

Data privacy notice - United Kingdom employee

What is the purpose of this document?

Shin-Etsu Handotai Europe Limited is committed to protecting the privacy and security of your personal information. This privacy notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you before employment, during employment and after it ends. We are required to notify you of this information under data protection legislation.

Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you. This will make you aware of how and why we are using such information and what your rights are under the data protection legislation.

This notice applies to prospective, current and former employees and workers. This notice does not form part of any contract of employment or other contract to provide services.

Who collects the information?

Shin-Etsu Handotai Europe Limited ('**Company**') is a 'data controller' and gathers and uses certain information about you. This means that we are responsible for deciding how we hold and use personal information about you.

The Company is not required to appoint a Data Protection Officer. However, we have chosen to appoint an Information Governance Officer (IGO) to coordinate data privacy activity within the Company including, but not restricted to, acting as a point of contact for data protection queries from both employees and the Information Commissioner's Office and to source external advice and support as required. Details of the Company's current IGO are as follows:

Department: Corporate Governance

Email Address: igo@seheurope.com

Data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

The type of information that the Company collects and holds

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation.

We may collect, store, and use the following categories of personal information about you during the job application process and your employment:

- Personal details such as your name, gender, date of birth, address, and contact details including email address and telephone number.
- Recruitment information (including copies of right to work documentation, references and other information included as part of the application process).
- The terms and conditions of your employment.
- Details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and with the Company.
- Information about your remuneration, including tax status information and entitlement to benefits such as pensions.
- Details of your bank account and national insurance number.
- Information about your marital status, next of kin, dependants and emergency contacts.
- Information about your nationality and your right to work in the UK.
- Details of your schedule (days of work and working hours) and attendance of work.
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reason for the leave.
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence.
- Assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence.
- Visual images such as CCTV images, thermal images, **video images**, identification photographs and other information obtained through electronic means such as swipe card records.
- Membership status to clubs, professional memberships or schemes that you have joined through the Company such as the Events Club, the Cycle to Work Scheme, or the gym.
- Details in references about you that we give to others.
- Copy of driving licence
- Information about your use of our IT systems, information and communications systems.

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

- Information about your nationality or ethnicity.
- Information about your health, including any medical condition, health and sickness records, including:
 - details of any absences (other than holidays) from work including time on statutory parental leave, sick leave and self- isolation; and
 - 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.
- Biometric data.
- Information about criminal convictions and offences.

Certain of the categories above may not apply to you if you are a worker, agency worker, independent contractor, volunteer or intern.

How your personal information is collected

The Company may collect this information in a variety of ways. This may include data collected from:

- Your personal records
- Application forms
- Your CV
- Your passport or other identity documents such as your driving licence
- Forms completed by you at the start of or during employment
- Correspondence with you
- Meetings, interviews, or other assessments
- The Company's time management system
- Performance appraisals
- The Company's computerised manufacturing and product tracking system (CIMS)
- CCTV (including thermal imaging cameras) and access control systems
- **Digital Video Recording devices**
- Communications Systems including email and phone systems
- Remote Access Systems, intranet and internet facilities

In some cases, the Company may collect information about you from third parties, such as:

- References supplied by your former employers
- The Home Office
- Your doctors
- Medical and occupational health professionals we engage and from our insurance benefit administrators
- Other employees
- Consultants and other professionals we may engage (e.g. to advise us generally and/or in relation to any grievance, conduct appraisal or performance review procedure)
- Information from due diligence checks
- Information from criminal record checks permitted by law

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:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. 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:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

The purpose for collecting 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 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. We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved:

- 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. **
- Providing certain benefits to you. */**
- Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties. */**
- Paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions. */**
- Operate and keep records of disciplinary and grievance processes, to ensure acceptable conduct within the workplace. */**
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes. *
- Operate and keep record of absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled. */**
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligation under the health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled. */**
- Operate and keep a record of other types of leave including maternity, paternity, adoption, parental and shared parental leave, to allow effective workforce management, to ensure that the Company complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled. */**
- Ensure effective general HR and business administration. */***

- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work. */**
- Maintain health, safety, security crime prevention and process monitoring using a CCTV system. **/****
- Run recruitment and promotions processes. ***
- Demonstrate compliance with legal responsibilities and statutory reporting requirements. **
- Maintain accurate and up to date employment records and contact details and records of employee contractual and statutory rights. */**
- Administering the contract we have entered into with you. */**
- Business management and planning, including accounting and auditing. */**
- Assessing qualifications for a particular job or task, including decisions about promotions. */**
- Making arrangements for the termination of our working relationship. */**/****
- Education, training and development requirements. */**/****
- 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. */**

Many 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.

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:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
3. 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.

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.
- We will use information about your national or ethnic origin to ensure meaningful equal opportunity monitoring and reporting.

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.

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 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.

Where the information will be stored

Your personal data will be stored in a range of different secure places, including at our offices and third party agencies, and service providers mentioned above. Your personal data will also be held in your personnel file, in the organisation's HR management systems and in other IT systems (including the Company's email system and on the Company file servers and databases). It may also be stored by the Company's Safety department and by your department line management.

Who the information may be shared with

Your information may be shared internally, including with members of the HR department, line management, IT staff, and other individuals where your data is necessary to the performance of their roles.

It is sometimes necessary for the Company to 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. Where required, we share information with:

- family, associates and representatives of the person whose personal data we are processing in emergency situations or for legal purposes
- Occupational Health
- Payroll and pensions advisors or sub- contractors
- employment and recruitment agencies
- current, past and prospective employers
- educators and examining bodies
- central government
- suppliers and service providers
- debt collection and tracing agencies
- financial organisations
- police forces
- security organisations

Transferring information outside the EEA

As far as possible the Company avoids transferring personal data over national borders.

Normal business contact details (restricted to name, job title, business address, business email address or business phone number) may be shared for legitimate business purposes with other Shin-Etsu group companies and key customer or supplier contacts out with the EEA. This data is shared only when required for the employee to perform their job function.

No other international data transfers have been identified.

The Company takes the security of your personal data seriously. Internal policies and controls are in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the Company engages third parties to process personal data on its behalf, they do so on the basis of written instructions or contracts, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Length of retention of your data

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.

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.

Prospective employee information will be retained for one year after application to the Company before being securely destroyed. Once you are no longer an employee or worker of the company we will retain and securely destroy your personal information in accordance with our data retention policy and applicable laws and regulations.

The different periods of time for which various types of information are held are as follows:

- UK tax law requires the Company to keep your basic personal data (e.g. name, address, contact details) for a minimum of 7 years after the end of employment.
- UK health and safety law requires the Company to retain your medical details for a minimum of 40 years.
- All CCTV images will be over written periodically; typically this will be every 2 weeks.
- It is a contractual requirement that quality and process records that may be personally attributable to you will be retained for up to 17 years.
- Employment data such as disciplinary, grievance, timekeeping, attendance and training records will be retained for the length of employment plus 7 years.
- **Digital images for promotional or educational purposes may be retained for the lifetime of the promotion / educational course.**

Please contact HR or the IGO if you have any questions on how long we will retain specific data or wish to see a copy of our data retention policy.

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 lawfully processing it. For employees who would like to do so, the SF9748 Data Access Request can be filled out from Q-Pulse and returned to the HR department.
- **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 an employee wishes to correct or request erasure of their personal information, object to the processing of their personal data, or request that we transfer a copy of their personal information to another party, please fill out the SF9749 Data Change Request form on Q-Pulse and return this to the HR department.

Individuals not employed by the Company can request to exercise any of the above rights in relation to their personal data by emailing the IGO contact address provided above.

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.

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.

How to complain

We have appointed an Information Governance Officer 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 IGO. We hope that our Information Governance Officer can resolve any query or concern you raise about our use of your personal information but you have the right to make a complaint at any time to the Information Commissioner's Office (ICO).

You can contact visit the ICO's website at ico.org.uk/concerns/ or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.