

Data controller: **ABG Ltd., E7 Meltham Mills Road, Meltham, Holmfirth, HD9 4DS**

Data protection officer: **Alek Jovetic (Finance Director)**

ABG collects and processes personal data relating to its employees to manage the employment relationship. ABG is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

1. What information does ABG collect?

ABG collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Company;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- Information about your driving convictions;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- photos, videos and images of you;
- information about medical or health conditions, including whether or not you have a disability for which the company needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

ABG collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during your employment; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the company collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in the company's HR management systems and in other IT systems, including the company's email system and payroll system.

2. Why does ABG process personal data?

ABG needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension and insurance entitlements.

In some cases, the company needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, ABG has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the company to:

- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes including training, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the company complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR, business administration, promotional and marketing activities;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed to allow the company to operate check-off for union subscriptions.

Where the company processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

3. Who has access to data?

Your information will be shared internally, including with members of the HR team, payroll team, your line manager, managers in the business area in which you work, IT staff if access to the data is necessary for performance of their roles and Directors.

ABG may share your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary

criminal records checks from the Disclosure and Barring Service. ABG may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

ABG also shares your data with third parties that process data on its behalf in connection with, the provision of benefits, pensions and the provision of occupational health services when required.

ABG will not transfer your data to countries outside the European Economic Area.

4. How does ABG protect data?

ABG takes the security of your data seriously. The company has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. This includes the ABG Data Protection Policy, Sales and Marketing GDPR policy and the procedure for requesting personal data.

Where the company engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

5. For how long does ABG keep data?

ABG will hold your personal data for at least the duration of the recruitment period and your employment. The periods for which your data is held after the end of employment are dictated by the UK statutory retention periods where applicable. For many types of HR records and data there is no definitive retention period. In these cases, in line with the UK Limitation Act 1980, which contains a six year time limit for starting many legal proceedings, records and data will be kept for a corresponding six year period from the end of the financial year in which the effective date of termination falls. The relevant retention periods are:

Statutory retention periods:

- Accident books, accident records/reports: 3 years from the date of the last entry.
- Accounting records: 3 years.
- Income tax and NI returns, income tax records and correspondence with HMRC: not less than 3 years after the end of the financial year to which they relate.
- Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH): 40 years from the date of the last entry.
- National minimum wage records: 3 years after the end of the pay reference period following the one that the records cover.
- Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH): 5 years from the date on which the tests were carried out.
- Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity: 6 years from the end of the scheme year in which the event took place.
- Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence: 3 years after the end of the tax year in which the maternity period ends.
- Wage/salary records (also overtime, bonuses, expenses): 6 years.
- Working time records: 2 years from date on which they were made.

Non-statutory retention periods:

- Application forms and interview notes (for unsuccessful candidates): 12 months. Successful job applicants documents will be transferred to the personnel file in any event.
- Assessments under health and safety regulations and records of consultations with safety representatives and committees: permanently.
- Inland Revenue/HMRC approvals: permanently.
- Parental leave: 18 years from the birth of the child.
- Personnel files and training records (including disciplinary records and working time records): 6 years after the financial year in which employment ceases.
- Redundancy details, calculations of payments, refunds, notification to the Secretary of State: 6 years from the date of redundancy
- Statutory Sick Pay records, calculations, certificates, self-certificates: 6 years after the financial year in which employment ceases.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the company to change incorrect or incomplete data;
- require the company to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the company is relying on its legitimate interests as the legal ground for processing; and
- ask the company to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the company's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact hr@abgltd.com or info@abgltd.com

If you believe that ABG has not complied with your data protection rights, you can complain to the Information Commissioner.

6. What if you do not provide personal data?

You have some obligations under your employment contract to provide ABG with data. In particular, you are required to report absences from work and the reasons for absence, and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide ABG with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the company to enter a contract of employment with you. If you do not provide other information, this will hinder ABG's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

7. Automated decision making

Employment decisions are not based on automated decision-making.