

STM GDPR Privacy Notice for Employees

1. The Purpose of this Privacy Notice

- 1.1. STM Group (UK) Ltd is committed to protecting the privacy and security of all personal information.
- 1.2. This privacy notice describes how STM collects, and uses, personal information both whilst individuals are working, or subsequent to them having worked, with the Company - in accordance with the General Data Protection Regulation (GDPR).
- 1.3. It applies to all employees and workers, although this Notice does not form part of any Contract of Employment, or other contract to provide services.
- 1.4. STM reserve the right to update this notice at any time.
- 1.5. It is important that individuals read this notice, together with any other privacy notice STM may provide, particularly on occasions when it is collecting or processing personal information, in order that they are aware of how, and why, STM is using such information.

2. Data Controller

- 2.1. STM Group (UK) Ltd is a "Data Controller". This means that the Company is responsible for deciding how it holds, and uses, personal information about individuals. The Company is required, under data protection legislation, to notify relevant individuals of the information contained within this Privacy Notice.

3. Data Protection Principles

- 3.1. STM will comply with Data Protection law, which states that the personal information held must be:
- 3.2. Used lawfully, fairly and in a transparent way.
- 3.3. Collected only for valid purposes that have been clearly explained to relevant individuals, and not used in any way that is incompatible with those purposes.
- 3.4. Relevant to the purposes that STM have told individuals about, and limited only to those purposes.
- 3.5. Accurate and kept up to date.
- 3.6. Kept only as long as necessary for the purposes STM has informed individuals about.
- 3.7. Kept securely.

4. Individual Information held by STM

- 4.1. Personal data, or information, is any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- 4.2. There are "special categories" of more sensitive personal data which require a higher level of protection.
- 4.3. STM will collect, store, and use the following categories of personal information about individuals:
- 4.4. Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- 4.5. Date of birth.
- 4.6. Gender.
- 4.7. Marital status and dependants.

- 4.8. Next of kin and emergency contact information.
- 4.9. National Insurance number.
- 4.10. Bank account details, payroll records and tax status information.
- 4.11. Salary, annual leave, pension and benefits information.
- 4.12. Start date.
- 4.13. Location of employment or workplace.
- 4.14. A copy of driving licence, vehicle insurance details and MOT certificate for drivers using own vehicles on Company business
- 4.15. Recruitment information, including copies of right to work documentation (e.g. Passport, Visa, Birth Certificate, Proof of Address) references, and other information included in a CV or cover letter or as part of the application process.
- 4.16. Employment records, including Application Forms, interview records, job descriptions, Contracts of Employment and Ts & Cs, job titles, work history and references, employee ID numbers, credit and Regulatory Body (ie SIA and DBS) checks, uniform sizes, company documentation, policies and procedures, working hours, training records and professional memberships.
- 4.17. Compensation history.
- 4.18. Performance information.
- 4.19. Disciplinary and grievance information.
- 4.20. Recorded telephone calls, CCTV footage, vehicle tracking and user identification and other information obtained through electronic means such as swipecard records.
- 4.21. Information about individual use of our information and communications systems including use of communication apps, text message facilities and web based applications
- 4.22. Photographs.
- 4.23. Information collected, stored, and used as a “Special Category” of more sensitive personal information:
- 4.24. Information about race or ethnicity, religious beliefs, sexual orientation and political opinions.
- 4.25. Trade Union membership.
- 4.26. Information about health, including any medical condition, health and sickness records.
- 4.27. Genetic information and biometric data.
- 4.28. Information about criminal convictions and offences.

5. How STM collects Personal Data

- 5.1. STM collects personal information about employees and workers through the application and recruitment process, either directly from candidates, or from an employment agency or background check provider. The Company may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies, online sources such as the Security Industry Authority (SIA), Driver and Vehicle Licensing Agency (DVLA), HMRC, medical authorities, Home Office, Department Work and Pensions (DWP), Disclosure and Barring Service (DBS) through BDS Scotland, BTP, Express Medicals, Credit-Safe, etc. It is emphasised that this list is not exhaustive, and remains subject to the needs of the business.

