

Privacy Notice

Introduction

In this Privacy Notice references to "Sedex", "our" and "we" mean Sedex Information Exchange Limited, a company incorporated and registered in England and Wales (No. 05015443), whose registered office is 5 Old Bailey, London, England, EC4M 7BA. We are part of a group of companies (the "Sedex Group") and we operate in the United Kingdom ("UK") from our registered office address.

Scope of privacy notice

Like most businesses, we hold and process a wide range of information, some of which relates to individuals who work for us. This Privacy Notice explains the type of information we process, why we are processing it and how that processing may affect you.

The notice focuses on individuals who work for us, whether employed by us or not (e.g. consultants, freelancers, directors etc) and it also covers information on those who apply to work for us and former employees (referred to as "you" in this notice).

This Privacy Notice is set out in this document (the "Core Notice") and the Supplementary Information.

In the Supplementary Information, we explain what we mean by "personal data", "processing", "sensitive personal data" and other terms used in the notice.

In brief, this notice explains:

- Who is responsible for the personal data that we collect about you
- What personal data we hold, and how and why we process it
- The legal grounds which allow us to process your personal data
- Where the data comes from, who gets to see it and how long we keep it
- How to access your personal data and other rights
- How to contact us.

This is to make sure that you have a full picture of how we collect and use your personal data. You have the right to object to our use of your personal data in certain circumstances. A summary of your right to object (along with other rights under data protection law) and the details of who to contact if you want to exercise them can be found below.

This Privacy Notice does not form part of any contract of employment or other contract to provide services (although the relevant contract are likely to require you to comply with our policies from time to time in force). We may update this Privacy Notice at any time but if we do so, where necessary we will notify you and refer you to an updated version as soon as reasonably practical.

It is important that you read and retain this Privacy Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or

processing personal data about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

Who is responsible for the personal data that we collect?

We are the controller for the purpose of data protection law, in respect of the personal data we collect and use during our recruitment process, during the course of your employment or engagement with us and after you have ceased to be employed or engaged by us. This is because we dictate the purpose for which your personal data is used and how we use your personal data.

Personal data - what we hold and why we process it

We process personal data for the purposes of our business including management, administrative, employment and legal purposes. The Supplementary Information provides more specific information on these purposes, on the type of data that may be processed and on the grounds on which we process data. See *Further information on the data we process and our purposes*.

Where the data comes from and who gets to see it

Some of the personal data that we process about you comes directly from you. For example, you tell us your contact and banking details.

Other personal data about you is generated in the course of your work, for example, from your managers, colleagues and customers or others outside our organisation with whom you deal.

Your personal data will be seen internally by managers, the People Team and, in some circumstances, colleagues. We may also pass your personal data outside the organisation, for example to people you are dealing with and payroll agencies.

Further information on this is provided in the Supplementary Information. See *Where the data comes from and Who gets to see your data?*

How long do we keep your personal data?

We will keep your personal data for the duration of your employment and for a period afterwards.

See *Retaining your personal data - more information* in the Supplementary Information.

Transfers of personal data outside the UK

We store personal data on servers located in the United Kingdom (UK) and the European Economic Area (EEA). We may transfer personal data, including to third-party organisations outside of the UK including to the EEA.

Further information on these transfers and the measures taken to safeguard your personal data are set out in the Supplementary Information under *Transfers of personal data outside the UK and the EEA*.

Your data rights

You have a right to make a subject access request to receive information about the personal data that we process about you. Further information on this and on other rights is in the Supplementary Information under *Access to your personal data and other rights*. We also explain how to make a complaint about our processing of your personal data.

Contact details

In processing your personal data, we act as a data controller. Our contact details are as follows:

Liz Aldred, People Director, liz.aldred@sedex.com

We have appointed a Data Protection Officer whose role in relation to data protection includes informing and advising us and those of our employees who are involved in processing data of their obligations under data protection legislation.

The Data Protection Officer is the Sedex Company Secretary.

Status of this notice

This notice does not form part of your contract of employment and does not create contractual rights or obligations. This notice may be updated by us at any time, and it was last updated in August 2022.

Privacy Notice - Supplementary information

What do we mean by "personal data" and "processing"?

