

## P&O FERRYMASTERS HOLDINGS LIMITED POLICY GROUP STATEMENT

P&O Ferrymasters Holdings Limited and its subsidiary undertakings (referred to as 'P&O Ferrymasters') means P&O Ferrymasters Limited and any other company within the P&O Ferrymasters Holdings Limited Group

### Employee Privacy Policy and Notice

#### Introduction

The Company P&O Ferrymasters Ltd. will comply with the Data Protection Act (DPA) 2018 incorporating the General Data Protection Regulation (GDPR) as and when required by legislation.

The Company is the data controller of all personal data collected and processed on the Company's behalf. If you have any queries relating to data protection, you can contact our Privacy Officer via e-mail address [gdprofficer@pofm.com](mailto:gdprofficer@pofm.com).

The Company believes that protecting personal information is very important. This Employee Privacy Policy and Notice outlines how we use and protect that information and the principles which reflect our commitment to safeguarding that information. As an employee the principles of the Data Protection Act (DPA) bind you.

This policy and notice applies to the personal data of job applicants, employees, workers, volunteers, interns, apprentices and former employees, referred to as Human Resources-related personal data. This policy and notice does not apply to the personal data of clients or other personal data processed for business purposes.

#### Employee Responsibilities

Employees are responsible for helping the Company keep their personal data up to date. Employees should let the Company know if data provided to the Company changes, for example if an employee moves house or changes their name or bank details.

Employees may have access to the personal data of other employees, and of our customers and clients in the course of their employment, contract, volunteer period, internship or apprenticeship. Where this is the case, the Company relies on employees to help meet its data protection obligations to staff and to customers and clients.

Employees who have access to personal data are required:

- to access only data that they have authority to access and only for authorised purposes;
- not to disclose data except to employees (whether inside or outside the Company) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);

- not to remove personal data, or devices containing or that can be used to access personal data, from the Company's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the Company's disciplinary procedure. Significant or deliberate breaches of this policy and notice, such as accessing employee or customer data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

## **Collection and processing of personal data**

The Company collects and processes personal data relating its employees to manage the employment relationship. The Company is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **Information the Company Collects**

The Company collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Company;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependents and emergency contacts;
- information about your nationality and entitlement to work in the country of employment;
- information about your criminal record;
- details of your days of work, working hours and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- training records and assessments of your performance, including appraisals, job chats, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the Company needs to make reasonable adjustments; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

The Company 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; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Company 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.

Personal data will be stored in a range of different places, including in your personnel file, in the Company's HR management systems and in other IT systems (including the Company's email system).

## **Processing Personal Data**

The Company 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 benefits, pension and insurance entitlements.

In some cases, the Company needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the country of employment, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the Company has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Company to:

- run recruitment and promotion processes;
- 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;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- 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;
- 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;
- 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 Company 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;
- ensure effective general HR and business administration;

- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Where the Company 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. Data that the organisation uses for these purposes is anonymized or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

#### **Access to Personal Data**

Your information may be shared internally, including with members of the Human Resources Department (including payroll), with 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.

The Company 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. The Company may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Company also shares your data with third parties that process data on its behalf, in connection with Human Resources Management, payroll, the provision of benefits and the provision of occupational health services and pensions.

The Company will not transfer your data to countries outside the European Economic Area.

#### **Data Security and Protection**

The Company takes the security of your personal data seriously. The Company 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.

Where the Company 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 organisational measures to ensure the security of data.

## Data Retention

The Company will hold your personal data for the duration of your employment. The periods for which your personal data is held after the end of employment are for the duration of statutory retention periods.

## Employee Rights

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

- access and obtain a copy of your data on request
- require the Company to change incorrect or incomplete data
- require the Company to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing and
- object to the processing of your data where the Company is relying on its legitimate interests as the legal ground for processing.
- ask the Company to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact our Privacy officer ([gdprofficer@pofm.com](mailto:gdprofficer@pofm.com)). If you believe that the Company has not complied with your data protection rights, you can complain to the Information Commissioner.

