

EMPLOYEE AND CANDIDATE PRIVACY POLICY

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1 INTRODUCTION

- 1.1 Hero Future Energies Global Limited and its subsidiaries (“HFE”, “we”, “our” or “us”) provide this Privacy Policy to inform our employees, workers, contractors and candidates applying for a role or assignment at HFE (UK/EEA) of our policy relating to the processing of their personal information.
- 1.2 This Privacy Policy sets out the basis on which we will process your personal information. Please read it carefully to understand our practices regarding your personal information and how we will use it.
- 1.3 This Privacy Policy does not form part of any contract of employment or contract to work or provide services and may be amended at any time.

2 ABOUT US

- 2.1 When HFE processes your personal information it is responsible as ‘**controller**’ of that personal information for the purposes of data protection laws including, where applicable, the **EU General Data Protection Regulation**

3 CONTACTING US

If you have any questions about our Privacy Policy or your information, or to exercise any of your rights as described in this Privacy Policy or under data protection laws, you can contact our Risk Officer as follows:

By post:

Risk Officer

96 Kensington High Street

London

W8 4SG

By telephone: 0207 221 2000

Or by email: riskofficer@herofutureenergies.com

4 TYPES OF PERSONAL DATA

4.1 Personal data

4.1.1 This Privacy Policy applies to your “personal data”, which is any information relating to you as an identified or identifiable person.

4.2 Special categories of personal data

4.2.1 Within the broad range of personal data, the following are “special categories of personal data” which are subject to a greater degree of protection:

- 4.2.1.1 physical or mental health
- 4.2.1.2 racial or ethnic origin
- 4.2.1.3 political opinions
- 4.2.1.4 trade union membership
- 4.2.1.5 religious beliefs
- 4.2.1.6 sexual life
- 4.2.1.7 genetic and biometric data

5 WHAT INFORMATION WE COLLECT

5.1 Personal data you give us

5.1.1 You may give us personal data by filling in forms online or by corresponding with us by phone, email, in person, or

5.1.2 To assist us in complying with our obligation to maintain accurate personal data you should immediately notify Human Resources in writing of any changes to your personal details. Such changes may include but are not limited to:

- 5.1.2.1 your name, change of address or telephone number or mobile telephone number;
- 5.1.2.2 nationality or immigration status, date of marriage or civil partnership, marital status or civil partnership status, divorce or births in your immediate family;
- 5.1.2.3 examination passes or any other changes to your professional registrations or accreditations;
- 5.1.2.4 any change of life assurance beneficiary;

- 5.1.2.5 any change of address, telephone number etc. of your next of kin or emergency contact;
- 5.1.2.6 your bank details;
- 5.1.2.7 any disciplinary action taken against you by a professional or regulatory body; or
- 5.1.2.8 if you become bankrupt, apply for or have made against you a receiving order or make any composition with your creditors.

5.1.3 Where you have notified Human Resources or we otherwise become aware of an inaccuracy in personal data we will take steps to ensure that personal data is erased or rectified without delay.

5.2 Personal data we collect about you

5.2.1 We collect the personal data to operate our business and manage your work (where applicable), to monitor performance and to comply with our legal and regulatory obligations as an employer and/or a contracting party.

5.2.2 We may collect, store and use personal data relating to your use of our IT system and about your computer, tablet, mobile or other device through which you access our IT system.

5.2.3 The personal data that we may collect about you includes, but is not limited to, the following:

- 5.2.3.1 your name;
- 5.2.3.2 home address;
- 5.2.3.3 contact details (such as phone numbers and email addresses);
- 5.2.3.4 date of birth;
- 5.2.3.5 gender;
- 5.2.3.6 marital status;
- 5.2.3.7 copies of your passport, driving licence and similar documents;
- 5.2.3.8 education history, training and professional experience;
- 5.2.3.9 current and past employment details;
- 5.2.3.10 immigration status and work permits;
- 5.2.3.11 languages spoken and level of proficiency;
- 5.2.3.12 other information given in your CV;
- 5.2.3.13 performance records and appraisals;
- 5.2.3.14 holiday records;
- 5.2.3.15 appraisals/reviews and relevant disciplinary and grievance records;

- 5.2.3.16 pay, benefits and payroll related information, including tax code and National Insurance number;
- 5.1.2.17 images recorded on CCTV which operates in the building and at all internal and external entrances to the building; and
- 5.1.2.18 IP addresses.

5.2.4 We also monitor performance and behaviour through the information we collect about you during the course of your work for us. This includes by:

- 5.2.4.1 recording building access through the security access system and CCTV installed in the building and at all entrances (both external and internal); and
- 5.2.4.2 monitoring your access to websites, emails you send and receive and your access to electronic files and systems.
- 5.2.4.3 Special categories of personal data
- 5.2.4.4 Personal data includes such “special categories of personal data” (see the description provided above) as you and any medical professionals provide to us.