5.2. STM will collect additional personal information, in the course of job-related activities throughout the period of individual work for STM, either directly or from colleagues, online sources and/or third parties.

6. How STM uses information about Individuals

6.1. STM will only use personal information when the law permits it. Most commonly, STM will use personal information in the following circumstances:

6.1.1 Where there is a need to perform the Contract between the two parties, and where processing is necessary for the performance of a contract to which the data subject is a party

6.1.2 Where STM needs to comply with a legal obligation.

6.1.3 Where it is necessary, for the Company's legitimate interests (or those of a third party) and individual interests, or fundamental rights, do not override those interests.

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

6.2.1 Where the Company need to protect individual interests (self or otherwise).

6.2.2 Where it is considered to be in the public interest or needed for official purposes.

7. Situations in which STM will use Personal Information

7.1 STM needs all the categories of information in the list above primarily to enable the Company to prosecute its contract with the relevant individual, and to enable STM to comply with all legal obligations.

7.2 It may be necessary for STM to use personal information to pursue legitimate interests (of STM or third parties), provided individual interests and fundamental rights do not override Company interests.

7.3 Examples of situations in which STM might process personal information are listed below.

7.3.1 Making a decision about individual recruitment or appointment. i.e. referencing, CV information and Application Form

7.3.2 Determining the Terms on which individuals work for STM.

7.3.3 Checking individuals are legally entitled to work in the UK.

7.3.4 Paying individuals and, if an employee, deducting Tax and National Insurance contributions.

7.3.5 Providing specific benefits to you, including but not limited to Childcare Vouchers, Maternity/Paternity Pay, Statutory Sick Pay, Pension contributions etc

7.3.6 Liaising with individual pension providers.

7.3.7 Administering individual Contracts of Employment

7.3.8 Business management and planning, including rostering, accounting and auditing.

7.3.9 Conducting performance reviews, managing performance and determining performance requirements including business operations, and performance of client contracts

7.3.10 Making decisions about salary reviews and compensation.

7.3.11 Assessing qualifications for a particular job or task, including decisions about promotions.

7.3.12 Gathering evidence for possible grievance or disciplinary hearings.

7.3.13 Making decisions about continued individual employment or engagement.

- 7.3.14 Making arrangements for the termination of the working relationship.
- 7.3.15 Education, training and development requirements.
- 7.3.16 Dealing with legal disputes involving the relevant individual, or other employees, workers and contractors, including accidents at work.
- 7.3.17 Ascertaining fitness to work.
- 7.3.18 Managing sickness absence.
- 7.3.19 Complying with health and safety obligations.
- 7.3.20 Preventing fraud.
- 7.3.21 Monitoring the use of Company information and communication systems to ensure compliance with STM IT policies.
- 7.3.22 Ensuring network and information security, including preventing unauthorised access to STM computer and electronic communications systems and preventing malicious software distribution.
- 7.3.23 Conducting data analytics studies to review and better understand employee retention and attrition rates.
- 7.3.24 Equal opportunities monitoring.

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

8. If Individuals fail to provide personal information

8.1 If individuals do not provide information when requested, STM may not be able to prosecute the contract it has entered into with the relevant individual (eg pay or provision of a benefit), or it may be prevented from complying with its legal obligations (eg ensuring the Health and Safety of its workforce).

9. Change of purpose

9.1 STM will only use information for the purposes for which it was collected, unless the Company reasonably considers that it needs to use it for another reason and that reason is compatible with the original purpose.

9.2 If STM needs to use personal information for an unrelated purpose, it will notify the individual, and explain the legal basis which allows it to do so.

9.3 STM may process personal information without individual knowledge, or consent, in compliance with the above rules, where this is required or permitted by law.

10. How we use special categories of information

10.1. "Special categories" include information relating to racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic data, biometric data, health data, sex life and sexual orientation.

10.2. Special categories of information require higher levels of protection. STM needs to have further justification for collecting, storing and using this type of personal information.

