



***Privacy Notice for  
Employees, Workers,  
Job Applicants and  
Contractors***

2020



# Privacy Notice for Employees, Workers, Applicants and Contractors

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## Introduction

Petrogas Group UK Limited (“Applegreen”) (05952225), 200 Strand, London, WC2R 1DJ- is committed to protecting the privacy and security of your information. This privacy notice describes how we collect and use personal information about you when applying for a job, or while you’re employed with the company, and also after you cease your employment. It applies to employees, leavers, contractors and job applicants.

For the purpose of this privacy notice, Applegreen is the Data Controller who is responsible for deciding how we use and hold that personal information.

This notice is a requirement by **General Data Protection Regulation 2016/679 (GDPR)** to inform you as to what we intend to use your data for, the basis for its collection and how we will store the data. This notice does not form part of any contract of employment or other contract to provide services.

It is important that you read this notice alongside any other privacy notice we may provide on specific occasions when we are required to collect and process Personal Data about you, so that you are aware of how and why we are processing your information.

## What data do we hold about you?

To perform certain tasks such as pay you each week we require you to supply Applegreen with certain Personal Data. “Personal Data” is essentially any information that can identify you directly or indirectly. This data is collected through the application process, during your recruitment (either from candidates direct or sometimes from an employment agency, recruitment consultant or background check provider), from third parties (including former employers, credit reference agencies, online screening or other background check agencies), and in the course of job-related activities throughout your employment.

Personal Data does not include data where the identity has been removed (anonymous data).

Examples of Personal Data we may collect store process and use include:

- Personal contact details including Name, Address, phone numbers, personal e-mail
- Date of Birth
- Gender
- Marital Status and dependants
- Next of Kin and emergency contact information
- National Insurance number including tax details or employment benefits data
- Bank Account details
- Copies of identification documents such as your driving licence or passport
- Payroll Records
- Salary, Annual leave, pension or benefit information
- Location of employment

- Recruitment information – such as CV’s, references, application forms, interview notes
- Employment Records – Employment Contract, work history, training records, start and end dates and any professional memberships
- Right to work documentation – Visas
- Compensation History
- Performance History
- Disciplinary and grievance reports

Personal Data can also include data collected electronically:

- CCTV footage
- Information about how you use our information and communication systems
- Photographs
- Information from Online screening for potential breaches of internal policies

Applegreen may from time to time store data that falls under a “special” or “sensitive” category such as

- Race or ethnicity
- Health – including medical conditions or sickness records
- Processing of biometric data (handprint from clock in machines)

**NB - the above may not an exhaustive list of data stored in Applegreen about you**

### **Data Protection Principles**

The Personal Data that Applegreen collects from you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for a valid reason and not used in any way incompatible with that reason
- Relevant for the intended purpose
- Retained as long as required
- Kept securely
- Accurate and Kept up to date
- Kept only as long as necessary for the purposes for which we use it

Applegreen can only use your Personal Data when the law allows in the following circumstances:

1. Performing a contract – where we need to perform the employment contract we have entered into with you.
2. Legal obligation– where we need to comply with a legal obligation to which we are subject.
3. Legitimate interests – where it is necessary for the smooth and effective operation of the company in our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests.
4. Protection of your vital interests or someone else’s.

# Legal Basis Checker

#	HR	Legitimate Interest	Performance of a contract	Legal obligation	Protection of Vital interests
1	Deciding about your recruitment or appointment	X			
2	Determining the terms on which you work for us	X			
3	Checking you are legally entitled to work in Northern Ireland or the UK			X	
4	Equal opportunities monitoring			X	
5	Conducting data analytics studies to review and better understand employee retention and attrition rates	X			
6	Complying with legal requirements such as holding Right to Work documents			X	
7	Contacting next of kin	X			
	<b>Payroll</b>				
8	Payment of wages		X		
9	Deducting tax and national insurance from your salary or wages if you are an employee.			X	
	Providing the following contractual and non-contractual benefits (some of which may not apply to you):				
10	Pension Scheme		X		
11	Staff Discount		X		
12	Bonus (if applicable)		X		
13	Life cover, Private Health Insurance or Healthcare plan (if applicable)		X		
14	Company Car (if applicable)		X		
15	Liaising with your pension provider		X		
16	Administration of the contract that we have entered with you		X		
17	Business management and planning, including accounting and auditing		X		
	<b>Management</b>				
18	Conducting performance reviews, managing performance and determining performance requirements	X			
19	Making decisions about salary reviews and compensation	X			
20	Assessing qualifications for a particular job or task, including decisions about promotions	X			
21	Monitoring your attendance hours at work via till log in records, clock in card records or biometric data readers to ensure we pay you the correct amount for the hours you have worked	X		X	
22	Monitoring compliance with our internal policies	X			
23	Gathering evidence for possible grievance or disciplinary hearings	X			
24	Making decisions about your continued employment or engagement	X			
25	Making arrangements for the commencement or termination of our working relationship	X			
26	Education, training and development requirements	X			
27	Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work			X	
28	Ascertaining your fitness to work			X	
29	Managing attendance and sickness absence	X			
30	Complying with health and safety obligations			X	
	<b>Business and IT</b>				
31	To prevent fraud	X			
32	To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution	X			
33	Business continuity and planning / working from home (if applicable)	X			

