height, weight and clothing sizes, photograph, videos, physical limitations and special needs.
- Records of work absences, holidays/paid time off, entitlement and requests, salary history and expectations, performance appraisals, letters and notes linked to disciplinary and grievance procedures.
- Health screening results including hearing tests, the results of drug and alcohol testing and occupational health reports.
- Driving license number, vehicle registration and driving history.
- Information required for us to comply with laws, the requests and directions of law enforcement authorities or court orders (e.g., child support and debt payment information).
- Information captured on security systems, including Closed Circuit Television (“CCTV”) and key card entry systems.
- Voicemails, e-mails, correspondence, documents, and other work product and communications created, stored or transmitted using our networks, applications, devices, computers or communications equipment.
- Date of resignation or termination, reason for resignation or termination, information relating to administering termination of employment (e.g. references).

Purpose of processing the data

It is necessary for us to process personal data of both job applicants and employees for the following reasons:

1. We will need the information in order to identify the individual for the purposes of recruitment;
2. We will need to maintain that information for the general purposes of the ongoing employment relationship including performing the employment contract and maintaining the health and safety of individuals on our premises.

Our legal basis for processing personal data of applicants and staff is that:

1. Processing the personal data is necessary for the purpose of carrying out the employment contract or to take steps to enter into an employment contract;
2. Processing is necessary to comply with a legal obligation (for example we are obliged under employment law to issue a written statement of employment terms which identifies the parties involved in the employment contract);
3. Processing the data is necessary to protect the vital interests of an individual (for example we are legally responsible for the health and safety of staff and job applicants (when they are on our premises) and so it is necessary to process data relating to those individuals for that reason); and/or
4. Processing the data is necessary for the purposes of our “**legitimate interests**” as the data controller (except where such interests are overridden by the interests, rights or freedoms of the individual).

Our “legitimate interests” for these purposes are:

1. the need to process data on applicants and staff for the purposes of assessing suitability for employment and then carrying out the employment contract;
2. the need to gather data for the purpose of safeguarding the health and safety of job applicants and employees;
3. the need to transfer employee data within the group for administrative purposes; and
4. the need to process employee data for the purposes of ensuring information technology and computer systems security.

We may from time to time need to process sensitive personal data, for example medical records or other information relating to the health and well being of an individual.

In that case we will either obtain the explicit consent of the individual to the processing of such data or we may consider the processing of that data as being necessary for carrying out our obligations as an employer. That will be assessed on a case by case basis.

There is no strict statutory or contractual requirement for you to provide data to us but if you do not provide at least that data that is necessary for us to assess suitability for employment and then to conduct the employment relationship then it will not practically be possible for us to employ you.

Recipients of personal data

Your personal data may be received by the following categories of people:

1. Our HR department;
2. In the case of health and safety information, the Health and Safety and Environmental Manager, a Company Director and the HR department;
3. In the case of job applicants, the interviewer and prospective manager;
4. Any individual authorised by us to maintain personnel files;
5. Employee benefit providers including pensions.
6. Our professional advisers; and
7. Appropriate external regulators and authorities (such as HMRC and the Health and Safety Executive)

We do not envisage that your data would be transferred to a third country (non EU or EEA member). If we perceive the need to do that we would discuss that with you and explain the legal basis for the transfer of the data at that stage.

Duration of storage of personal data

We will keep personal data for no longer than is strictly necessary, having regard to the original purpose for which the data was processed. In some cases we will be legally obliged to keep your data for a set period. Examples are below:

Income tax and NI returns, income tax records and correspondence with HMRC: We are obliged to keep these records for not less than 3 years after the end of the financial year to which they relate.

Wage and salary records: We are legally required to keep these records for 6 years and in some cases longer.

Security of Information

We are committed to protecting the security of the personal information collected, and we take reasonable physical, electronic and administrative safeguards to help protect the information from unauthorised or inappropriate access or use. We have a framework of policies, procedures and training in place covering data protection, confidentiality and security and regularly review the appropriateness of the measures we have in place to keep the data we hold secure.

Your rights in relation to your personal data

1. The right to be forgotten

You have the right to request that your personal data is deleted if:

- a) it is no longer necessary for us to store that data having regard to the purposes for which it was originally collected; or
- b) in circumstances where we rely solely on your consent to process the data (and have no other legal basis for processing the data), you withdraw your consent to the data being processed; or
- c) you object to the processing of the data for good reasons which are not overridden by another compelling reason for us to retain the data; or
- d) the data was unlawfully processed; or
- e) the data needs to be deleted to comply with a legal obligation.

However, we can refuse to comply with a request to delete your personal data where we process that data:

- a) to exercise the right of freedom of expression and information;

- b) to comply with a legal obligation or the performance of a public interest task or exercise of official authority;
- c) for public health purposes in the public interest;
- d) for archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
- e) the exercise or defence of legal claims.

2. The right to data portability

You have the right to obtain the personal data which you have provided to us, in a structured, commonly used and machine-readable format, so that you can move, copy or transfer this data to another IT environment in a safe and secure way, without hindrance to usability. This right applies where the processing is based on your consent or on a contract and the processing is carried out by automated means.

3. The right to withdraw consent

Where we process your personal data in reliance on your consent to that processing, you have the right to withdraw that consent at any time. You may do this in writing to the HR team or to your line manager.

4. The right to object to processing

Where we process your personal data for the performance of a legal task or in view of our legitimate interests you have the right to object on “grounds relating to your particular situation”. If you wish to object to the processing of your personal data you should do so in writing to HR or to your line manager stating the reasons for your objection.

Where you exercise your right to object we must stop processing the personal data unless:

- we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms; or
- the processing is for the establishment, exercise or defence of legal claims.

5. The right of subject access

So that you are aware of the personal data we hold on you, you have the right to request access to that data. This is sometimes referred to as making a “subject access request”.

6. The right to rectification

If any of the personal data we hold on you is inaccurate or incomplete, you have the right to have any errors rectified. Where we do not take action in response to a request for rectification you have the right to complain about that to the Information Commissioner’s Office.

7. The right to restrict processing

In certain prescribed circumstances, such as where you have contested the accuracy of the personal data we hold on you, you have the right to block or suppress the further processing of your personal data.

8. Rights related to automated decision making and profiling

The Company does not normally use automated decision making processes including profiling, i.e processes without human intervention (such as decisions made via website calculations using wholly automated processes). Where profiling is used to assist a process, for example recruitment and personal development, it is always used in conjunction with human intervention and other information.

Complaints

Where you take the view that your personal data are processed in a way that does not comply with the GDPR, you have a specific right to lodge a complaint with the relevant supervisory authority. The supervisory authority will then inform you of the progress and outcome of your complaint. The supervisory authority in the UK is the Information Commissioner’s Office.

Changes to the Privacy Notice

We aim to keep the Privacy Notice under regular review and we may therefore change it at any time. This notice was last updated on 28 February 2024.