

# Drax Employee Privacy Notice



**drax**

# Employee Privacy Notice

## WHAT'S THE PURPOSE OF THIS DOCUMENT?

This privacy notice is intended to provide information regarding how any personal information we collect from you or from third parties about you before during and after your working relationship with us will be processed within the Drax group of companies. It relates to personal data/information (defined under data protection laws) about you that we refer to as personal information in this notice.

Canadian, Japanese and UK laws require that we provide this notice to you when your personal information is processed by a Drax group company operating in Canada, Japan or the UK. For our US colleagues, the majority of this notice applies only when your personal information is processed outside the US, however, US state laws are evolving so we will update this notice accordingly.

## WHO COLLECTS THE INFORMATION?

Companies operating under Drax Group plc are the joint data controllers of personal information provided by you or collected about you. This means that we are responsible for deciding how we hold and use personal information about you and that we are required to notify you of the information contained in this notice. It is important that you read this notice so that you are aware of how and why we are using your personal information and how we will treat it. Depending on the circumstances, we may on occasion provide you with a shorter privacy notice to cover specific types of processing that will be supplemented by this 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, so you are advised to review this notice at regular intervals.

We respect your privacy and are committed to protecting your personal information. Our Group Data Protection Officer is responsible for overseeing questions in relation to this notice. If you have any questions about this notice, please use the contact details set out at the end of this notice in the "Contacting Us" section.

## DATA PROTECTION PRINCIPLES

We will comply with data protection laws in Canada, Japan and the UK ensuring the personal information we hold about you is:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## HOW WE'LL USE INFORMATION ABOUT YOU

The situations in which we will process your personal information are listed below. We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of personal information are involved.

We need all the categories of information in the list below (see The kind of information we hold about you) primarily to allow us to perform our employment 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 of our own or those of third parties (UK only)\*\*\*, provided your interests and fundamental rights do not override those interests. On some rare occasions, we may need your consent to process your personal information\*\*\*\*.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your vital interests (or someone else's interests), for example, if you are involved in a serious accident and we need to provide health information to the accident responders;
- Where it is needed in the public interest or for official purposes.

## THE KIND OF INFORMATION WE HOLD ABOUT YOU

### Onboarding Process

When you join us as an employee, we will collect the following personal information from you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth, gender, marital status and emergency contact information that includes contact details of your next of kin;
- National Insurance number, Social Security Number, Social Insurance Number, bank account details, tax status information, salary, annual leave, pension and benefits entitlements;
- Start date, location of employment, job title, 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);
- A copy of your driving licence, insurance documentation and where relevant a vehicle safety certificate, if this is relevant to your role to confirm you can legally drive;
- Documents detailing name, address and date of birth to enable us to verify your identity;
- Background check information, including personal references, employment references, whether you have worked on Smart Systems as part of your employment

(where applicable), confirmation of your identity and confirmation of professional/technical qualifications, if this is relevant to your role.

- Drug test results, if relevant to your role.

We will use this information to:

- Make a decision about your recruitment or appointment (which may involve carrying out background checks - including criminal records and adverse financial management checks)\* and if you are successful, to complete our onboarding process to enable you to join us as an employee\*;
- To ensure the safety of yourself and others at our plants\*.
- To determine the terms on which you will work for us\*;
- To check you are entitled to work within the country you are to be employed in where we are required to by law\*\*; and
- To fulfil our obligations to regulators, if relevant to your role\*\*.

We may also contact you via your personal/emergency number in the event you have not reported to work or notified us of your absence. If we are unable to speak with you via your personal number, your manager, or a member of HR, may attempt to contact your Emergency contact (or next of kin), especially in cases where we have a genuine concern for your wellbeing. We will make every effort not to disclose any information regarding your absence, and purely ask that they also try to make contact with you.

You need to provide this information because without it we would be unable to complete our recruitment and on-boarding process in order for you to join us as an employee or (where applicable) comply with our legal obligations.

We will also use this information to manage our employment relationship with you going forward\*/\*\*.

#### **During your employment**

During your employment with us, we will also collect the following information about you:

- Compensation and performance history, disciplinary and grievance information, if any issues arise;
- Qualifications gained, and training and development achieved during your employment with us;
- CCTV footage and other information obtained through electronic means such as swipecard records;
- Attachment of earnings information issued by the court;
- Information about your use of our information and communications systems;
- The journeys travelled by our company vehicles driven by you;
- Photographs for work related matters such as security passes or use within internal publications such as in our rewards and recognition process or articles about your role.

