

## **DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

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### **1. The firm's policy**

- 1.1 This notice applies to all job applicants, current and former employees, trainees, temporary and agency workers, contractors, interns, secondees, volunteers, Partners and any other individuals working or prospectively working for BCL.
- 1.2 This notice explains what personal data (information) we may hold about you, how we collect it, and how we use and may share information about you during your employment and after it ends. We are required to notify you of this information under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

### **2. Who collects the information**

- 2.1 BCL is a 'data controller' and gathers and uses certain information about you.

### **3. Data protection principles**

- 3.1 BCL will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection Policy.

### **4. About the information we collect and hold**

- 4.1 The table set out in the attached Schedule (Annex 1) summarises the information we collect and hold, how and why we do so, how we use it and with whom it may be shared.
- 4.2 We may also need to share some of the categories of personal information set out in the attached Schedule with other parties, such as external contractors and our professional advisers and potential purchasers of some or all of our business or on a restructuring. Usually, information will be anonymised but this may not always be possible. We will seek to ensure that the recipient of the information is bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.
- 4.3 We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

**5. Where information may be held**

- 5.1 Information may be held at our offices and third party agencies, service providers, external contractors and professional advisers as described above. Information may be transferred internationally to other countries around the world, including countries that do not have data protection laws equivalent to those in the UK, for the reasons described above. We have security measures in place to seek to ensure that there is appropriate security for information we hold including those measures detailed in our Data Protection Policy.

**6. How long we keep your information**

- 6.1 We keep your information during and after your employment for no longer than is necessary for the purposes for which the personal information is processed. Further details on this are available in our Data Protection Policy.

**7. Your rights to correct and access your information and to ask for it to be erased**

- 7.1 Please contact Isabel Shirt, HR Manager (contact details on our website at <http://www.bcl.com/our-people/isabel-shirt/> if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you or if you have any questions about this notice. You also have the right to ask us for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. We will provide you with further information about the right to be forgotten, if you ask for it. Your request may be redirected to our Data Protection Officer, Michael Drury, if appropriate.

**8. Keeping your personal information secure**

- 8.1 We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.
- 8.2 We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

**9. How to complain**

- 9.1 We hope that Isabel Shirt or Michael Drury can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at [ico.org.uk/concerns/](http://ico.org.uk/concerns/) or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

## DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

### ANNEXES

#### ANNEX 1 - THE SCHEDULE

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<b><sup>i</sup>Your name, contact details (i.e. address, home and mobile phone numbers, email address) and emergency contacts (i.e. name, relationship and home and mobile phone numbers).</b>	From you.	To enter into/perform the employment contract. Legitimate interest: to maintain employment records and good employment practice.	To enter into/perform the employment contract.
<b><sup>i</sup>Details of salary and benefits, bank/building society, National Insurance and tax information, your age.</b>	From you.	To perform the employment contract including payment of salary and benefits. Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice.	To ensure you receive the correct pay and benefits. Information shared with our payroll administrators (currently in-house), HM Revenue & Customs (HMRC) and auditors.

## DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

### ANNEXES

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<b>Details of your spouse/partner and any dependants.</b>	From you.	To perform the employment contract including employment-related benefits, e.g. private medical insurance, life assurance and pension.	To ensure you receive the correct pay and benefits.  Information shared with our payroll administrators (currently in-house), HM Revenue & Customs (HMRC) & our life assurance providers (Canada Life).
<b>Your nationality and immigration status and information from related documents, e.g. your passport or other identification and immigration information.</b>	From you and, where necessary, the Home Office.	To enter into/perform the employment contract.  To comply with our legal obligations.  Legitimate interest: to maintain employment records.	To carry out right to work checks.  Information may be shared with the Home Office.