"Personal data" is information relating to you (or from which you may be identified) . It includes not only facts about you, but also opinions about you.

"Processing"¹ means doing anything with the personal data. For example, it includes collecting it, holding it, disclosing it and deleting it.

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sexual orientation, sex life, trade union membership and genetic and biometric data are subject to special protection and considered by UK privacy law to be "sensitive personal data".

References in the Privacy Notice to employment, work (and similar expressions) include any arrangement we may have under which an individual provides us with work or services. By way of example, when we mention an "employment contract", that includes a contract under which you provide us with services; when we refer to ending your employment, that includes terminating a contract for services.

Legal grounds for processing personal data

What are the grounds for processing?

Under data protection law, there are various grounds on which we can rely when processing your personal data. In some contexts, more than one ground applies.

We have summarised these grounds as Contract, Legal obligation, Legitimate Interests and Consent and outline what those terms mean in the following table.

Term	Ground of processing	Explanation
Contract	Processing necessary for performance of a contract with you or to take steps at your request to enter a contract	This covers carrying out our contractual duties and exercising our contractual rights.
Legal obligation	Processing necessary to comply with our legal obligations	Ensuring we perform our legal and regulatory obligations. For example, providing a safe place of work and avoiding unlawful discrimination.
Legitimate Interests	Processing necessary for our or a third party's legitimate interests	We or a third party have legitimate interests in carrying on, managing and administering our respective businesses effectively and properly and in connection with those interests processing your personal data. Where we rely on our legitimate interests we mean our: <ul style="list-style-type: none"> • Pursuit of our commercial activities and

Term	Ground of processing	Explanation
		<p>objectives, or those of a third party</p> <ul style="list-style-type: none"> • Compliance with applicable legal and regulatory obligations and any codes of conduct • Improvement and development of our business operations and service offering, or those of a third party • Protection of our business, shareholders, employees and customers, or those of a third party. <p>Your personal data will not be processed on this basis if our or a third party's interests are overridden by your own interests, rights and freedoms.</p>
Consent	You have given specific consent to processing your data	In general processing of your personal data in connection with employment is not conditional on your consent. But there may be occasions where we do specific things such as provide a reference, deduct union dues or obtain medical reports and rely on your consent to our doing so.

Processing sensitive personal data

If we process sensitive personal data about you, as well as ensuring that one of the grounds for processing mentioned above applies, we will make sure that one or more of the grounds for processing sensitive personal data applies. In outline, these include:

- Processing being necessary for the purposes of your or our obligations and rights in relation to employment in so far as it is authorised by law or collective agreement
- Processing relating to data about you that you have made public (e.g. if you tell colleagues that you are ill)
- Processing being necessary for the purpose of establishing, making or defending legal claims
- Processing being necessary for provision of health care or treatment, medical diagnosis, and assessment of your working capacity
- Processing for equality and diversity purposes to the extent permitted by law
- Processing is in your vital interests.

Further information on the data we process and our purposes

During our recruitment process, during the course of your employment or engagement with us and after you have ceased to be employed or engaged by us, we collect and use personal data about you.

The Core Notice outlines the purposes for which we process your personal data. More specific information on these, examples of the data and the grounds on which we process data are in the table below.

The examples in the table cannot, of course, be exhaustive. For example, although the table does not mention data relating to criminal offences, if we were to find out that someone working for us was suspected of committing a criminal offence, we might process that information if relevant for our purposes.

We would only use information relating to criminal convictions where the law allows us to do so.

Purpose	Examples of personal data that may be processed	Grounds for processing
Recruitment	Information concerning your application and our assessment of it, your references, any checks we may make to verify information provided or background checks and any information connected with your right to work in the UK. If relevant, we may also process information concerning your health, any disability and in connection with any adjustments to working arrangements.	Contract Legal obligation Legitimate interests Where this includes sensitive personal data we also rely upon this processing being necessary for the purposes of carrying out the obligations and exercising specific rights under employment and social security and social protection law.
Your employment contract including entering it, performing it and changing it	Information on your terms of employment from time to time including your pay and benefits, such as your participation in pension arrangements, life and medical insurance; and any bonus or share schemes.	Contract Legal obligation Legitimate interests
Contacting you or others on your behalf	Your address and phone number, emergency contact information and information on your next of kin.	Contract Legitimate interests