During your employment we will use the information listed above to manage our employment relationship with you, including:

- To pay you\* and, if you are an employee, deducting tax and other state contributions\*\*;
- Providing you with benefits and liaising with, for example, your pension provider or ShareSave Plan provider\*\*\*;

- For business management and planning, including accounting and auditing\*/\*\*;
- To ensure you are adhering to safe working practices\*\*;
- To ensure you retain the right level of security clearance for access to Smart Systems (where applicable)\*/\*\*;
- To administer our employment contract with you, including determining education, training and development requirements, conducting performance reviews, managing performance and determining performance requirements, talent management and succession planning, assessing qualifications for a particular job or task, including decisions about promotions, making decisions about salary reviews and compensation\*/\*\*;
- To gather evidence for possible grievance or disciplinary hearings and deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work, if they arise\*/\*\*;
- To make decisions about your continued employment or engagement and making arrangements for the termination of our working relationship\*;
- To ascertain your fitness to work, manage sickness absence and comply with health and safety obligations\*/\*\*;
- To prevent fraud\*\*;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies and to ensure network and information security, including preventing misuse and/or unauthorised access to our computer and electronic communications systems and preventing malicious software distribution\*\*\*;
- To conduct data analytics studies to review and better understand employee retention and attrition rates and for equal opportunities monitoring\*/\*\*/\*\*\*\*;
- To carry out internal communications such as an annual pay award letter or issuing out our newsletter\*/\*\*; and
- Assessing your qualification for and administering allocation of share options, if appropriate\*;
- To gather information relating to our company vehicles and how they are driven\*\*\*/\*\*\*\*.

#### **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We will 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. If we do so, you will be provided with more specific information at the time.

#### **POINTS TO NOTE**

On joining the company, you provided your personal contact/next of kin details, which are stored in case of emergency. Such emergencies include but are not limited to notifying you that your workplace is not accessible, for example, due to bad weather and advising you that due to an incident, normal

operations are suspended or being managed elsewhere.

In the event you have not reported for work or notified us of your absence, if we are unable to speak with you via your personal number, your manager, or a member of HR may attempt to contact your emergency contact (or next of kin), especially in cases where there is a genuine concern for your wellbeing.

We may also use your personal contact details to send you information or rewards, e.g. to thank you for your contribution to the business\*\*\*.

When you send an email to a shared inbox (for example, senior leadership team members), there may be a number of employees who are authorised to access that inbox, so if you do not wish for your email to be seen by a wider group of individuals (for example, personal assistants), please seek an alternative way to communicate your message\*.

When you attend events and functions organised or managed by the company, we may take photographs or videos to record the event so that we can share them on the intranet, internal communications, company websites or other external publications\*\*\*. If you do not wish your image to be utilised, you can bring this to the attention of the organiser of the event or function and they will manage your request.

#### If you do not provide personal information

If you do not provide certain information when requested such as bank details or a national insurance number, we may not be able to perform the contract we have 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.

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 SENSITIVE PERSONAL INFORMATION

We may also collect, store and use the following more sensitive personal information if it relates to your employment with us:

- Information about your health, including any medical condition, health, vaccination and sickness records;
- Information about your race or ethnicity, religious beliefs or sexual orientation;
- Trade union membership, where appropriate;
- Information about criminal convictions and offences.

Sensitive personal information requires higher levels of protection and justification for collecting, storing and using this type of personal information. We may process sensitive personal information in the following circumstances:

- Where we need to carry out our legal obligations, for example, complying with health and safety obligations and in line with our Privacy Policy;

- Where it is needed in the public interest, for example, equal opportunities monitoring and in line with our Privacy Policy;
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards;
- Where it is needed to help us drive equal opportunities for all
- In limited circumstances, with your explicit written consent.

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.

#### Our obligations as an employer

We may use your sensitive personal information in the following ways:

- relating to leaves of absence, which may include sickness absence or family related leave, to comply with employment and other laws;
- about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, provide Mental Health First Aider or First Aider Support, to monitor and manage sickness absence and to administer benefits;
- about your race or national or ethnic origin, religious beliefs, or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- 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 sensitive personal information in accordance with our written policy (our Privacy 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 personal information, for example ethnicity. 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 employment contract with us that you agree to any request for consent from us and you can withdraw your consent at any time.

## INFORMATION ABOUT CRIMINAL CONVICTIONS

Where we are legally permitted and/or required, and it is appropriate given the nature of your role (e.g. a finance role), we will collect information about unspent criminal convictions as part of the recruitment process and we may repeat those checks from time to time during your employment with us as considered necessary. In addition, we may be notified of such information directly by you in the course of your employment, for example informing us of a driving offence which is relevant to your ability to drive for business purposes.

