

Employee Privacy Notice

1 Introduction

Two legal entities will be processing your personal data: Trowers & Hamlins Services and Trowers & Hamlins LLP. However, for the purpose of this policy, reference will be made to the 'firm' and 'we'. This policy applies to all support staff, fee earners, trainees and for the purpose of this policy, partners.

The firm collects and processes personal data relating to our employees to manage the employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

2 What information does the firm collect?

2.1 We collect and process a range of information about you. This includes:

- 2.1.1 your name, address and contact details, including email address and telephone number, date of birth and gender;
- 2.1.2 the terms and conditions of your employment;
- 2.1.3 details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the firm;
- 2.1.4 information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- 2.1.5 details of your bank account and national insurance number;
- 2.1.6 information about your marital status, next of kin, dependants and emergency contacts;
- 2.1.7 information about your nationality and entitlement to work in the UK;
- 2.1.8 information about your criminal record (in accordance with the Rehabilitation of Offenders Act 1974);
- 2.1.9 details of your working hours and attendance at work;
- 2.1.10 details of your learning and development record;
- 2.1.11 details of periods of leave taken by you, including holiday, sickness absence, unpaid leave and sabbaticals, and the reasons for the leave;
- 2.1.12 details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- 2.1.13 assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;

- 2.1.14 information about medical or health conditions, including whether or not you have a disability for which the firm needs to make reasonable adjustments; and
- 2.1.15 equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- 2.2 The firm may collect this information in a variety of ways. For example, data might be 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 employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.
- 2.3 In some cases, the firm may collect 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. The firm may also seek information from third parties such as GPs but with your consent only.
- 2.4 Data will be stored in a range of different places, including in the firm's Accident Book; your personnel file (where this pre-dates the HR management system); in our HR management systems (which are held on a separate server) and in other IT systems (including the firm's email system).

3 **Why does the firm process personal data?**

- 3.1 The firm 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 benefit, pension and insurance entitlements.
- 3.2 In some cases, the firm needs to process data to ensure that it is complying with its legal obligations. For example, it is a legal requirement that we 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.
- 3.3 In other cases, the firm has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the firm to:
 - 3.3.1 run recruitment and promotion processes;
 - 3.3.2 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;
 - 3.3.3 operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
 - 3.3.4 operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;

- 3.3.5 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;
 - 3.3.6 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;
 - 3.3.7 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 firm 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;
 - 3.3.8 ensure effective general HR and business administration;
 - 3.3.9 provide references on request for current or former employees;
 - 3.3.10 respond to and defend against legal claims;
 - 3.3.11 maintain and promote equality in the workplace; and
 - 3.3.12 maintain details of employee learning and development records.
- 3.4 Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities). Where we handle your special category data, we endeavour to do so with your consent.
- 3.5 Where the firm 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, which is a regulatory requirement. The information collected and analysed for regulatory reporting is done so on an anonymous basis.
- 4 Who has access to data?**
- 4.1 Your information may be shared internally, including with members of the HR team (including payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles. For example, where there is a concern about internet usage, data is accessed with the appropriate controls procedure in place.
- 4.2 The firm shares 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.
- 4.3 The firm also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services (see Appendix 1).

4.4 We are an international law firm and our offices work collaboratively with each other. We may need to process your information outside the location where it was given to us. This may involve the transfer of your information outside the European Economic Area (the EEA) to outside the EEA, or vice versa, for example if you transfer offices. The level of data privacy protection in countries outside the EEA may be less than offered within the EEA. We have robust data transfer agreements between our offices and where third parties process data outside the EEA, such as VinciWorks, an online training provider, we take all reasonable steps to ensure that personal data is protected and secure.

5 **How does the firm protect data?**

5.1 The firm takes the security of your data seriously. The firm 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. The majority of your personal data, including special category data, is stored separately on the HR system.

5.2 Where the firm 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 firm wide measures to ensure the security of data.

6 **For how long does the firm keep data?**

6.1 The firm will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in Appendix 2. Data will be destroyed in either quarterly, six monthly or annual batches.

7 **Your rights**

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

7.1.1 access and obtain a copy of your data on request;

7.1.2 require the firm to change incorrect or incomplete data;

7.1.3 ask the firm to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and

7.1.4 object to the processing of your data where the firm is relying on its legitimate interests as the legal ground for processing.

7.2 If you would like to exercise any of these rights, please contact Paul Robinson, Director of Human Resources or where the issue requires escalation, Lucy James as the firm's Data Privacy Partner.

7.3 If you believe that the firm has not complied with your data protection rights, you can formally make a complaint to the Information Commissioner (<https://ico.org.uk/>).

8 **What if you do not provide personal data?**

8.1 You have some obligations under your employment contract to provide the firm with data. In particular, you are required to report absences from work 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 the firm 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.

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

Appendix 1 - Third party details

ADP (payroll provider)

Health Management (occupational health provider)

Cascade (online HR system)

Vero Screening (pre-employment background screening checks)

Harbour (Applicant Tracking System)

Nuffield Health (pre-employment health checks)

The Holst Group - The McQuaig Institute (interview assessments)

Kenexa IBM (interview assessments)

VinciWorks (online training and CPD records)

Survey Monkey (online surveys and feedback)

McQuaig (psychometric testing)

Vitality (private medical insurance)

Cigna (private medical insurance)

Zurich (private health insurance)

Aviva life assurance

Punter Southall

Thomsons Online Benefits

Aviva pensions

Ellipse

KPMG

Kiddi vouchers (childcare voucher providers)

Cyclescheme (cycle to work scheme)

Nuffield

Charities Trust

Simply Health

Apply4Law (graduate applicant tracking system)

Aspiring Solicitors (diversity organisation)

Appendix 2 - Data retention periods

| Data type | What is it? | Retention period |
|---|--|--|
| VinciWorks | Database of online courses and CPD records for each employee | 6 years from date employment ceases. |
| Survey Monkey/hard copy feedback forms | Internal employee surveys and training course feedback. | 6 years from date employment ceases. |
| Recruitment data (speculative and unsuccessful job applicants) | CVs, interview notes, McQuaig psychometric data | 12 months from date of application |
| Personnel files (hard copies and Cascade) | Employment dates; salary; job titles; absence records; performance management records. | 6 years from date employment ceases. |
| Cascade CPD records | Record of individual training achievements. | 6 years from date employment ceases. |
| Trowers & Hamlins Pension and Life Assurance Scheme | Final salary pension scheme | Until after the individual's membership of the Scheme ends and for such longer period as is necessary to ensure the Scheme pays the correct benefits and deal with any queries relating to benefits which may arise after that time. |
| Statutory Sick Pay records, calculations, certificates, self-certificates | Employees sickness and sick pay records. | 6 years from date employment ceases. |
| Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence | Employee records regarding maternity leave and pay. | 3 years after the end of the tax year in which the maternity period ends |
| Retirement scheme | Group Personal Pension Plan | 6 years from date employment ceases. |
| Insurance schemes | Life, Income Protection and private medical insurance | 6 years from date employment ceases. |
| Parental leave | Records of employee parental leave. | 18 years from the birth of the child. |
| Aspiring Solicitors | Third party diversity organisation | 3 years from the end of Aspiring Solicitors' engagement (or as otherwise required to comply with law). Details available at: https://www.aspiringsolicitors.co.uk/privacy-policy/#information_security_and_storage |