10.3. STM has in place an appropriate policy document and safeguards which are required, by law, to be maintained when processing such data. STM may process special categories of personal information in the following circumstances:

10.3.1. In limited circumstances, with explicit, individual, written consent.

10.3.2 Where the Company needs to carry out its legal obligations or exercise its rights in connection with employment.

- 10.3.2. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to the Company Occupational Pension Scheme.
- 10.4. STM may also process this type of information where it is needed in relation to legal claims, or where it is needed to protect individual interests (or third-party interests), and individuals are not capable of giving consent, or where they have already made the information public. Likewise, STM may process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

11. STM obligations as an Employer

- 11.1. STM will use sensitive individual personal information in the following circumstances
 - 11.1.1. relating to leaves of absence, which may include sickness absence or family related leaves, to comply with Employment and other laws.
 - 11.1.2. about individual physical or mental health, or disability status, to ensure Health and Safety in the workplace, to assess fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence, and to administer benefits.
 - 11.1.3. about individual race or national or ethnic origin, religious, philosophical or moral beliefs, including sexual orientation, in order to ensure meaningful equal opportunity monitoring and reporting.
 - 11.1.4. relating to Trades Union membership to pay Trade Union premiums, register the status of a protected employee and to comply with employment law obligations.

12. Does STM need your consent?

- 12.1. STM does not need individual consent if it uses Special Categories of personal information in accordance with the written STM Policy to carry out its legal obligations, or exercise specific rights relating to Employment Law.
- 12.2. In limited circumstances, STM may approach individuals for written consent to allow it to process certain particularly sensitive data. If it does so, the Company will provide full details of the information that it requires, with reasons why it is necessary, in order that individual consent can be carefully considered. It should be noted that it is not a condition of individual Contract that there is any implied agreement to any request for consent from the Company.

13. Information about criminal convictions

- 13.1. STM may only use information relating to criminal convictions where the law allows it to do so. This will usually be where such processing is necessary to carry out all necessary obligations, and on the understanding that it is in line with the Company Data Protection Policy.
- 13.2. Less commonly, STM may use information relating to criminal convictions where it is necessary in relation to legal claims, or to protect individual (or third-party) interests, and individuals are not capable of giving consent, or where individuals have already made the information public.
- 13.3. STM may also process such information about members or former members in the course of legitimate business activities (with the appropriate safeguards).
- 13.4. STM will hold information about criminal convictions.
- 13.5. STM will only collect information about criminal convictions if it is appropriate given the nature of the role, and where it is legally able to do so. Where appropriate, the Company will collect information about criminal convictions as part of the recruitment process or where a higher standard of screening and vetting is needed (i.e. CRB checks, RSAS

applications etc). STM may be notified of such information directly by individuals in the course of their employment. It will use information about criminal convictions and offences in the following ways:

- 13.5.1. If individuals have a criminal record it does not necessarily mean that they will not be eligible for an SIA licence. STM will make its decision according to:
 - Whether any offences are considered relevant to the business
 - The actual sentence, or disposal given, for the offence
 - When the offences took place

- 13.6. STM is permitted to use personal information in order to carry out its obligations in line with ACS and SIA accreditations, as well as any potential contractual agreement with clients or other third parties. STM has an appropriate Policy, and related safeguards, which it is required by law to maintain when processing such data.

14. Automated decision-making

- 14.1. Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. STM is permitted to use automated decision-making in the following circumstances:
 - 14.1.1. Where it is necessary to prosecute any individual contract, providing appropriate measures are in place to safeguard individual rights.
 - 14.1.2. In limited circumstances, with explicit written consent, and where appropriate measures are in place to safeguard individual rights.
- 14.2. If STM makes an automated decision on the basis of any particularly sensitive personal information, the Company must have either explicit written consent or it must be justified in the public interest. In either case, STM must also put in place appropriate measures to safeguard individual rights.
- 14.3. Individuals will not be subject to decisions, via automated decision-making, that could have significant impact, unless there is a lawful basis for doing so, and the individual has been notified.
- 14.4. STM does not envisage that any decisions will be taken about using automated means, however it will notify relevant individuals, in writing, should this position change.

15. Data sharing

- 15.1. STM may have to share individual data with third parties, including clients, third-party service providers and other entities within the Group.
- 15.2. STM requires all third parties to respect the security of individual data and to treat it in accordance with the law.
- 15.3. Although unlikely, STM may transfer your personal information outside the EU. If it does so, individuals can expect a similar degree of protection in respect of personal information.