6 PERSONAL DATA PROVIDED BY THIRD PARTIES

- 6.1 We may also collect personal data from external sources, such as those that are commercially available to us.
- 6.2 Some of the personal data we collect (as described in section 5), and additional personal data, may be provided to us by recruitment agencies with whom you have registered an interest. Such recruitment agencies support our recruitment processes under a duty of confidentiality.
- 6.3 During the recruitment process, we may also research personal data regarding your skills, experience or qualifications and comments and opinions made public on social networking sites such as LinkedIn, Facebook and Twitter.
- 6.4 We may also receive personal data from organisations such as credit reference agencies, background check providers, fraud prevention agencies and referees.

7 DATA RELATING TO CRIMINAL OFFENCES

7.1 We may also collect and store personal data relating to criminal convictions and offences. This data is only processed:

- 7.1.1 if you have given your consent to the processing;
- 7.1.2 if it is necessary for the purposes of performing or exercising our or your obligations or rights under law;
- 7.1.3 if it is necessary for the prevention or detection of an unlawful act and it is necessary for reasons of substantial public interest; or
- 7.1.4 in connection with any legal proceedings (including prospective legal proceedings) and/or the obtaining of legal advice.

8 WHAT WE DO WITH YOUR PERSONAL DATA AND WHAT BASIS WE RELY ON

8.1 We process personal data (other than special categories of personal data) for the reasons listed below. The legal justification for the processing of the personal data is, in each case, one or more of these reasons. Specific examples are given – some of which may overlap, as there may be more than one reason for processing personal data.

8.2 Processing is necessary for the performance of your contract.

8.2.1 We have obligations towards you under the terms of your contract (for example, we are contractually obliged to pay you any money due under your contract). Equally, you have contractual obligations to us, both as part of entering into your contract and in the ongoing performance of it. In order for us to ensure that both we and our employees, workers and contractors can perform our contractual obligations, we may process personal data for the following purposes (where applicable):

- 8.2.1.1 recruitment processes (including negotiation and communicating with you in relation to your application);
- 8.2.1.2 considering your suitability for employment, taking up your references and conducting appropriate checks;
- 8.2.1.3 induction processes;
- 8.2.1.4 workforce planning (including consideration for promotion and other roles and decisions about workforce restructurings);

- 8.2.1.5 management of absence (including absence due to illness or injury);
- 8.2.1.6 complying with our legal and regulatory obligations;
- 8.2.1.7 training and training records;
- 8.2.1.8 payroll processes and administration of your contract (including the deduction of trade union fees, conferring benefits and any applicable termination payments such as statutory redundancy pay);
- 8.2.1.9 monitoring your performance;
- 8.2.1.10 provision of any reference
- 8.2.1.11 disciplinary and grievance investigations, hearings and decisions;
- 8.2.1.12 criminal records checks;
- 8.2.1.13 undertaking business analysis activities; and
- 8.2.1.14 managing tax, pensions and healthcare insurance payments.

8.3 Where we have a legal or regulatory obligation

8.3.1 UK and EU law and certain rules and regulations require us to process personal data in order to comply with our legal or regulatory obligations. In order for us to do so, we may process personal data for the following purposes (where applicable):

- 8.3.1.1 preventing illegal working;
- 8.3.1.2 complying with health and safety obligations;
- 8.3.1.3 ensuring the safety and security of our systems;
- 8.3.1.4 carrying out equal opportunities monitoring;
- 8.3.1.5 responding to government statistical monitoring; and
- 8.3.1.6 liaising with HMRC and other government entities or agencies in relation to attachments of earnings and similar deductions.

8.4 Where we have a legitimate interest

8.4.1 Data protection law allows us to process personal data where it is necessary for the purposes of our legitimate interests. We consider it to be in our legitimate interests to process personal data for the following purposes:

- 8.4.1.1 recruitment processes (including negotiation and communicating with you in relation to your application);
- 8.4.1.2 considering your suitability for employment/work, taking up references, and conducting appropriate checks;
- 8.4.1.3 business management and planning, including accounting and auditing;
- 8.4.1.4 training, performance reviews, managing performance and determining performance requirements;
- 8.4.1.5 making decisions about salary reviews and pay generally;
- 8.4.1.6 making decisions about promotions, career progression, work allocation and termination of employment;
- 8.4.1.7 administering our IT system including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- 8.4.1.8 dealing with any legal disputes involving you or other current, prospective or former employees, workers or contractors;
- 8.4.1.9 improving our IT system to ensure that content is presented in the most effective manner for you and for your computer, mobile device or other item of hardware through which you access our IT system;
- 8.4.1.10 ensuring the safety and security of those working for us;
- 8.4.1.11 as part of our efforts to keep our IT system safe and secure and to monitor compliance with our related policies;
- 8.4.1.12 analysing retention and attrition rates;
- 8.4.1.13 monitoring equal opportunities;
- 8.4.1.14 reporting to government entities;
- 8.4.1.15 contacting you for business continuity purposes if you are absent from work or the office; and
- 8.4.1.16 contacting you after you have left, for work related or reference related reasons.

