

## **Data Protection Privacy Notice for RHS employees (including students and casuals), Pension Scheme Members and Volunteers**

### **1. Introduction**

The Royal Horticultural Society, a charity registered in England and Wales (Reg. No. 222879) and Scotland (SC038262), RHS Enterprises Limited, RHS, Special Events Ltd, the Trustees of the RHS (1974) Pension Scheme (the "1974 Pension Scheme") and any company or legal entity controlled by or under common control of us ("RHS", "we" or "us") has issued this Global Data Privacy Notice to describe how we handle personal information that we hold about our staff, pension scheme members, volunteers and job applicants (collectively referred to as "**you**"). This policy also applies to those who work on a non-permanent basis, including contingent workers, temporary and contract workers, independent contractors, consultants, professional advisors, secondees and interns.

We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law. This Notice sets out the personal information that we collect and process about you, the purposes of the processing and the rights that you have in connection with it.

If you are in any doubt regarding the applicable standards, or have any comments or questions about this Notice, please contact the Data Protection Officer, the People Team or your Volunteer Coordinator.

### **2. Types of personal information we collect**

In the course of your work with the RHS, as a member of one of our Pension Schemes, or when making an application to us, we process personal information about you and your dependent's, beneficiaries and other individuals whose personal information has been provided to us.

The types of personal information we process include, but are not limited to-

#### **Recruitment-**

- **Identification data** – such as your name, gender, date of birth, immigration/visa status. Contact details – such as home and business address, telephone/email addresses, emergency contact details.
- **Employment details** – such as previous employment history and job title/position
- **Background information** – such as academic/professional qualifications, education, CV/résumé, criminal records data (only "unspent" current convictions for vetting purposes, where permissible and in accordance with applicable law).
- **Equalities data-** such as information about your racial/ethnic origin, gender and disabilities for the purposes of equal opportunities monitoring, to comply with anti-discrimination laws and for government reporting obligations.

#### **Employment (accepted applicants and for duration of your employment)-**

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dataprotectionoffice@rhs.org.uk

- **Basic Identification data** – such as your name, gender, photograph, date of birth,
- **National Identifiers** – such as National Insurance number, national ID/passport, immigration/visa status, biometric data (if available on your passport or other national identifiers such as immigration or visa documents to validate your right to work), other documents such as bank statements, council tax etc. relating to proof of address if required.
- **Contact details** – such as home and business address, telephone/email addresses, emergency contact details.
- **Employment details** – such as job title/position, office location, employment contract, performance and disciplinary records, grievance procedures, sickness/holiday records, references from previous employers.
- **Background information** – such as academic/professional qualifications, education, CV/résumé, criminal records data (for vetting purposes, where permissible and in accordance with applicable law).
- **Spouse & dependent's information, marital status.**
- **Financial information** – such as banking details, tax information, withholdings, salary, benefits, expenses, company allowances.
- **Equalities data**- such as information about your racial/ethnic origin, gender and disabilities for the purposes of equal opportunities monitoring, to comply with anti-discrimination laws and for government reporting obligations;
- **Health data** - such as information about your physical or mental condition to provide work-related accommodations, health and insurance benefits to you and your dependents, or to manage absences from work.
- **Images data** – for example your photograph for your ID card, Microsoft Outlook or staff directory or if you attend an event that is photographed;
- **IT data** – such as information required to provide access to company IT systems and networks such as IP addresses, log files and login information. For further information on how IT information is processed, please see the information on Employee Monitoring within the [IT Security Policy](#).

**Volunteers** - If you are a volunteer or contingent worker, the type of personal information we process is limited to that needed to manage your particular work assignment with RHS. This includes name, address, date of birth, email address, telephone number and emergency contact.

We may receive data from sources other than you, for example if you are introduced to us through a recruitment agency or from occupational health / our private health care provider. You will always be aware of any such instances.

We may also collect or process equality and diversity information for monitoring and statistical purposes and to meet statutory or other due diligence requirements. Where this is the case, it will only be collected and processed anonymously and in an aggregated manner, so that individuals are not identifiable. It will never be used to identify individuals or to make decisions about any individual.

### 3. Purposes for processing personal information

#### (i) *Recruitment purposes*

If you are applying for a role at RHS, then we collect and use this personal information primarily for recruitment purposes – in particular, to determine your qualifications for the role and to reach a hiring decision. This includes assessing your skills, qualifications and background for a particular role, verifying your information, carrying out reference checks or background checks (where applicable) and to generally manage the hiring process and communicate with you about it.

If you are not successful, we may still keep your application for a period of six months after interview to allow us to consider you for other suitable openings within RHS.

#### (ii) *Employment or work related purposes*

If you are accepted for a role at the RHS, the information collected during the recruitment process will form part of your ongoing record. At this point, the People Team will carry out a right to work check using a third party application called Rightcheck (a processor). During the check, you will be asked to present your right to work documents and your image will be captured and uploaded to the application for the People team to validate your status. Rightcheck uses facial recognition technology to match your image against your ID documents uploaded onto the application such as your passport. Rightcheck also reads biometric data (if available on your passport or other valid photographic ID documents or your immigration or visa document) to validate your right to work status.

Once you become a staff member at RHS, we collect and use this personal information for the purpose of managing our employment or working relationship with you – for example, your employment records and contract information (so we can manage our employment relationship with you), your bank account and salary/pension details (so we can pay you and details of your spouse and dependent's (for emergency contact and benefits purposes).