16. Why STM may share personal information with third parties?

- 16.1. STM will share your personal information with third parties (including clients and third-party service providers) where required by law, where it is necessary to administer individual working relationships, or where there is another legitimate interest in doing so - such as prosecuting a contract with an STM client.

17. Which third-party service providers process Personal Information?

- 17.1. "Third Parties" include clients, third-party service providers (including contractors and designated agents) and other entities within the Group.
- 17.2. The following activities are carried out by third-party service providers:
 - 17.2.1. payroll
 - 17.2.2. pension administration
 - 17.2.3. benefits provision and administration,
 - 17.2.4. IT services and Software Suppliers, Social Media Platforms
 - 17.2.5. Trauma Support
 - 17.2.6. Auditing by External Auditors and Regulatory Bodies
 - 17.2.7. Reporting of information and Advice from Regulatory Bodies
 - 17.2.8. External Training
- 17.3. The following third-party service providers process personal information for agreed purposes (this list is not exhaustive and remains subject to change).
 - 17.3.1.1. Cobia, HMRC, HSBC Bank, The Peoples Pension, Scottish Widows
 - 17.3.1.2. Payroll and Pension Administration
 - 17.3.1.3. Edenred, HSF, DWP, Councils Courts, Home Office, Supplier of Child Care Vouchers
 - 17.3.1.4. Benefits provision and administration
 - 17.3.1.5. Freedom IT, LogoSoft, Onguard, Jot Form, Twitter, Masternaut
 - 17.3.1.6. IT Services, Software Suppliers and Social Media Platforms
 - 17.3.1.7. Railway Children, Samaritans, Chaplaincy Services, Validium –
 - 17.3.1.8. Trauma Support
 - 17.3.1.9. HMRC, Courts, Home Office, Councils, DVLA, DSS, NSI, Unions, ICO, Emergency Services, Police, BTP, External Employment Law Advisors,, Darwin Clayton, Ageas and other Insurance associations, SIA, Rees Naisbett, HCC, Clients, RISQs, Department for Transport, FORS, Ashley Richmond Accountants, GB & Co Auditors, National Police Chiefs Council -(NPCC), Rail Safety and Standards Board, Vehicle Leasing Companies, Check Your Staff Express Medicals, HSE
 - 17.3.1.10. Regulatory Bodies, External Advisors/Consultants and Suppliers
 - 17.3.1.11. M&A Rail Training
 - 17.3.1.12. External Training

18. How secure is Individual information with third-party service providers and other entities in the Group?

- 18.1. All STM third-party service providers and other entities in the group are required to take appropriate security measures to protect personal information in line with Company policies.
- 18.2. STM does not allow third-party service providers to use personal data for its own purposes.
- 18.3. STM only permits third-party providers to process personal data for specified purposes and in accordance with STM instructions.

19. Sharing Personal information with other entities in the Group

- 19.1. STM will share your personal information with other entities in STM Group as part of regular reporting activities on Company performance, in the context of a business reorganisation or Group restructuring exercise, or for system maintenance support and hosting of data
- 19.2. STM may share personal information with other third parties, such as in the context of the possible sale or restructuring of the business. STM may also need to information with a Regulator, or to otherwise comply with the law.

20. Data security

- 20.1. STM has put in place measures to protect the security of personal information. Details of these measures are available upon request
- 20.2. Third parties will only process personal information on Company instructions, and where they have agreed to treat the information confidentially, and to keep it secure.
- 20.3. STM has put in place appropriate security measures to prevent personal information from being accidentally lost, used, accessed in an unauthorised way, , or disclosed. In addition, the Company limits access to all personal information to those employees, agents, contractors and other third parties who have a business need-to-know. These parties will only process personal information on STM instructions, remaining committed to a duty of confidentiality. Details of these measures may be obtained from the STM Data Protection Officer (Guy Young – Head of HR)
- 20.4. STM has put in place procedures to deal with any suspected data security breach, and will notify both individuals, and any applicable Regulator, of a suspected breach where the Company is legally required to do so.