## Refusal to Provide Personal Data

You have some obligations under your employment contract to provide the Company with personal 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 Company 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.

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

## Automated Decision-Making

Employment decisions are not based solely on automated decision-making.

## Third Party Providers List – Data Processing

P&O Ferrymasters Ltd. is the data controller of all personal data collected and processed on the Company's behalf. However, the Company also employs the services of third-party providers who process data on its behalf. The Company has a formal agreement in place with each which identifies and limits the data they are permitted to gather, process and retain.

As the data controller the Company will ensure that the data processor implements appropriate technical and organisational measures in an effective way in order to meet the requirements of the Data Protection Legislation and protect the rights of the data subjects.

In line with the Terms and Conditions of Business, the data processor will process the personal data only on documented instructions from the data controller, ensure the confidentiality and security of the data, delete or return (as the controller decides) all the personal data to the controller after the end of the provision of services and make available to the controller all information necessary to demonstrate compliance.

The data processor is strictly prohibited from sub-contracting to another processor without the written authorisation of the data controller.

You can find an overview of all Third Party Providers of P&O Ferrymasters for HR-data processing in Appendix 1.

This Employee Privacy Notice will be reviewed regularly to ensure P&O Ferrymasters stays compliant with the rules and regulations as set out in the General Data Protection Regulation (GDPR) which has come in effect from 25<sup>th</sup> May 2018.



Hester Vervloet – Head of HR

## Appendix 1: Third Party Providers for HR-data processing

### United Kingdom

Payroll:	Safeguard World International / P&O Ferries
Pension:	Aegon / Now Pensions
Health Insurance:	BUPA / Willis Towers Watson
Other Insurances:	AIG / Canada Life
Other:	Co-operative Flexible Benefits / Wealden / Specsavers Corporate Eye care

### Republic of Ireland

Payroll:	Safeguard World International
Pension:	New Ireland Assurance Company
Health Insurance:	VHI
Other Insurances:	N/A
Other:	N/A

### The Netherlands

Payroll:	RAET
Pension:	BeFrank / LCP
Health Insurance:	CZ Zorgverzekeringen
Other Insurances:	Amersfoortse / SAA
Other:	UWV / ProCompany / Perspectief

### Belgium

Payroll:	SD Works
Pension:	Baloise
Health Insurance:	Baloise
Other Insurances:	AG Insurance
Other:	IDEWE

### France

Payroll:	FIDAC 62100 CALAIS
Pension:	HUMANIS
Health Insurance:	SwissLife / Malakoff Mederic
Other Insurances:	N/A
Other:	N/A

## Spain

Payroll: Arfa Oliver SL / Gestoría Blas  
Pension: N/A  
Health Insurance: N/A  
Other Insurances: Medicorasse  
Other: N/A

## Italy

Payroll: Hirtos SRL  
Pension: INPS  
Health Insurance: FONDO EST  
Other Insurances: FASDAC / Mario Negri / Pastore / FON.TE / Alleata / CGIL  
Other: Dr. Scafa

## Germany

Payroll: Irmgard Wipf  
Pension: SwissLife  
Health Insurance: N/A  
Other Insurances: N/A  
Other: N/A

## Poland

Payroll: Contract Administration Sp z.o.o.  
Pension: N/A  
Health Insurance: Allianz Medica Poland  
Other Insurances: AXA Poland  
Other: N/A

## Hungary

Payroll: TMF Magyarország Kft  
Pension: TMF Magyarország Kft  
Health Insurance: TMF Magyarország Kft  
Other Insurances: N/A  
Other: High-Tech Kft

## Romania

Payroll: MikronServices Administration SRL  
Pension: State  
Health Insurance: N/A  
Other Insurances: N/A  
Other: N/A

## Ukraine

Payroll: Baker Tilly Ukraine Accounting Services LLC  
Pension: N/A  
Health Insurance: N/A  
Other Insurances: Baker Tilly Ukraine Accounting Services LLC  
Other: N/A