Purpose	Examples of personal data that may be processed	Grounds for processing
Payroll administration	<p>Information on your bank account, pension contributions and on tax and national insurance.</p> <p>Information on attendance, holiday and other leave and sickness absence.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p> <p>Where this includes sensitive personal data we also rely upon this processing being necessary for the purposes of carrying out the obligations and exercising specific rights under employment and social security and social protection law.</p>
Supporting and managing your work and performance and any health concerns	<p>Information connected with your work, anything you do at work and your performance including records of documents and emails created by or relating to you and information on your use of our systems including computers, laptops or other device.</p> <p>Management information regarding you including notes of meetings and appraisal records.</p> <p>Information relating to your compliance with our policies.</p> <p>Information concerning disciplinary allegations, investigations and processes and relating to grievances in which you are or may be directly or indirectly involved.</p> <p>Information concerning your health, including self-certification forms, fit notes and medial and occupational health reports.</p>	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p> <p>Where this includes sensitive personal data we also rely upon this processing being necessary for the purposes of carrying out the obligations and exercising specific rights under employment and social security and social protection law.</p>

Purpose	Examples of personal data that may be processed	Grounds for processing
Changing or ending your working arrangements	Information connected with anything that may affect your continuing employment or the terms on which you work including any proposal to promote you, to change your pay or benefits, to change your working arrangements or to end your employment.	Contract Legitimate interests
Physical and system security	CCTV images. Records of use of swipe and similar entry cards. Records of your use of our systems including computers, phones and other devices and passwords.	Legal obligation Legitimate interests
Providing references in connection with your finding new employment	Information on your working for us and on your performance.	Consent Legitimate interests
Providing information to third parties in connection with transactions that we contemplate or carry out	Information on your contract and other employment data that may be required by a party to a transaction such as a prospective purchaser, seller or outsourcer.	Legitimate interests
Monitoring of diversity and equal opportunities	Information on your nationality, racial and ethnic origin, gender, sexual orientation, religion, disability and age.	Legitimate interests Where this includes special categories of personal data we also rely upon this processing being necessary for the purposes of identifying/reviewing the existence or absence of equality of opportunity or treatment between groups of people.
Monitoring and investigating	We expect our employees to comply with our policies	Legitimate interests

Purpose	Examples of personal data that may be processed	Grounds for processing
compliance with policies and rules - both generally and specifically	<p>and rules and may monitor our systems to check compliance (e.g. rules on accessing pornography at work).</p> <p>We may also have specific concerns about compliance and check system and other data to look into those concerns (e.g. log in records, records of usage, emails and documents, and CCTV images).</p>	
Disputes and legal proceedings	Any information relevant or potentially relevant to a dispute or legal proceeding affecting us.	<p>Legitimate interests</p> <p>Legal obligation</p>
Trade union check off arrangements	N/A	
Day to day business operations including marketing and customer/client relations	Information relating to the work you do for us, your role and contact details including relations with current or potential customers or clients. This may include a picture of you for internal or external use.	Legitimate interests
Maintaining appropriate business records during and after your employment	Information relating to your work, anything you do at work and your performance relevant to such records.	<p>Contract</p> <p>Legal obligation</p> <p>Legitimate interests</p>

Where we process your personal data on the legal basis of our legitimate interests, we have carefully considered and assessed your rights and freedoms which require protection of your personal data in respect of each specific purpose. Having undertaken this assessment, we have determined that our legitimate interests are not overridden by your rights under data protection legislation. If you would like further information about how we have balanced your rights and freedoms against our legitimate interests, please get in touch using the details in the Core Notice section above.

We may be required to obtain your personal data to comply with our legal requirements, to enable us to fulfil the terms of our employment contract with you or in preparation of us entering into an employment contract with you. If you do not provide the relevant personal data to us, this may impact on our ability to perform our obligations to you as your employer or as the organisation engaging you.

