



Employee Privacy Policy for Birmingham City Football Club

Birmingham City Football Club is a 'data 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 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 of this notice as soon as reasonably practical.

It is important that you read and retain this notice, together with any other 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.

1. Data protection principles

We will comply with data protection law. This says that the 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.

2. The kind of information we hold about you

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
- 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)
- compensation history
- performance information
- disciplinary and grievance information
- CCTV footage and other information obtained through electronic means such as swipe card records
- information about your use of our information and communications systems
- photographs
- results of HMRC employment status check, details of your interest in and connection with the intermediary through which your services are supplied.

We may also collect, store and use the following 'special categories' of more sensitive personal information:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- trade union membership
- 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
- genetic information and biometric data
- information about criminal convictions and offences.

3. How is your personal information collected?

We collect personal information about employees, workers and contactors 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 or other background check agencies.

We may also collect personal information from the trustees or managers of your pension provider.

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

4. 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 our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

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)
- where it is needed in the public interest (or for official purposes).

Situations in which we will use your personal information

We need all the categories of information in the list above (see Section 2) 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 of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

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

- Paying you and, if you are an employee or deemed an employee for tax purposes, deducting tax and National Insurance contributions (NICs).
- Providing benefits to you.
- 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 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.
- Planning for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- 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.

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

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).

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.

5. 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].

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. Our obligations as an employer

We will use your particularly 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, or disability status, 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 your pension provider or our insurance 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.
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

7. 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 consider carefully 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.

8. Information about criminal convictions

We will use information about criminal convictions and offences in the following ways:

- Fulfilment of your contract
- Suitability for the role

We are allowed to use your personal information in this way to carry out our obligations to ensure suitability for any role for which you are considered. We have in place appropriate policy and safeguards which we are required by law to maintain when processing such data.

9. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to decide without human intervention. We are allowed to use automated decision-making in the following circumstances:

- where we have notified you of the decision and given you 21 days to request a reconsideration
- where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights
- in limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, either we must have your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

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.

10. Data Sharing

Why might you share my 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.

Which third-party service providers process my personal information?

Third parties include third-party service providers including contractors and designated agents and other entities within our wider organisation. The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration and IT services.

We will share personal data regarding your participation in any pension arrangement operated by your pension provider in connection with the administration of the arrangements.

How secure is my information with third party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party 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.

How secure is my information with other third parties?

We may share your personal information with other third parties, for example in the context of the possible merger or restructuring of the organisation. In this situation we will, so far as possible, share anonymised data with the other parties before any merger completes. Once the merger is completed, we will share your personal data with the other parties if and to the extent required under the terms of the merger.

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.

Transferring information outside the EU

We may transfer the personal information we collect about you to any other country outside the EU in order to perform our contract with you. An IDTA has been put in place as a control for this.

11. Data security

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 requirement to know. They will only process your personal information on our instruction. They are subject to a duty of confidentiality. In this case, a Data Processing Agreement and Non-disclosure Agreement will be put in place.

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.

12. Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy, which is available

from the Data Protection Officer. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy.

13. Rights of access, correction, erasure and restriction

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.

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 processing it lawfully.
- **Request correction** of the personal information 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 to continue 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 our office manager in writing.

No fee usually required

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.

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.

14. Right to withdraw consent

In the limited circumstances where you may have provided your consent for 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 Data Protection Officer. 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.

15. Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You 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.

16. Changes to the 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.