

Privacy Notice for Employees, Workers, and Contractors

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2. Introduction

LifeCare Residences Limited is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the retained EU law version of the General Data Protection Regulation (UK GDPR) and other applicable data protection law.

LifeCare Residences Limited and subsidiaries, Battersea Place Retirement Village and Grove Place Village Limited ("LCR", "we", "us", "our") are the "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers (including agency workers) and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy as soon as reasonably practical.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

3. Our obligations under the data protection principles

We are committed to complying with our data protection obligations, which means that any personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up-to-date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

4. The kind of information we will hold about you.

During and after your employment with us, we will hold certain personal data and/or personal information about you.

‘Personal Data’ means any information about an individual that can be used to identify that person. It does not include data where the identity has been removed (e.g. anonymous data).

There are certain types of more sensitive personal data, ‘Special Category Data’, which requires a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date and, if different, the date of your continuous employment.

- Leaving date and your reason for leaving.
- Location of employment or workplace.
- Copy of driving licence, if a driving licence is applicable to your role.
- Qualification records, as applicable for your role.
- Training records, as applicable for your role.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- The terms and conditions of your employment.
- Proof of registration with the Nursing and Midwifery Council and associated records, as applicable for your role.
- Performance information.
- Disciplinary and grievance information.
- CCTV footage and other information obtained through electronic means such as swipe card records or Dash Cams.
- Information about your use of our information and communications systems.
- Photographs.
- Date(s) and time(s) you attended our retirement villages.
- We may also collect, store and use the following more sensitive types of personal information:
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records, including:
 - where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision;
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave;
 - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes;
 - your NHS number;
 - details and evidence of your COVID-19 vaccination status or confirmation that you are exempt, as the case may be (however, we will not require details of the circumstances relating to your exemption);
 - any COVID-19 test results (including, but not limited to, the results of any rapid lateral flow tests (LFD) and/or polymerase chain reaction (PCR) tests); And

- your responses to any health questionnaires that we provide to you from time to time.
- Biometric data.
- Information about criminal convictions and offences.
- Details of trade union membership.
- Data is stored in a range of different places, including in your personnel file, in the Company's HR systems (Bodet) and in other IT systems (including the Company's email system).

5. How is your personal information collected?

We collect personal information about employees through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies, the Care Quality Commission (CQC), the Nursing and Midwifery Council or other background check agencies.

We may also collect personal information from the trustees or managers of pension arrangements operated by a group company.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

6. How we will use information about you.

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.
- Where you have provided your express consent.
- We may also use your personal information in the following situations, which are likely to be rare:
 - Where we need to protect your interests (or someone else's interests); and
 - Where it is needed in the public interest or for official or regulatory purposes.

6.1. Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.

- Paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs).
- Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.
- Liaising with the trustees or managers of a pension arrangement operated by a group company, your pension provider and any other provider of employee benefits.
- Administering the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- In order to obtain legal advice from our legal advisors.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To ensure that the policies and procedures in place at our Villages and Nursing Homes are followed in order to protect our staff and residents to limit the spread of COVID-19 amongst our residents.

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

6.2. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

6.3. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6.4. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

In limited circumstances, with your explicit written consent.

- Where we need to carry out our legal obligations or exercise rights in connection with employment.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.
- Where we have identified a legitimate Interest such as for COVID-19 vaccination status data.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

6.5. Our obligations as an employer

We will use your sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about your physical or mental health, disability status and/or COVID-19 vaccination status or test results to ensure your 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 including statutory maternity pay, statutory sick pay, pensions and permanent health insurance.
- If you apply for an ill-health pension under a pension arrangement operated by a group company, we will use information about your physical or mental health in reaching a decision about your entitlement.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

6.6. Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of

employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

6.7. Information about criminal convictions

- We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.
- We envisage that we will hold information about criminal convictions.
- We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.
- We will use information about criminal convictions and offences to make initial recruitment decisions or ongoing employment decisions.
- We are allowed to use your personal information in this way to carry out our obligations to CQC. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.
- We have undertaken a risk assessment as to who requires a Disclosure and Barring Service (DBS) check and the outcome of this assessment is that all staff require an enhanced DBS and adults barred list check in the name of the Company due to the potential for unsupervised contact with residents when you visit our Villages and Nursing Homes. We conduct enhanced DBS checks on all staff that have direct contact with our residents and a basic DBS check on Contractors.