Where the data comes from

When you start employment with us, the initial data about you that we process is likely to come from you: for example, contact details, bank details and information on your immigration status and whether you can lawfully work. We may also require references and information to carry out background checks. In the course of employment, you may be required to provide us with information for other purposes such as sick pay (and SSP and family rights (e.g. maternity and paternity leave and pay)). If you do not provide information that you are required by statute or contract to give us, you may lose benefits or we may decide not to employ you or to end your contract. If you have concerns about this in a particular context, you should speak to the People Team.

During the recruitment exercise and in the course of your work, we may collect personal data relating to you from others, including:

- Information we obtain from publicly available sources such as LinkedIn, such as details of your previous experience and employment history
- Information we obtain from individuals who you have told us we can contact to obtain a reference from and/or who are listed as referees in your CV such as details about your character, previous experience and employment history
Criminal records checks (including Disclosure and Barring Service checks) where relevant to the role you are applying for, such as details of your criminal record
- [Other].

Internally, personal data may be derived from your managers and other colleagues or our IT systems; externally, it may be derived from our customers or those with whom you communicate by email or other systems.

Information about third parties

In the course of your employment or engagement with us, you may provide us with personal information relating to third parties. This includes personal information about:

- Your referees (such as their name, postal address, email address, telephone number and employment information)
- Your dependants, if you have any (such as name, date of birth, address and phone number)
- Your emergency contact/next of kin for use if there is an emergency situation (such as name, date of birth, address and phone number).

We will use this personal information in accordance with this Privacy Notice. If you are providing personal information to us relating to a third party, you confirm that you have the consent of the third party or are otherwise entitled to share such personal information with us and that you have made the information in this Privacy Notice available to the third party.

Who gets to see your data?

Internal use

Your personal data may be disclosed to your managers, the People Team and administrators for employment, administrative and management purposes as mentioned in this document. We may also disclose this to other members of our group.

External use

We will only disclose your personal data outside the group if disclosure is consistent with a ground for processing on which we rely and doing so is lawful and fair to you.

We may disclose your data if it is necessary for our legitimate interests as an organisation or the interests of a third party (but we will not do this if these interests are over-riden by your interests and rights in particular to privacy). We may also disclose your personal data if you consent, where we are required to do so by law and in connection with criminal or regulatory investigations.

Specific circumstances in which your personal data may be disclosed include:

- Disclosure to organisations that process data on our behalf such as our payroll service, insurers and other benefit providers, our bank and organisations that host our IT systems and data
- Disclosure to our members but only to the extent that you are involved in supporting the organisation's membership
- Disclosure to our professional advisors (including accountants, auditors and lawyers) that assist us in carrying out our business activities
- Disclosure to the Disclosure and Barring Service so that they can undertake any Disclosure and Barring Service checks that we request
- Disclosure to external agencies and organisations (including the police, the relevant local authority, the UK Visas and Immigration department and other law enforcement agencies) for the purpose of complying with applicable legal and regulatory obligations.

We will also disclose your personal data to other third parties, for example:

- In the event that we sell or buy any business or assets, we will disclose your personal data to the prospective seller or buyer of such business or assets
- If we or substantially all of our assets are acquired by a third party, personal data held by us will be one of the transferred assets
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation.

Retaining your personal data - more information

We will retain your personal data for no longer than is necessary for the purposes for which the personal data is processed, subject to any other legal obligations with which we must comply.

The length of time we hold on to your personal data will vary according to what that data is, and the reason for which it is being processed.

Specific periods for retaining personal data are detailed in the table below. In general, we will keep your personal data for the duration of your employment and for a period afterwards. In considering how long to keep it, we will take into account its relevance to our business and your employment either as a record or in the event of a legal claim. If your data is potentially only useful for a short period (for example, CCTV or a record of a holiday request), we may delete it.

Type of data	Retention period
Recruitment data if not employed by Sedex	6 months
Absence during pregnancy and statutory maternity pay	7 years
Statutory paternity pay, statutory shared parental pay and statutory adoption pay	7 years
Wages, deductions, bonus pay, expenses	7 years
Accident books, accident records/reports	3 years from the date of the last entry
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
Statutory Sick Pay records, calculations, certificates, self-certificates	6 years after employment ceases
Redundancy details, calculation of payments, refunds, notifications	6 years from date of redundancy
Right to work documentation	2 years after employment ceases
Directors' records	Permanently

Transfers of personal data outside the UK and the EEA - more information

We may transfer personal data to Sedex offices and third-party organisations situated inside or outside the UK (including to the EEA).