## Change of Purpose

Applegreen will only use your Personal Data for the reason it was collected. We may use it for another purpose other than the original if that reason is compatible with the original purpose.

If Applegreen needs to use your data for a purpose that is not compatible with the original purpose, we will notify you and we will advise as to which legal basis allows us to do so.

**Please Note:** Applegreen may use your Personal Data without your consent in compliance with the rules above, where required or allowable by law.

## Do we need your consent?

Applegreen does not need your consent if your information is used in accordance with our written policy.

In certain circumstances, we may ask you for your written consent to allow us process certain sensitive information or to gather information from third parties e.g. a medical practitioner. On these occasions we will inform you of the data we would like to use or retrieve and the reason it is required, so that you can consider whether you wish to consent. It is not a condition of your contract that you should provide such consent to Applegreen.

If you have provided consent, you will be able to withdraw your consent at any stage. Please contact Applegreen to do so using the method described at “How to contact us” mentioned below. Once withdrawal is received, we will no longer process that information for that purpose or the purpose you originally agreed to unless we have another legal basis for doing so.

## When and how we use particularly sensitive Personal Data

“Special categories” of particularly sensitive Personal Data requires higher level of protection and further justification for the collection, storage and use of this data.

Applegreen have in place an appropriate policy, documents and safeguards that are required by law when processing such information.

We may process special categories of data in certain circumstances:

**Explicit Consent** – when we have received your written consent

**Employment Rights and Obligations** – where Applegreen need to carry out our legal obligation or exercise rights in connection with employment.

Less commonly, we may process this type of Personal Data when there is a **Legal claim** or where it is needed to protect your **Vital interests** (or someone else’s) and you are not capable of giving your consent or where you have already made the information public.

<i>Type of Special Information</i>	<i>Circumstance of Use</i>
Information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.	<b>Employment Rights and Obligations</b>
Information about your physical or mental health, or disability status, to ensure health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.	
Where you leave employment and the reason for leaving is determined to be ill health, injury or disability, records relating to that decision (including your physical or mental health or disability status) will be processed (including for pensions and permanent health insurance purposes)	
Information about your race or national or ethnic origin to ensure meaningful equal opportunity monitoring and reporting.	

**Information about criminal convictions and offences**

Applegreen will only use your information relating to criminal convictions if it is appropriate given the nature of your employment and if the law allows it. Such processing will usually be where it is necessary to carry out our legal obligations, or to exercise rights relating to employment and provided we do so in line with our data protection policy.

Also, Applegreen may use this type of information where necessary in relation to legal claims when it is to protect your vital interests (or someone else’s) and you are not capable of giving your consent or have already made the information public.

**Sharing your Personal Data with third parties**

Applegreen will share your Personal Data with third parties if required by law, or when necessary to administer our working relationship with you, or if we have another legitimate reason for doing so.

Third parties include third party service providers (including contractors or designated agents) and other entities within the Applegreen plc group.

Activities including payroll processing, pension administration, benefits provision and administration, employment administration, IT services, car hire, company car leasing and healthcare arrangements are performed by third party service providers.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. Applegreen does not allow our third-party service providers to use your personal information for their own purposes. Third party service providers are only permitted to use your Personal Data for specified purposes and in accordance with our instructions.

Applegreen may share your Personal Data with other entities in the Applegreen plc group as part of our regular reporting activities on company performance, for internal audit purposes, in the context of a business reorganisation or group restructuring exercise, for system maintenance support, or the hosting of information.

### Transferring your Personal Data outside the EU

Applegreen transfers your Personal Data to the following countries outside of the EU in order to perform our contract with you.

- India - payroll and payment processing

Applegreen ensures your Personal Data receives an adequate level of protection by putting appropriate measures in place to ensure your Personal Data is treated by the third parties in a way that is consistent and respects EU and UK laws on data protection.

### Your rights in connection with your Personal Data

It is important to keep your information accurate and up to date. Please keep us informed if your Personal Data changes during your employment in Applegreen.

As a right you can object to processing of your Personal Data in certain limited circumstances if you consider there is something about your situation which makes you want to object on this ground.