21. Data Retention

- 21.1. STM will only retain personal information for as long as necessary to fulfil the purposes for which it was collected, including for satisfying any legal, accounting, or reporting requirements.
- 21.2. Details of retention periods for varying aspects of personal information are available in the STM Data Retention Policy, which is available from the STM Data Protection Officer.
- 21.3. To determine the appropriate retention period for personal data, STM considers the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which personal data is processed, whether those purposes can be achieved through other means, and if there are any legal requirements.
- 21.4. In some circumstances STM may anonymise personal information so that it can no longer be associated with an individual. In such cases, the Company may use such information without further notice to the relevant individual. Once individuals are no longer an employee, worker or contractor of the Company, STM will retain and securely destroy all personal information in accordance with the STM Data Retention Policy, or applicable laws and regulations.

22. Rights of access, correction, erasure, and restriction

- 22.1. It is an individual responsibility to inform the Company of any personal changes
- 22.2. It is important that the personal information the Company holds about each individual is accurate and current. It is equally important that individuals keep STM informed should personal information change during employment with the Company.

23. Individual rights in connection with personal information

- 23.1. Under certain circumstances, by law, individuals have the right to:
- 23.1.1. **Request access** to personal information (commonly known as a “Data Subject Access Request”). This enables individuals to receive a copy of the personal information held by the Company, to ensure it is being lawfully processed.
 - 23.1.2. **Request correction** of the individual personal information held by STM. This enables you to have any incomplete or inaccurate information, held by STM, duly corrected.
 - 23.1.3. **Request erasure** of personal information. This enables individuals to ask STM to delete or remove personal information where there is no good reason for the Company continuing to process it. Individuals also have the right to ask STM to delete or remove personal information where the right to object to processing has been exercised (see below).
 - 23.1.4. **Object to processing** of personal information, where STM is relying on a legitimate interest (or those of a third party) and there is something about individual circumstance which results in the processing of objection on this ground. Individuals also have the right to object where the Company is processing personal information for direct marketing purposes.
 - 23.1.5. **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.
 - 23.1.6. **Request the transfer** of personal information to another party.
- 23.2. If individuals want to review, verify, correct or request erasure of personal information, object to the processing of personal data, or request that STM transfer a copy of personal information to another party, contact should be made with the STM HR Department, in writing or via email to gdpr@stmgrouppltd.com

24. No Fee (unless exceptional)

- 24.1. Individuals will not have to pay a fee to access personal information (or to exercise any of the other rights). However, STM reserves the right to charge a reasonable fee if any request for access is clearly unfounded or excessive. Alternatively, STM may refuse to comply with the request in such circumstances.

25. What STM may need from the Individual

- 25.1. STM may need to request specific information in order to help confirm individual identity and ensure personal right to access the information (or to exercise any other individual 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.

26. Right to withdraw consent

- 26.1. In the limited circumstances where individuals may have provided consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw consent for that specific processing at any time. To withdraw consent, individuals should contact the STM HR Department in the first instance. Once notification has been received that individual consent has been withdrawn, STM will no longer process information for the purpose originally agreed to, unless there is another, lawful, legitimate basis for doing so.

27. Data Protection Officer

- 27.1. STM has appointed a Data Protection Officer (DPO) to oversee compliance with this Privacy Notice.
- 27.2. If there are any questions about this Privacy Notice, or how STM handles personal information, contact should be made with the DPO (see below)
- 27.3. All individuals have the right to make a complaint at any time to the Information Commissioner's Office (ICO) - the UK Supervisory Authority for Data Protection issues.

28. Changes to this privacy notice

- 28.1. STM reserves the right to update this Privacy Notice at any time. A new Privacy Notice will be issued when any material updates are made. STM may also notify individuals, in other ways, about the processing of personal information.
- 28.2. If there are any questions relating to this Privacy Notice, contact should be made with the STM Data Protection Officer (Guy Young) by email to: gdpr@stmgrouppltd.com

A handwritten signature in black ink that reads 'Paul Jacomb' with a long horizontal stroke extending to the right.

Paul Jacomb
CEO
STM Group (UK) Ltd