

Kier is committed to maintaining the privacy of our employees and other users of our systems. We comply with data protection laws that are applicable in respect of data processing within the UK. Kier is the controller for this information (it determines the purposes and the manner in which personal data is processed).

This privacy notice sets out how we collect, use and protect your personal information and also informs you of your rights in relation to your information. This notice should provide you with all the information you need regarding your data, but in case of any questions, please do get in contact with us.

## What type of data do we collect

So that we can effectively maintain and administer your employment with us, manage our business and meet our obligations to you under your employment contract, it is necessary for us to collect and process personal data about you. The categories of personal data that we may collect include:

- personal details (for example, your name, date of birth)
- your bank details and national insurance number
- your entitlement to work in the UK
- your contact details (for example, your address, phone number and e-mail address)
- your competence to carry out roles (for example, your skills and experience)
- our views about you (for example, your performance)
- performance details
- your job title, job role and remuneration
- details relating to your working patterns
- medical information about you
- information about your internet usage through the Kier network
- your location (for example, your IP address)
- details about your driving behaviour
- information relating to access to Kier facilities (for example, login details or details of site entry)
- your trade union membership
- security clearance and vetting details
- details relating to your absence (for example, holiday leave)
- details of any disciplinary or grievance procedures in which you may have been involved
- details of others you have named, such as your emergency contacts
- information about any whistleblowing concerning you
- audio and visual images / photographs (including footage from CCTV and call recordings)
- criminal records information (for certain roles/circumstances only)
- equal opportunities monitoring information (such as your ethnicity and religious beliefs)
- employment references about you

In those cases where the information we hold about you was not provided directly by you, that information will usually come from one or more of the following sources:

- Previous employers
- Recruitment companies
- Medical professionals
- Health providers and administrators
- Legal or government bodies/agencies (e.g. HMRC)
- Pension administrators
- Your trade union
- Providers of employee benefits
- Educational/training institutions

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- Organisations involved in road and transport administration
- Insurance companies and companies involved in insurance administration
- Publicly available sources
- Disclosure and Barring Service
- Joint venture partners working with Kier or other companies that Kier has a relationship with
- Work colleagues, former employees and members of public

### Will personal data be processed about my family and/or other dependents?

Where you have provided to Kier personal data about your family and/or other dependents, we ask that you obtain their consent to the use (including transfer to third parties as explained below) of that personal data and, for any individuals not legally competent to give consent, you consent on their behalf (and confirm you have the authority to do so).

### How will we use your data?

Your personal data will be processed to administer and facilitate your employment with us. It will be stored, processed and used by us to:

- operate our recruitment processes
- provide you with an employment contract
- administer HR-related processes including those relating to performance management, business planning and restructuring, conduct and promotion
- ensure you are legally entitled to work in the UK
- administer payroll and pension related processes, including those relating to your pay and deductions
- enable you to enrol in schemes that Kier or its business partners may run (for example, Sharesave or The Kier Foundation)
- provide employee benefits
- operate and keep a record of disciplinary, complaint and grievance issues and to monitor conduct
- ensure you are competent and qualified to perform your role
- assess your fitness to work
- identify and help to manage potential risks to your health or wellbeing that may arise from your employment at Kier and to consider any reasonable adjustments for you to undertake your role
- help ensure safety and security at our sites
- send your data to third parties where appropriate (see details below)
- communicate with you for purposes necessary for your employment at Kier
- monitor use of Kier facilities including IT
- provide you with access to training and development services
- review and monitor the structure and organisation of our business and to make adjustments as appropriate
- measure your performance (for example, performance appraisals)
- contact your emergency contacts when necessary
- maintain and promote equality and diversity in our business
- better understand your employee needs and to improve and manage our business

### Automated decision making

We do not undertake any processing of your personal data by automated means in order to make decisions about you.

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## Do we pass data to third parties?

We (or an agent working on our behalf) may pass your personal data to third parties for the purpose of establishing and maintaining your employment with us or to assist us in using your data in one of the ways set out above. The third parties that we may disclose your personal data to are usually either companies that provide services to us to enhance our employment offering to you, where we need to provide information to operate our business efficiently, effectively and safely, or those whom we are required to provide your details to either by law or other obligation. These third parties may include, where applicable:

- organisations that are involved in the administering of your driving on Kier business or for Kier, such as the Driver and Vehicle Licensing Agency (DVLA)
- companies that perform employee background, reference and security vetting checks for us
- health professionals
- providers of our benefits package, such as our life assurance or rewards provider
- the Kier pension provider
- the Kier share plan provider
- our medical insurance provider
- insurance brokers, insurance providers, loss adjusters and legal representatives
- our joint venture partners or other companies where you may reasonably be required to work as part of your role
- our business partners, including companies that provide a service to us
- companies involved in the provision of our IT
- learning and training companies
- our partners for compensation solutions
- government agencies for apprenticeship schemes
- external consultants whom we engage to provide services to us
- internal and external auditors
- other organisations where we are required by law or where we are contractually required to pass your information (such as HMRC)
- companies whom you have requested that we provide references to
- if a Kier Group company or any part of Kier is acquired or transferred to another company, then we may be required to share some personal data to the third party involved in the acquisition or transfer and/or organisations associated with them (such as their Occupational Health provider)
- government bodies, regulators, fraud agencies, law enforcement agencies, courts/tribunals and insurers

Where we share your information, this will be strictly on a 'need to know' basis.

## How is my data safeguarded?

Kier takes the security of your data seriously. We have internal policies and controls in place to help ensure that your data is not mishandled or compromised. Access to the data is only provided to our staff who need access in the proper performance of their duties.

We have in place appropriate security measures to protect the security of your personal information and keep it confidential. We review these measures regularly to make sure they remain appropriate. We cannot guarantee the security of any third-party application you may use to transmit your data (for example, internet browsers).

We may transfer and process your data outside of the UK. Where your personal information is to be transferred outside the UK we will take reasonable steps to ensure that there are appropriate safeguards to protect your information and your rights in relation to it.

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

## How long will we hold personal data?

We will keep your personal information for at least as long as we have a relationship with you or anyone whose personal information you have provided. When deciding how long to keep your personal information after our relationship with you has ended, we will keep your information for a period of time taking into account our legal, professional and regulatory obligations as well as any investigations that may arise. Each piece of personal data is held for a certain period of time depending on the purpose that it was collected for. Your personal data will not be retained for longer than necessary. For more information on data retention, please refer to our Document Retention policy.

## On what grounds will you process my personal data?

Data protection laws require us to meeting certain conditions before we can process your personal data. To use your personal information, we will rely on one or more of the following grounds:

- to meet our contractual obligations to you (such as paying your salary into your bank account)
- to meet our legal obligations (such as compliance with employment law or health and safety law)
- to meet our legitimate interests to effectively manage our business and/or maintain your employment with us. When relying on this condition, we ensure that we have a legitimate interest in processing your information, we check that the processing is necessary and we have regard for your interests
- if you, or we, bring a legal claim (e.g. court action) against the other, we may use your information to either establish our position, or defend ourselves in relation to that legal claim
- to assess your working capacity and, in some cases, for the provision of health treatment
- to comply with obligations relating to employment, social security or social protection (e.g. processing relating to pensions administration)
- to promote and maintain equality of opportunity or treatment at Kier
- processing where you have made your personal data available in the public domain
- processing for the prevention of an unlawful act or to prevent fraud
- where the processing is required for an insurance purpose
- where the processing is necessary for the purpose of determining the eligibility for, or benefits payable under the Kier occupational pension scheme
- where we have your consent to process your personal data. Where this is the case, this will have been communicated to you at the point of collection.

## Your information

The personal data about you that we hold is available to you to view and amend. We encourage you to update any information about you on our self-service portal if it is out of date or let us know of any changes. You have rights regarding your personal information, including the right to access and correct your information and, in certain limited circumstances, restrict or object to our use of it, request erasure of your details or to port your personal data to another provider. We may need extra information from you to deal with any request. If you would like to discuss or exercise these rights, please contact [askHR@kier.co.uk](mailto:askHR@kier.co.uk).

In the event that you have cause for complaint please contact us in the first instance and we will follow up with you to resolve this. If you believe that we have not resolved your data privacy related complaint, you have the option to direct your complaint to the Information Commissioner's Office (ICO). Their contact information is available on their website at [www.ico.org.uk](http://www.ico.org.uk).

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### What if you do not want us to process your personal data?

Kier needs to process your data to effectively maintain your employment with us. We each have obligations to the other under your employment contract. We also have to comply with certain legal requirements placed on us. If you decide that you do not want us to process your data, then that will hinder Kier's ability to administer the rights and obligations arising as a result of the employment relationship efficiently, and will impact our maintenance of your employment with us. In some cases, this may mean that we will not be able to continue to employ you.

### What are 'cookies' and why do we use them?

Cookies are ways of saving a small amount of information. They are automatically downloaded to your device when you visit a website. Our site uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our [Cookie policy](#).

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#### **Kier Group's Data Protection Officer**

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