We will use information about unspent criminal convictions to meet our legal obligations such as to assess whether your continued employment poses an unacceptable risk to us, our

customers or our employees / workers. We may also use information relating to criminal convictions where it is necessary in relation to legal claims or to protect your (or someone else's) interests and you are not capable of giving your consent.

## DATA SHARING

We may have to share your personal information with third parties, including service providers and other companies in the Drax group. We require third parties to respect the security of your personal information and to treat it in accordance with the law. We have a Third-Party Onboarding Privacy Policy that governs our appointment of third-party service providers where we may share, or they may be able to access, personal information that we control. It requires us to carry out due diligence on them and to ensure appropriate data protection terms are in our agreement with them.

### Why might we share your personal information with third parties?

We may share your personal information with third parties where required by law (for example, a tax collection office), where it is necessary to administer the working relationship with you (for example, payroll providers) or where we have another legitimate interest in doing so (for example, employee survey providers). We may also share your personal information with our insurers and external lawyers where it may be necessary for us to defend a legal claim.

### Which third-party service providers process your personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our Drax group of companies.

In addition to the above, the following activities are carried out by third-party service providers: benefits provision and administration, private health care, pension administration, employee survey production, administration and reporting, child-care vouchers provision, ride-to-work schemes, banking, insurance, purchasing card provision and the like.

We will share your payroll bank details with Equiniti, who manage our Sharesave scheme, so sale proceeds and refunds can be paid directly into your bank account.

### When might we share your personal information with other Drax group companies?

We will share your personal information with other companies in the Drax group as part of our regular human resources processes such as arriving at job role levels and bonus awards, during usual reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of personal information and in the event of an inter-company transfer of employment.

### Transferring information outside the United Kingdom (UK), European Union (EU), Canada and Japan

Most of the personal information we collect about you will remain in the country you are employed. Where a service provider is based outside the UK, Canada or Japan, they are required to comply with data protection law. If that is the case, we ensure a similar degree of protection is afforded

by ensuring at least one of the following safeguards is implemented:

- we will only transfer your personal information to countries that have been deemed to provide an adequate level of protection for personal information by the relevant regulator; or
- where we use certain service providers who are not in a 'adequate' country, we may use specific contracts approved by the regulator which give personal information the same protection it has in the UK, Canada or Japan as required.

If you would like to know the specific mechanism used by us when transferring your personal information out of the UK, Canada or Japan, please contact us using the details in the "Contacting Us" section at the end of this notice.

## 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 such as corporate firewalls protecting multi-layer server configuration and penetration testing. If you would like to know more, contact us using the details in the "Contacting Us" section at the end of this notice.

In addition, 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 and an obligation to comply with data protection law. See the Data Sharing section above for further information.

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

## DATA RETENTION

### How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal information can be obtained by contacting us using the details in the "Contacting Us" section at the end of this notice.

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 such information without further notice to you.

## 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

Data protection laws provide you with rights when your data is processed in the UK, Canada and Japan. Where you are not entitled to exercise a right, we will consider your request and feedback accordingly.

- **Request information** about how and with who your personal information is being used or shared (UK, British Columbia and Japan)
- **Request access** to your personal information. This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it (UK, Canada and Japan);
- **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 (UK, Canada and Japan);
- **Request erasure** of your personal information in certain circumstances. 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). However, this is not an absolute right and there will be circumstances where we are required to retain your personal information even if you are no-longer an employee of ours, for example, to administer pension benefit (UK and Japan);
- **Request the restriction of processing** of your personal information in certain circumstances. 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 (UK only);
- **Request the transfer** of your personal information to yourself or another party (UK only).

You also have a **Right to Object** to the processing of your personal information (UK and Japan).

If you want to exercise any of these rights, please contact us using the details in the "Contacting Us" section at the end of this notice.

Please note, you have the right to make a complaint at any time to the regulator for data protection issues as follows:

[UK Information Commissioner's Office \(ICO\)](#)

[Office of the Privacy Commissioner of Canada](#)

[Office of the Information & Privacy Commissioner for British Columbia](#)

[Office of the Information & Privacy Commissioner for Alberta](#)

We would, however, appreciate the chance to deal with your concerns before you approach the regulator, so please

contact us in the first instance using the contact details set out below.

You also have a right to request a file review by the regulator (Canada only)

### No fee usually required

You will not usually 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 such circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### Timing of our response

We do our best to respond to all legitimate requests within 30 days. Occasionally, it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time (UK and Canada).

To withdraw your consent, please contact us using the details in the "Contacting Us" section at the end of this notice. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this notice at any time, and we will provide you with a new notice when we make any material updates. We may also notify you in other ways from time to time about the processing of your personal information.

## CONTACTING US

If you wish to submit an individual rights request or complaint, please visit our [secure portal](#).

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