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Details of your pension arrangements, and all information included in these and necessary to implement and administer them.</b></p>	<p>From you, from our pension administrators (Aviva) and (where necessary) from your own pension fund administrators.</p>	<p>To perform the employment contract including employment-related benefits.</p> <p>To comply with our legal obligations.</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice.</p>	<p>To administer your pension benefits and/or comply with our auto-enrolment pension obligations.</p> <p>Information shared with our pension administrators (Aviva) and with HMRC.</p>

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Information in your sickness and absence records (including sensitive personal information regarding your physical and/or mental health).</b></p>	<p>From you, from your doctors, from medical and occupational health professionals we engage and from our insurance benefit administrators (Jelf, Bupa, Denplan &amp; Healthshield).</p>	<p>To perform the employment contract including employment-related benefits.</p> <p>To comply with our legal obligations.</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices.</p>	<p>To maintain employment records, to administer sick pay entitlement, to follow our policies and to facilitate employment-related health and sickness benefits.</p> <p>To comply with our legal obligations to you as your employer.</p> <p>Information shared with your doctors, with medical and occupational health professionals we engage and with our insurance benefit administrators (Jelf, Bupa, Denplan &amp; Healthshield).</p> <p>For further information, see <sup>i</sup> below.</p>

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.</b></p>	<p>From you.</p>	<p>To comply with our legal obligations and for reasons of substantial public interest (equality of opportunity or treatment).</p>	<p>To comply with our equal opportunities monitoring obligations and to follow our policies. For further information, see <sup>ii</sup> below.</p>
<p><b>Criminal records information, including the results of Disclosure and Barring Service (DBS) checks.</b></p>	<p>From you and the DBS.</p>	<p>To perform the employment contract. To comply with our legal obligations. For reasons of substantial public interest (preventing or detecting unlawful acts, preventing terrorist financing or money laundering and protecting the public against dishonesty).</p>	<p>To carry out statutory checks. Information shared with DBS and other regulatory authorities as required. For further information, see <sup>ii</sup> below.</p>



**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<b>Information on grievances raised by or involving you.</b>	From you, from other employees and from consultants we may engage in relation to the grievance procedure.	To perform the employment contract. To comply with our legal obligations.  Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice.	For staff administration, to follow our policies and to deal with grievance matters.  Information shared with relevant managers, HR personnel and with consultants <sup>iii</sup> we may engage.
<b>Information on conduct issues involving you.</b>	From you, from other employees and from consultants we may engage in relation to the conduct procedure.	To comply with our legal obligations.  Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices.	For staff administration and assessments, to follow our policies, to monitor staff performance and conduct and to deal with disciplinary and grievance matters.  Information shared with relevant managers, HR personnel and with consultants <sup>iii</sup> we may engage.

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Details of your appraisals and performance reviews.</b></p>	<p>From you, from other employees and from consultants we may engage in relation to the appraisal/performance review process.</p>	<p>To comply with our legal obligations. Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices.</p>	<p>For staff administration and assessments, to follow our policies, to monitor staff performance and conduct and to deal with disciplinary and grievance matters. Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p>
<p><b>Details of your performance and of any management/improvement plans.</b></p>	<p>From you, from other employees and from consultants we may engage in relation to HR or performance issues.</p>	<p>To comply with our legal obligations. Legitimate interests: to maintain employment and contractor records and to comply with legal, regulatory and corporate governance obligations and good employment and contractor management practice, to ensure safe working practices.</p>	<p>For staff and contractor administration and assessments, to follow our policies and to monitor staff and contractor performance. Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p>

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Details of your time, attendance and activity records.</b></p>	<p>From you and from our time recording systems, application logs and door entry systems.</p>	<p>To perform contracts with employees and contractors; to perform contracts with clients; to comply with our regulatory duties towards clients and others.</p> <p>Legitimate interests: to monitor and manage staff and contractor access to our systems and facilities and to record staff and contractor absences and activities; to record and monitor time spent on client work; to invoice clients and to report to clients on activities carried out on their behalf.</p>	<p>For payroll and staff administration and assessments, to follow our policies and to monitor staff performance and attendance.</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage and with our payroll administrators (currently in-house).</p>

## DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

### ANNEXES

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Information in applications you make for other positions within our organisation.</b></p>	<p>From you.</p>	<p>To enter into/perform contracts with employees and contractors.</p> <p>To comply with our legal obligations.</p> <p>Legitimate interests: to maintain employment and contractor records and to comply with legal, regulatory and corporate governance obligations and good employment and contractor management practice.</p>	<p>To process the application.</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p>
<p><b>Information about your use of our IT, communication and other systems.</b></p>	<p>Automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, remote access systems,</p>	<p>Legitimate interests:</p> <p>to monitor and manage staff access to our systems and facilities;</p> <p>to protect our networks and personal data of employees, contractors and customers/clients and/or contacts, against unauthorised access or data leakage;</p>	<p>To protect and carry out our legitimate interests (see adjacent column).</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p> <p>For further information see<sup>iv</sup> below.</p>