- 8.5 Where we require your consent (psychometric testing)
- 8.5.1 We rely on psychometric testing at the recruitment stage. We require that all candidates complete an online test the results of which our HR team will use to determine which roles within HFE the candidate is best suited to. On the basis that this is automated decision-making which has a significant effect on you, the GDPR requires that we obtain your explicit consent before doing this. We will provide you with a consent form. If you do not give us your consent, we may not be able to move forward with your application.
- 8.6 If you do not agree with the processing of personal data on the basis that it is in our legitimate interests to do so, please inform us using the contact details at the beginning of this Privacy Policy, following which we shall cease to process personal data for that purpose, unless certain exceptions apply: see “Right to object to processing in certain circumstances” under “Your rights” below.
- 8.7 Special categories of personal data
- 8.7.1 We may process “special categories of personal data” for the purposes of:
- 8.7.1.1 performing or exercising our or your obligations or rights under employment law or other laws, including for assessing suitability for particular jobs and considering whether adjustments may need to be made to accommodate an individual with a disability;
 - 8.7.1.2 where it is in the public interest, such as for equal opportunities monitoring;
 - 8.7.1.3 establishing, bringing or defending legal claims; and
 - 8.7.1.4 in the case of information about your physical or mental health (including information contained in sickness records), to enable us to monitor sick leave, administer benefits and make decisions as to your working capacity and for occupational health purposes.
- 8.7.2 We may also process “special categories of personal data” in other limited circumstances, with your explicit written consent. We do not need your consent to process “special categories of personal data” in circumstances where we already have a legal right to do so and we carry out such processing in accordance with this Privacy Policy. If we do ask you for your written consent, we will provide you with full details of the information we are seeking from you and the reason why, in order for you to make an informed decision. It is not a condition of your contract that you agree to any such request by us.

9 DISCLOSURE OF YOUR PERSONAL DATA TO THIRD PARTIES

9.1 For the purposes set out in section 8 above, we may share personal data with:

9.1.1 our group companies;

9.1.2 professional advisors (including lawyers, accountants and auditors);

9.1.3 legal and regulatory authorities; and

9.1.4 HM Revenue & Customs and other government/state related entities.

9.2 We may also share personal data with other parties which provide products or services to us, such as our pension provider, in order to enable us to comply with our overriding legal and regulatory obligations to you and to ensure that we comply with your contract of employment or contract to work or provide services. These third parties will also be data controllers of personal data, which will be processed in accordance with the third party's privacy policy.

9.3 If you are eligible for the benefit in question, third party benefit providers with whom we share personal data are:

9.3.1 our private medical insurer;

9.3.2 our group life insurer; and

9.3.3 our pensions provider.

9.4 We may also disclose personal data to third parties where it is in our legitimate interest to do so, including for the following reasons:

9.4.1 in the event that we sell or buy any business or assets, in which case we may disclose personal data to the prospective seller or buyer of such business or assets; or

9.4.2 if we are under a duty to disclose or share personal data in order to comply with any legal obligation.

9.5 Save as set out in this Privacy Policy, or as required by law, we do not sell personal data or disclose it to any third parties without your consent.

10 PERSONAL DATA ABOUT DATA SUBJECTS CONNECTED TO YOU

10.1 If you are eligible for the benefit in question, then, in connection with the administration of private medical insurance and group life cover, we may collect your family members' (such as a child, parent, grandparent, great-grandparent or sibling) personal data and data concerning the health of your family members. As it is not reasonable for us to contact and obtain consent from such family members to the processing of their data, please let us know if any such family member objects to us processing their data for the purposes of sharing it with the relevant insurer.

11 POLICIES AND PROCEDURES

11.1 Please familiarise yourselves with our additional policies in relation to data protection and data security. If you have any questions about such policies and procedures, you should speak to the Risk Officer without delay.

11.2 Any new or updated policies or manual will be communicated to you by email or any other appropriate method.

12 SECURITY OF YOUR PERSONAL DATA

12.1 We use appropriate technical and organisational security measures to protect personal information both online and offline from unauthorised use, loss, alteration or destruction. We use physical and procedural security measures to protect information from the point of collection to the point of destruction.