We process our staff members' personal information through our human resources systems ("**HR Systems**"), which are tools that help us to administer HR and staff member compensation and benefits and which allow staff members to manage their own personal information in some cases. The RHS may host these servers or utilize third-party servers, but in either case will be responsible for the security and access of personal information on the HR System.

#### (iii) *Outlook and the RHS directory*

We maintain a directory of those who work with us which contains your professional contact details (such as your name, location, photo, job title and contact details) and your photo (which you may

object to). This information will be available to everyone in the RHS Group to facilitate global cooperation, communication and teamwork.

*(iv) Other legitimate business purposes*

We may also collect and use personal information when it is necessary for other legitimate purposes, such as to help us conduct our business more effectively and efficiently – for example, for general HR resourcing, IT security/management, accounting purposes, or financial planning. We may also process your personal information to investigate violations of law or breaches of our own internal policies.

*(v) Law-related purposes*

We also may use your personal information where we consider it necessary for complying with the law and regulations, including collecting and disclosing personal information as required by law (e.g. for tax, health and safety, anti-discrimination, Equality legislation etc.), under judicial authorisation, meet our legal obligations as an employer or to exercise or defend the legal rights of the RHS global group of companies.

#### **4. Who we share your personal information with**

We take care to allow access to personal information only to those who require such access to perform their tasks and duties, and to third parties who have a legitimate purpose for accessing it. Whenever we permit a third party to access personal information, we will implement appropriate measures to ensure the information is used in a manner consistent with this Notice and that the security and confidentiality of the information is maintained.

*(i) Transfers to other group companies*

As mentioned above, we will share your personal information with other members of the RHS group in order to administer human resources, compensation and benefits, as well as for other legitimate business purposes such as IT services/security, tax and accounting, and general business management.

*(ii) Transfers to third party service providers*

In addition, we make certain personal information available to third parties who provide services to us. We use third party systems such as iTrent (HR system for employees), Learning Pool (training system for employees and volunteers), Rightcheck (right to work check system for employees, casual staff, students and volunteers), DBS service (Disclosure and Barring Service for employees, casual staff, students and volunteers), Lifeworks (benefits for employees and volunteers), Aon (Life Assurance, PMI) and Better Impact (for volunteers) for processing your personal data. We do so on a "need to know basis" under a contract and in accordance with applicable data privacy law.

For example, some personal information will be available to pension providers and third party companies who provide us with HR and payroll support services.

Please note that:

- For our 1974 Pension Scheme our actuaries, Punter Southall Limited, including our individual Scheme Actuary, are classed as joint data controllers with the Trustees when providing certain actuarial and consultancy services. Punter Southall Limited has an appointed Data Protection Officer tasked with ensuring its compliance with data protection legislation. Your point of contact for Punter Southall Limited or the Scheme Actuary is Punter Southall Limited's Data Protection Officer, whose address is: 11 Strand, London, WC2N 5HR.
- For our Aviva Pension Scheme members, please click [here](#) for the detailed privacy policy and associated documents.

## Revised General Terms and Conditions of

### (iii) *Transfers to other third parties*

We may also disclose personal information to third parties on other lawful grounds, including:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, including, but not limited to, a subpoena, government audit or search warrant;
- In response to lawful requests by public authorities (including for national security or law enforcement purposes);
- As necessary to establish, exercise or defend against potential, threatened or actual litigation
- Where necessary to protect the vital interests of another person ;
- In connection with the sale, assignment or other transfer of all or part of our business; or
- With your consent.

## 5. **Legal basis for processing personal information**

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

We will collect and process your personal data only where we have your consent to do so, where we need your personal data in order to perform a contract with you (i.e. to administer an employment or work relationship with us), or In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

If you have questions about or need further information concerning the legal basis, on which we collect and use your personal information, please contact the Data Protection Officer, the People Team or your Volunteer Coordinator.

## 6. Transfer of personal information abroad

We may need to transfer personal information to countries other than the ones in which the information was originally collected, for example if you travel for work. When we export your personal information to a different country, we will take steps to ensure that such data exports comply with applicable laws. For example, if we transfer personal information from the European Economic Area to a country outside it, such as the United States, we will implement an appropriate data export solution such as entering into EU standard contractual clauses with the data importer, or taking other measures to provide an adequate level of data protection under EU law.

## 7. Data retention periods

Personal information will be stored in accordance with applicable laws and kept as long as necessary to carry out the purposes described in this Notice or as otherwise required by applicable law. Generally this means your personal information will be retained until the end of your employment or work relationship with us plus seven years thereafter to respond to employment or work-related inquiries or to deal with any legal matters (e.g. judicial or disciplinary actions), document the proper termination of your employment or work relationship (e.g. to tax authorities), or to provide you with ongoing pensions or other benefits. Financial data will be retained for a period of 6 years and any data relating to a health and safety incident will be kept for your lifetime. Volunteer data is retained for a period of seven years after your placement to allow us to identify you should you volunteer with us again within that period for the purposes stated in this section.

## 8. Your data privacy rights

You may exercise the rights available to you under applicable data protection laws as follows:

- If we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting the People Team or your Volunteer Coordinator.
- In addition, if you are a resident of the European Union, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or

**request portability** of your personal information. Again, you can exercise these rights by contacting the People Team.

- You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact the Data Protection Officer or see the ICO website.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

## **9. Updates to this Notice**

This Notice may be updated periodically to reflect any necessary changes in our privacy practices. In such cases, we will inform you and indicate on the Notice when it was most recently updated. We encourage you to check back at this website periodically in order to be aware of the most recent version of this Notice.