


Privacy Notice				
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Purpose

The purpose of this privacy notice is to explain what personal data we collect about you during and after your engagement with the company and how we use it. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notices issued to you by the company needs when collecting or processing any of your personal information, to ensure you are aware of how and why we are using the data.

Scope

For the avoidance of any doubt, any reference to the ‘Company’ in this policy applies to Silver EMS.

This policy will apply to personal data that we collect about you during and after your engagement with Silver EMS.

The IT function, in conjunction with the HR Department, is responsible for the implementation, resourcing, training and administration of this policy.


Responsibilities

All directors, employees, ex-employees, contractors, agency workers, sub-contractors and visitors of the ‘Company’ are responsible for complying with this policy.

Data Protection Principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

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Personal Data we Collect


Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are also “special categories” of more sensitive personal data which require a higher level of protection.

Types of personal data we process

We collect and process your personal data because of your engagement with the company, whether that be employment, contract etc. Data is collected both during the recruitment process i.e., your pre-employment documentation & checks, including data from third parties including former employers (for reference purposes) and your period of engagement. The company only collects relevant data.

The categories of personal data we may collect, and process include, but are not limited to:

- your personal details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin
- information included on your CV including references, education history and employment history
- documentation relating to your right to work in the UK
- driving licence and driving history
- bank details
- tax codes
- National Insurance number
- current and previous job titles, job descriptions, pay grades, pension entitlement, healthcare entitlement, death in service entitlement (including named beneficiary details), vehicle entitlement/allowance, hours of work and other terms and conditions relating to your employment with us
- letters of concern, formal warnings, and other documentation with regard to any disciplinary proceedings
- internal performance information including measurements against targets, formal warnings, and related documentation with regard to capability procedures, appraisal forms
- leave records including annual leave, compassionate leave, sickness absence etc
- details of your criminal record
- training records and qualifications
- Images recorded using CCTV

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- Information about your use of our information systems and IT assets
- Information collected from vehicle telematics and dashcams, including location data.
- Information collected from field service management systems, including location data.

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- religion

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.


We will use your special category data:

- for the purposes of equal opportunities monitoring
- in our sickness absence management procedures
- to determine reasonable adjustments

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

Criminal Conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data in the following ways:

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- DBS Checks
- Contractual/Bid tendering obligations e.g., if the bid is for work at HM prisons
- Driving convictions for insurance renewals and DVLA compliance
- In line with FSA regulations

How we collect your data

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our recruiting officers during a recruitment interview. Further information will be collected directly from you when complete your pre-employment documentation. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies or former employers when gathering references.

Personal data is kept in personnel files or within the Company’s HR and IT systems (i.e., Breathe HR).

How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

Where it is necessary for the purposes of the contract entered into (between you and the company)

Where we need to comply with a legal obligation.

Where it is in our legitimate interests (or those of a third party) to do so i.e., for tender submissions.

To protect your interests

When something is done in the public interest


All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

We may also use your data in the following, infrequent, circumstances:

- a) With your consent.

Where we need to protect your interests (or someone else’s interests).

Where it is required in the public interest.

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Necessary for contract or legal obligations


We primarily use your personal data to manage, administer and maintain our working relationship with you in line with our contract of employment or to meet our legal obligations. This includes,

- making decisions about who to offer initial employment to, and subsequent internal appointments, promotions, ending our working relationship etc.
- making decisions about salary and other benefits
- ensuring health & safety in the workplace and reporting health & safety incidents
- providing contractual benefits to you
- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved
- effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises (i.e., capability, disciplinary etc.)
- offering a method of recourse for you against decisions made about you via a grievance procedure
- assessing training and development needs
- implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments
- gaining expert medical opinion when making decisions about your fitness for work
- managing statutory leave and pay systems such as maternity leave and pay etc
- business planning and restructuring exercises
- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access

Our legitimate interests

We use your personal data where it is in our legitimate interests to do so. This includes for purposes of business management and planning, including accounting and auditing; dealing with legal disputes involving you or other employees, workers, and contractors; and when sharing your details with our travel providers for making business travel arrangements on your behalf.

It is also in our legitimate interests to use monitoring technologies to protect our employees and workers; to safeguard our physical and information assets; to enforce our policies; to help protect against unauthorised access or data leakage and to manage field service utilisation and efficiency. The technologies we use include vehicle telematics and dashcams, field service management, CCTV, computer log analysis, data loss prevention, mobile device management, email archiving and other information security tools.

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Automated decision making

We will make some decisions about you based on automated decision making (where a decision is taken about you using an electronic system without human involvement). This is specifically related to any malicious IT activity on your account, whereby as a precautionary measure your access to our system(s) may be temporarily blocked.

Sharing your data

Third parties we might share your personal data with

We share your personal data with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. This includes other Silver EMS entities in our group for administration and management purposes. Also, our third-party services providers for reasons including payroll, pension administration, benefits provision and administration, and IT services.

Obligations on third parties we share with

All Silver EMS entities and third-party service providers with whom we share your personal data are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.


Transferring personal data outside the EU/EEA

It is unlikely that we'll ever share your personal data outside the European Union or European Economic Area. If, however, it becomes necessary for the purposes for which we have collected it, we will only share it with organisations in countries benefiting from a European Commission adequacy decision or on the basis of Standard Contractual Clauses approved by the European Commission which contractually oblige the recipient to process and protect your personal data to the standard expected within the EU/EEA.

How long we keep your data

We only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker, or contractor of the company we will retain and securely destroy your personal information.

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Data Subject Rights

Under certain circumstances, employees in the EU and Norway will have the following rights:

- **Right to be informed.** This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- **Request access** to your personal data (commonly known as a “subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where it is no longer necessary for us to retain it for the purposes for which it was collected or where there is no lawful reason for us continuing to process it.
- **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.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.
- **Regulate any automated decision-making** and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.


Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

How to exercise your rights

If you wish to exercise your rights, please email: Justin.Fletcher@silverems.com.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

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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 is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Lodging a complaint

You also have the right to lodge a complaint with the Information Commissioner’s Office. They can be contacted using the information provided at: <https://ico.org.uk/concerns/>

Nothing in this procedure is intended to prevent the employee from raising any concerns they have. Employees who raise concerns under this procedure will not be subject to any detrimental or less favourable treatment as a result of doing so.

Where the grievance is made with malicious intent, the employee will be subject to the Company’s disciplinary procedure.

Your duty to update us

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Who to contact

You can contact Silver EMS in relation to data protection and this privacy notice by writing to:

- Justin Fletcher – Managing Director, Floor 3, St Clare House, 30/33 Minories, London, EC3N 1DD
- Alternatively, you can email Justin.Fletcher@silverems.com

Changes to this privacy notice

Silver EMS reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.