

Effective Date: 16 January 2023

Employee, Worker and Contractor Data Protection Notice

What is the purpose of this document?

Pigment is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the EU/UK General Data Protection Regulation ("GDPR"). It applies to all employees, workers and contractors.

Pigment is "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice applies to current and former employees, workers and contractors. 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, and if we do so, we will update the relevant internal notion page or other internal webpages, which you can visit at any time.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using that information and what your rights are under the data protection legislation.

Data protection principles

We will comply with data protection law, which says that the personal information we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about; and
- kept securely.

How is your personal information collected?

We collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We may also collect personal information from the trustees or managers of pension arrangements operated by us or any group company.

We will collect additional personal information during job-related activities throughout the period of you working for us.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the person's identity has been removed (anonymous data).

We will collect, store and use the following categories of personal information about you (without limitation):

- personal contact details such as name, title, addresses, telephone numbers and personal email addresses;
- date of birth;
- gender;
- marital status and dependants;
- next of kin and emergency contact information;
- national Insurance number;
- bank account details, payroll records and tax status information;
- salary, annual leave, pension and benefits information;
- start date and, if different, the date of your continuous employment;
- leaving date and your reason for leaving;
- location of employment or workplace;
- copy of driving licence;
- recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process);
- employment records (including job titles, work history, working hours, holidays, training records and professional memberships);
- compensation history;
- performance information;
- disciplinary and grievance information;
- CCTV footage and other information obtained through electronic means such as swipe card records;
- information about your use of our information and communications systems;
- photographs; and
- results of any government employment status check, details of your interest in and connection with the intermediary through which your services are supplied.

We may also collect, store and use the following more sensitive types of personal information:

- information about your race or ethnicity, religious beliefs, and sexual orientation;
- trade union membership;
- information about disability, your health, including any medical condition and sickness records, including: where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
- details of any absences (other than holidays) from work including time on statutory parental leave and sick leave;
- any health information in relation to a claim made under the permanent health insurance scheme;
- where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and health insurance purposes; and
- information about criminal convictions and offences.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests, provided your interests and fundamental rights do not override those interests.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive information

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation, or trade union membership, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- in limited circumstances, with your explicit written consent;
- where we need to carry out our legal obligations or exercise rights in connection with employment.
- where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme; and
- where it is necessary to protect you or another person from harm.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Situations in which we will use your sensitive personal information

In general, we will not process particularly sensitive personal information about you unless it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so. The situations in which we will process your particularly sensitive personal information are listed below. We have indicated the purpose or purposes for which we are processing or will process your more sensitive personal information:

- we will use information about your physical or mental health, or disability status, to: (i) ensure your health and safety in the workplace; (ii) assess your fitness to work; (iii) provide appropriate workplace adjustments; (iv) monitor and manage sickness absence; and (v) administer benefits including statutory maternity pay, statutory sick pay, and pensions and health insurance;
- we need to process this information to exercise rights and perform obligations in connection with your employment;
- if you leave employment and under any share plan operated by us or any group company the reason for leaving is determined to be ill health, injury or disability, we will use information about your physical or mental health, or disability status, in reaching a decision about your entitlements under the share plan;

- If you apply for an ill-health pension under a pension arrangement operated by us or any group company, we will use information about your physical or mental health in reaching a decision about your entitlement;
- if we reasonably believe that you or another person are at risk of harm and the processing is necessary to protect you or them from physical, mental or emotional harm or to protect physical, mental or emotional well-being;
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation to ensure meaningful equal opportunity monitoring and reporting; and
- if applicable, we will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

We do not need your consent where the purpose of the processing is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the UK or EEA. If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We will share your personal information 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.

Which third-party service providers process my personal information?

Third parties includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, and IT services.

We will share personal data relating to your participation in any share plans operated by us or any group company with third party administrators, nominees, registrars and trustees for the purposes of administering the share plans.

We will share personal data regarding your participation in any pension arrangement operated by us or any group company with the trustees or scheme managers of the arrangement in connection with the administration of the arrangements.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information 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.

When might you share my personal information with other entities in the group?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data. We will share personal data relating to your participation in any share plans and pension arrangements operated by us or any group company with other entities in the group for the purposes of administering the share plans and pension schemes.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to tax authorities, disclosures to stock exchange regulators (including a Regulatory News Service) and disclosures to shareholders such as directors' remuneration reporting requirements.

Transferring information outside the EEA and UK

We may transfer the personal information we collect about you to countries outside of the EEA and UK in order to perform our contract with you or our legitimate interests. Some of these countries may not have adequacy regulations with the EEA or UK. This means that such countries to which we transfer your data may not be deemed to provide an adequate level of protection for your personal information.

However, to ensure that your personal information does receive an adequate level of protection, we have put in place the following appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects UK and EU law on data protection: European Commission Standard Contractual Clauses and the UK Transfer Addendum and other contractual protections.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Additionally, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Additionally, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy.

In some circumstances, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use that 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 in accordance with our Data Retention Policy.

Rights of access, correction, erasure and restriction

Your duty to inform us of changes

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

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information 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 information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact legal@gopigment.com.

No fee usually required

You will not have to pay a fee to access your personal information (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 these circumstances.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will make this notice available on notion or any other internal pages 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.