6.8. Data sharing

We may need to share your personal information with third parties, including healthcare providers, service providers, and other entities within our corporate group.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. They are only permitted to process your data for specified purposes and in accordance with our instructions.

We may transfer your personal information outside the United Kingdom. Where we do so, we ensure that appropriate safeguards are in place to provide a similar level of protection for your personal information.

6.9. Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

6.10. Do third-party service providers process my personal information?

Third parties include healthcare and service providers (including contractors and designated agents), technology providers, and other entities within our group.

The following activities are carried out by third-party service providers on our behalf:

- Human resources administration, including recruitment, onboarding, performance management and employment recordkeeping.
- Time and attendance tracking, including recording working hours, absences and scheduling.
- Payroll processing, including salary payments, tax reporting and pension contributions.
- Pension administration, including communication with scheme trustees or managers.
- Information technology services, including hosting, support and maintenance of our systems.
- Health-related reporting, including sharing COVID-19 test results with the National Health Service, the United Kingdom Health Security Agency and the Department of Health and Social Care, where required.

All third-party providers are subject to contractual obligations to protect your personal information and to process it only in accordance with our instructions.

6.11. How secure is my information with third-party service providers and other entities in our group?

All our third-party healthcare and 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. We do not allow our third-party healthcare and service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

6.12. When might you share my personal information with other entities in the group?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We will share personal data relating to your participation in any pension arrangements operated by a group company with other entities in the group for the purposes of administering this arrangement.

6.13. What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business, in the event of a dispute or to obtain advice, we may need to share information with our legal advisors. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is

completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC, the Care Quality Commission (CQC), the Nursing and Midwifery Council, the DBS, disclosures to stock exchange regulators and disclosures to shareholders such as directors' remuneration reporting requirements.

6.14. **Transferring information outside the UK**

We may transfer the personal information we collect about you outside the UK to countries in the European Economic Area (EEA) and New Zealand in order to perform our contract with you.

There are adequacy regulations in respect of the countries in the EEA and New Zealand. This means that the countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

If you require further information about this protective measure, you can request it from the General Manager at your Village/ Nursing Home.

6.15. **Data security**

- We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality. Details of these measures may be obtained from the General Manager of the Village.
- We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

6.16. **Automated Decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

7. **Data retention**

7.1. **How long will you use my information for?**

We will retain your personal information only for as long as necessary to fulfil the purposes for which it was collected. This includes meeting legal, accounting and regulatory obligations, and managing your employment relationship with us.

To determine the appropriate retention period, we consider the nature, amount and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure, the purposes for which we process the data, and whether those purposes can be achieved through other means. We also take into account applicable legal and regulatory requirements.

Details of specific retention periods for different categories of personal information are available from the General Manager at your Village.

Once you are no longer an employee, worker or contractor of the company, we will retain your personal information for a period that complies with legal and regulatory obligations. For example:

- We may retain basic employment records for up to six years for tax and employment law purposes.
- Health and safety records, including accident reports, may be retained for longer periods where required by law.
- Pension and payroll records may be retained in accordance with statutory requirements and scheme rules.

In some circumstances, we may anonymise your personal information so that it can no longer be associated with you. In such cases, we may use the anonymised data for research or statistical purposes indefinitely without further notice to you.

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

8.1. Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

8.2. Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- 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.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the General Manager at your Village in writing.

8.3. Access Fees

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

8.4. What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other 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.

8.5. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the General Manager at your Village. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

9. Contact and Complaints

Support Office oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Support Office at info@lcr.uk.com

You also 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.

10. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the General Manager at your Village.