Whenever we transfer your personal data out of the UK (as applicable), we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to

provide an adequate level of protection for personal data

- Where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK. For further details, see [here](#) and [here](#) for compliance with the UK GDPR. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK (as applicable).

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to us and any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

Access to your personal data and other rights

We try to be as open as we reasonably can about personal data that we process. If you would like specific information, just ask us.

You have certain rights with respect to your personal data. The rights will only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights. Details of who to contact to exercise these rights can be found in the Core Notice.

	Summary of your rights
Right of access to your personal data	You have the right to receive a copy of your personal data that we hold about you and information about how we use it, subject to certain exemptions.
Right to rectify your personal data	You have the right to ask us to correct your personal data that we hold where it is incorrect or incomplete.
Right to erasure of your personal data	<p>You have the right to ask that your personal data be deleted in certain circumstances. For example:</p> <ul style="list-style-type: none"> • Where your personal data is no longer necessary in relation to the purposes for which it was collected or otherwise used • If you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal data • If you object to the use of your personal data (as set out below) • If we have used your personal data unlawfully • If your personal data needs to be erased to comply with a legal obligation.

	Summary of your rights
Right to restrict the use of your personal data	<p>You have the right to suspend our use of your personal data in certain circumstances. For example:</p> <ul style="list-style-type: none"> • Where you think your personal data is inaccurate but only for so long as is required for us to verify the accuracy of your personal data • The use of your personal data is unlawful and you oppose the erasure of your personal data and request that it is suspended instead • We no longer need your personal data, but your personal data is required by you for the establishment, exercise or defence of legal claims • You have objected to the use of your personal data and we are verifying whether our grounds for the use of your personal data override your objection.
Right to data portability	<p>You have the right to obtain your personal data in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible.</p> <p>The right only applies:</p> <ul style="list-style-type: none"> • To personal data you provided to us; • Where we rely on the following legal bases: <ul style="list-style-type: none"> ○ consent; or ○ for the performance of a contract; and • When the use of your personal data is carried out by automated (i.e. electronic) means.
Right to object to the use of your personal information	<p>You have the right to object to the use of your personal data in certain circumstances and subject to certain exemptions. For example:</p> <ul style="list-style-type: none"> • Where you have grounds relating to your particular situation and we use your personal data for our legitimate interests (or those of a third party); or • If you object to the use of your personal data for direct marketing purposes.
Right to withdraw consent	<p>You have the right to withdraw your consent at any time where we rely on consent to use your personal data. However, if you do so it will not affect the lawfulness of what we have done before you withdraw consent.</p>

	Summary of your rights
Right to complain to the relevant data protection authority	<p>You are entitled to lodge a complaint at the Information Commissioner's Office (ICO) if you are unsatisfied with how your data has been processed.</p> <p>You can contact them on 0303 123 1113, go online to www.ico.org.uk/concerns. or write to them at:</p> <p>Information Commissioner's Office Wycliff House Water Lane Wilmslow Cheshire SK9 5AF</p>

Further information on your rights in respect to your personal information can be found here: <https://ico.org.uk/your-data-matters/>

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information or to exercise any of your other rights. This helps us to ensure that personal data is not disclosed to any person who has no right to receive it. No fee is required to make a request unless your request is clearly unfounded or excessive. Depending on the circumstances, we may be unable to comply with your request based on other lawful grounds.

Data security

We have put in place appropriate security measures to guard against your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. For further information about these measures, please contact us using the details in the Core Notice.

Complaints

If you have complaints or queries relating to our processing of your personal data, you should raise these with the People Team in the first instance or with our Data Protection Officer (by emailing communications@sedexglobal.com). You may also raise complaints with the Information Commissioner who is the statutory regulator. For contact and other details ask the People Team or see: <https://ico.org.uk/>

Status of this notice

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