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

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	<p>email and instant messaging systems, intranet and Internet facilities, telephones, voicemail, mobile phone records and any other relevant systems used by the firm including data loss prevention tools, firewalls, unified threat management systems, transport layer security, eDiscovery technology or mobile device management systems.</p>	<p>to ensure our business policies, such as those concerning security and internet use, are adhered to; for operational reasons, such as maintaining employment and contractor records, recording transactions, training and quality control; to ensure that commercially sensitive information is kept confidential; to check that restrictions on your activities that apply during your employment or after your employment has ended (post-termination restrictions or restrictive covenants) are being complied with; for investigating complaints and allegations of misconduct and/or criminal offences for statistical analysis; to prevent unauthorised access and modifications to our systems; as part of investigations by regulatory bodies, or in connection with legal proceedings or requests.</p>	

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
<p><b>Details of your business-related use of social media.</b></p>	<p>From relevant websites and applications.</p>	<p>Legitimate interests:</p> <p>to monitor and manage staff access to our systems and facilities; to protect our networks, and personal data of employees, contractors and customers/clients and/or contacts, against unauthorised access or data leakage; to ensure our business policies, such as those concerning security and internet use, are adhered to; for operational reasons, such as maintaining employment and contractor records, recording transactions, training and quality control</p> <p>to ensure that commercially sensitive information is kept confidential; to check that restrictions on your activities that apply during your employment or after your employment has ended (post-termination restrictions or restrictive covenants) are being complied with; for investigating</p>	<p>To protect and carry out our legitimate interests (see adjacent column).</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p> <p>For further information see <sup>iv</sup> below.</p>

**DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)**

**ANNEXES**

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
		<p>complaints and allegations of misconduct and/or criminal offences</p> <p>as part of investigations by regulatory bodies, or in connection with legal proceedings or requests.</p>	
<p><b>Your personal use of social media (only in very limited circumstances, to check specific risks for specific functions within our organisation; you will be notified separately if this is to occur).</b></p>	<p>From relevant websites and applications.</p>	<p>Legitimate interests:</p> <p>to monitor and manage staff access to our systems and facilities; to protect our networks, and personal data of employees and customers/clients/contacts against unauthorised access or data leakage; to ensure our business policies, such as those concerning security and internet use, are adhered to; for operational reasons, such as maintaining employment and contractor records, recording transactions, training and quality control; to ensure that commercially sensitive information is kept confidential; to check that restrictions on your activities that apply during</p>	<p>To protect and carry out our legitimate interests (see adjacent column).</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage.</p> <p>For further information see <sup>iv</sup> below.</p>

## DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

### ANNEXES

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
		<p>your employment or after your employment has ended (post-termination restrictions or restrictive covenants) are being complied with; for investigating complaints and allegations of misconduct and/or criminal offences; as part of investigations by regulatory bodies, or in connection with legal proceedings or requests.</p>	
<p><b>Details in references about you that we give to others.</b></p>	<p>From your personnel records, our other employees.</p>	<p>To perform contracts with employees and contractors.</p> <p>To comply with our legal obligations.</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment and contractor management practice.</p>	<p>To provide you with the relevant reference.</p> <p>To comply with legal/regulatory obligations.</p> <p>Information shared with relevant managers, HR personnel and with consultants<sup>iii</sup> we may engage and the recipient(s) of the reference.</p>



## DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

Page 17 of 17

### ANNEXES

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<sup>i</sup> You are required (by law or under the terms of your contract of employment, or in order to enter into your contract of employment) to provide the categories of information marked <sup>i</sup> above to us to enable us to verify your right to work and suitability for the position, to pay you, to provide you with your contractual benefits, such as contractual sick pay and to administer statutory payments such as statutory sick pay (SSP). If you do not provide this information, we may not be able to employ you, to make these payments or provide these benefits.

<sup>ii</sup> Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our Data Protection Policy.

<sup>iii</sup> Consultants we engage may include internal or external consultants, auditors, advisors or solicitors.

<sup>iv</sup> Further information on the monitoring we undertake in the workplace and how we do this is available in our Data Protection Policy.