12.2 Where data processing is carried out on our behalf by a third party, we take steps to ensure that appropriate security measures are in place to prevent unauthorised disclosure of personal information.

12.3 Despite these precautions, however, HFE cannot guarantee the security of information transmitted over the Internet or that unauthorised persons will not obtain access to personal information. In the event of a data breach, HFE have put in place procedures to deal with any suspected breach and will notify you and any applicable regulator of a breach where required to do so.

12.4 If you have any questions about security on our website or within our business operations, you can contact us as provided in "Contacting Us" above.

13 HOW LONG WE KEEP YOUR PERSONAL DATA

- 13.1 We will keep your personal data for as long as necessary to fulfil the purposes described in this Privacy Policy or in the terms of your employment contract or contract to work or provide services, or for as long as we are required to do so by law or in order to comply with a regulatory obligation.

14 YOUR RIGHTS

14.1 Access to your personal data and updating your personal data

14.1.1 You have the right to access information which we hold about you (“data subject access request”).

14.1.2 You may also have the right to receive personal information which you have provided to us in a structured and commonly used format so that it can be transferred to another data controller (“data portability”). The right to data portability only applies where your personal data is processed by us with your consent or for the performance of a contract and when processing is carried out by automated means.

14.1.3 We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate. Please keep us informed if your personal information changes during your relationship with us.

14.2 Right to object

14.1.1 You also have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data which is based on our legitimate interests. Where you object on this ground, we shall no longer process your personal data unless:

14.1.2 the processing is nevertheless necessary for the performance of your employment contract or contract to work or provide services; or

14.1.3 the processing is necessary for the establishment, exercise or defence of legal claims; or

14.1.4 we have a legal or regulatory obligation for which the processing of the personal data is necessary; or

14.1.5 we can demonstrate that our legitimate interest is sufficiently compelling to override your fundamental rights and freedoms.

14.3 Your other rights

14.3.1 You also have the following rights under data protection laws to request that we rectify your personal information which is inaccurate or incomplete.

14.3.2 In certain circumstances, you have the right to:

14.3.2.1 request the erasure of your personal information: this enables you to ask us to delete or remove personal data where there is no good reason for us to continue to process it (“right to be forgotten”);

14.3.2.2 restrict the processing of your personal information.

14.4 Please note that the above rights are not absolute and we may be entitled to refuse requests, wholly or partly, where exceptions under the applicable law apply. For example, we may refuse a request for erasure of personal information where the processing is necessary to comply with a legal obligation or necessary for the establishment, exercise or defence of legal claims. We may refuse to comply with a request for restriction if the request is manifestly unfounded or excessive.

15 EXERCISING YOUR RIGHTS

15.1 You can exercise any of your rights as described in this Privacy Policy and under data protection laws by contacting us via the details given in the “Contacting us” box above.

15.2 Save as described in this Privacy Policy or provided under data protection laws, there is no charge for the exercise of your legal rights. However, if your requests are manifestly unfounded or excessive, in particular because of their repetitive character, we may either: (a) charge a reasonable fee taking into account the administrative costs of providing the information or taking the action requested; or (b) refuse to act on the request.

15.3 Where we have reasonable doubts concerning the identity of the person making the request, we may request additional information necessary to confirm your identity.

16 INTERNATIONAL TRANSFERS

- 16.1 As an international organisation, authorised personnel may access your personal data in any country in which we operate. Therefore, it may be necessary to transfer your details to our offices in other countries (including our offices in India) which may not offer equivalent data protection or privacy laws to those in the UK or the EU.
- 16.2 Regardless of where your personal data is transferred, we shall ensure that your personal data is safe and shall take all steps reasonably necessary to put in place appropriate safeguards to ensure that your personal data is treated securely and in accordance with this Privacy Policy and applicable law. Details regarding these safeguards can be obtained using the details given in the “Contacting us” box above.

17 COMPLAINTS

- 17.1 If you have any questions or concerns regarding our Privacy Policy or practices, please contact us as provided in “Contacting Us” above.
- 17.2 If you are located in the EEA, you also have the right to complain to the relevant supervisory authority in the EEA. In the UK, this is the Information Commissioner’s Office (<https://ico.org.uk/>).
- 17.3 We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

18 CHANGES

- 18.1 We may amend this Privacy Policy at any time in our sole and absolute discretion. Any changes which may be made to this Privacy Policy in the future will be notified to you by email.



Sunil Jain
Chief Executive Officer



Rahul Munjal
Chairman and Managing Director

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