- **Request access to your Personal Data (Data Subject Access Request)**  
This enables you to receive a copy of any Personal Data Applegreen holds about you and to check that we are lawfully processing it.
- **Request correction of Personal Data that we hold about you.**  
This enables you to have any incomplete or inaccurate information about you corrected.
- **Request erasure of your Personal Data.**  
This enables you to ask us to delete or remove Personal Data where, for example there is no good reason for us continuing to process it. You also have a right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing.  
**Please note:** that this right does not apply in some cases, such where we are required by law to retain your data or where the data is required for us to bring or defend a legal claim.
- **Request the restriction of processing of your personal information.**  
This enables you to ask us to suspend the processing of your personal information, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer of your personal information to another party.**

You also have the right to object where we are processing your personal information for direct marketing purposes.

There will be no fee payable should you request access to your personal data (or to exercise any of the other rights). However, we may charge you a reasonable fee if your request for access is excessive. Applegreen may also refuse to comply with the request in such circumstances.

Applegreen will request specific information from you to help us confirm your identity to ensure your right to access (or to exercise any of your rights) has been made legitimately. This is a security measure to ensure your Personal Data is not disclosed to any person who has no right to receive it.

If you want to exercise these rights, please see the “[How to contact us](#)” section of this document below.

### **How long will we use your Personal Data for?**

Applegreen will only keep your Personal Data for as long as necessary in order to complete the purpose it was collected, including any legal, accounting, or reporting requirements. Details of retention periods are available in the Applegreen Documentation Retention Policy.

To determine the appropriate retention period, Applegreen consider:

1. the amount of information
2. the nature of the information
3. the sensitivity of the data
4. the potential risk of harm from unauthorised use or disclosure
5. the purpose that we process the information, and if can we process it by another means
6. any legal requirements.

In some circumstances we may remove your name or any other identifying features of the data so that it can no longer be associated with you, in that case we may continue to use the data without informing you.

When you leave Applegreen and are no longer an employee, worker or contractor we will retain and securely destroy your Personal Data in accordance with the Applegreen Documentation Retention policy.

### **Keeping your Personal Data secure**

Applegreen has put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition to this we limit the access of your data to those employees, agents, contractors or third parties who have a business need to know. They will process your data on our instructions and where they are subject to a duty of confidentiality. For details on these measures and providing we are able to share with you, please contact us – details can be found below in the “[How to contact us](#)” section.

Procedures have been put in place to deal with any suspected data security breach and will notify you and any applicable authority of such suspected breach where we are legally required to do so.

### Failure to provide Personal Data

If you fail to give us your Personal Data, we may not be able to perform the contract or fulfil our legal obligations. For example, we will be unable to pay you or pay tax deducted across to HMRC on your behalf.

### How to contact us

For any queries regarding this privacy notice or how Applegreen handles your Personal Data, or if you would like to exercise any of the rights set out in “Your rights in connection with your Personal Data”, please contact us using one of the methods below:

### Ireland and United Kingdom

<b>Electronic request:</b>	<a href="https://privacyportal-eu-cdn.onetrust.com/dsarwebform/5c8df78d-9be5-4b3d-88a3-f66d0cda5509/e5a88e34-3034-49d2-8753-e4867a724fce.html">https://privacyportal-eu-cdn.onetrust.com/dsarwebform/5c8df78d-9be5-4b3d-88a3-f66d0cda5509/e5a88e34-3034-49d2-8753-e4867a724fce.html</a>
<b>Email:</b>	<a href="mailto:DPO@applegreen.ie">DPO@applegreen.ie</a>
<b>Post:</b>	Data Protection Officer, Petrogas Group Limited (Applegreen) Unit 17, Joyce Way, Parkwest, D12F2V3 Ireland

### Complaints

If you have a concern with how Applegreen uses your information you have a right to make a complaint to:

Ireland	United Kingdom
<b>Email:</b> <a href="mailto:dpo@dataprotection.ie">dpo@dataprotection.ie</a>	<b>Email:</b> <a href="mailto:casework@ico.org.uk">casework@ico.org.uk</a>
<b>Phone:</b> +353 (0)761 104 800 or +353 (0)57 868 4800	<b>Post:</b> Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF United Kingdom
<b>Post:</b> Data Protection Commission 21 Fitzwilliam Square South Dublin 2 D02 RD28 Ireland	<b>Website:</b> <a href="http://www.ico.org.uk">www.ico.org.uk</a>
<b>Website:</b> <a href="http://www.dataprotection.ie">www.dataprotection.ie</a>	

### Changes to this privacy notice

Applegreen reserve the right to update this privacy notice at any time. The company will notify you of any substantial changes to this privacy notice. Applegreen may also notify you in other ways also about how we process your Personal Data.

Last updated April 2020