

Bensons for Beds Retail Ltd (“Bensons”) - Data Protection Employee Privacy Notice

Bensons takes its obligations with regard to data protection seriously. As such, we are providing this notice (“**Privacy Notice**”) to you so that you are provided with information about how Bensons collects and uses your Personal Data in accordance with applicable data protection law, including the General Data Protection Regulation 2016/679 (“**GDPR**”), and any UK laws implementing or superseding the GDPR, including (from 1 January 2021) the UK GDPR. Please read this Privacy Notice, as it contains important information of which you should be aware.

For the purposes of this Privacy Notice, “**Bensons Employees**”, “**you**” or “**your**” means the current and former employees of Bensons (including staff and temporary workers) and “**Bensons**”, “**we**”, “**us**” or “**our**” means Bensons for Beds Retail Ltd a company incorporated in the UK with a registered office address of 3rd Floor, The Globe Centre, 1 St James Square, Accrington, Lancashire, BB5 0RE.

The term “**processing**” means any action taken, also with the help of electronic means, in connection with Personal Data, including collection, handling, use, transfer and disclosure by transmission, dissemination or otherwise making available, as well as recording, organisation, storage, retention, adaptation or alteration, access, retrieval, consultation, alignment or combination, blocking, anonymising, erasure, disposal or destruction.

Bensons is a controller of your Personal Data (as defined below). The data controller is the entity that determines how and why Personal Data is processed.

1. What do we collect and process?

In order for Bensons to manage its workforce and its business efficiently, it is necessary for us to collect, maintain and process Personal Data about our Bensons Employees. “**Personal Data**” is information which (either on its own or in combination with other information Bensons holds) allows Bensons to identify a Bensons Employee and thus enable us to manage our relationship with Bensons Employees. The Personal Data which we process may include the following (please see the table below for further information):

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| • Name and address | • Performance Development Reviews (including appraisal results and training history) |
| • Photograph | • Pre-employment Screening (in line with current relevant legislation) |
| • Contact information (including telephone number and email address) | • Reference information |
| • Date of birth | • Next of Kin information |
| • Nationality | • Attendance data |
| • Gender | • Disciplinary, appeal and grievance data |
| • Employment date | • Employment and education history (and any other information recorded within your CV) |
| • Job title | • DVLA Records (for those who drive on company business) |
| • Job history | • Personal Data about you taken from Social Media including qualifications, work history and lifestyle and social circumstances |
| • Salary and benefit (including level and history and performance bonus, if relevant) | |
| • Details of any criminal allegations or offences | |
| • Medical information | |
| • Passport/work permit related information | |

Personal Data will primarily be collected from you directly. However, some Personal Data may, where lawful to do so, be collected by Bensons from third parties, including previous employers, from our other employees/workers, from your use of Benson equipment, from prospective or actual customers, or publicly available information about you (e.g. from a social media account if this has been made publicly available by you), to which Bensons has access.

Please note that you are under no obligation to provide Bensons with your Personal Data, however, when we rely on the lawful bases of complying with a legal obligation or entering into/performing a contract with you (see the table below), not providing such data could prevent Bensons from performing certain obligations contained in your employment contract, including being able to pay you, fully support you in your role and otherwise to fulfil our duty of care to you as an employer and/or we may not be able to enter into or continue our employment contract or engagement with you.

2. Do we process Sensitive Personal Data (also known as ‘Special Categories of Personal Data’)?

In addition to Personal Data, Bensons may also process information about you which is classified as sensitive (“Sensitive Personal Data”). Examples of Sensitive Personal Data include the following:

- Racial or ethnic origin
- Religious or philosophical beliefs or other beliefs of a similar nature
- Data concerning your sex life or sexual orientation
- Political opinions
- Trade union membership
- Physical or mental health or condition
- Criminal offences or allegations
- Genetic data
- Biometric data

Your Sensitive Personal Data will be processed as explicitly set out in this Privacy Notice but may be processed incidentally for other purposes described below.

There may be circumstances where Bensons will need to share your Sensitive Personal Data with work colleagues within Bensons. For example, the Occupational Health Service may seek information from departments or share information with Human Resources about fitness to work.

3. Why and for what purpose do we collect and use your Personal Data and Sensitive Personal Data and what is our lawful basis for doing so?

Please note: this list may be updated from time to time and we will provide notice as and when such updates are made.

Basis of Processing	Personal Data	Purposes of Processing
Processing that is necessary to perform a contract or when taking steps in connection with a contract with you.	<ul style="list-style-type: none">• Name and address• Contact information (including telephone number and email address)• Date of birth• Sex• Employment date• Job title• Job history• Salary and benefit (including level and history and performance bonus, as well as pension and other benefits, if relevant)• Passport/work permit related information• Pre-employment Screening (in line with current relevant legislation)• Reference information• Employment and education history (and any other information recorded within your CV)• Driving licence, vehicle details and nominated driver details	<ul style="list-style-type: none">(a) to set up and to administer the employment (or other) relationship that we have with you(b) to perform obligations under any employment (or other) contract Bensons has with its Bensons Employees(c) to administer salary and benefits, including payroll, pension, expenses, life assurance and health care(d) for staff recruitment, hiring and termination of employment(e) to process in-store sales of Bensons goods to employees

	<ul style="list-style-type: none"> • Health and Safety information • Disciplinary, appeal and grievance data (and other relevant employee relations data) • Order details for the purposes of staff sales (including payment details) • Next of kin 	
<p>Where necessary, processing based on your freely given, specific, informed, and unambiguous consent.</p> <p>Please note that in some cases equal opportunity monitoring may be undertaken on the basis of it being necessary in the wider, substantial public interest.</p>	<ul style="list-style-type: none"> • Medical/health information (including details of sickness/fitness to work, reasonable adjustments and health and safety incident information) • Gender • Nationality (where it reveals racial or ethnic origin) • Trade union membership • Religious or philosophical beliefs or other beliefs of a similar nature • Political opinions • Hashed 9-point data derived from fingerprint data for time and attendance purposes 	<ul style="list-style-type: none"> (a) to record other Personal Data and Sensitive Personal Data in order to maintain a record of the diversity of our workforce (b) for equal opportunity monitoring (c) in respect of trade union membership, in order to pay dues to a Trade Union as requested by you (d) Religious beliefs or other beliefs of a similar nature, for tithing purposes (in the case of religious information)
Processing that is in your own vital interests	<ul style="list-style-type: none"> • Medical Information • Next of Kin information 	<ul style="list-style-type: none"> (a) where required in an emergency where the health or security of a Bensons Employee is endangered (for example, an accident at work) (b) to notify next of kin in an emergency where necessary to protect your vital interests
Processing that is necessary to comply with a legal obligation to which we as the controller are subject	<ul style="list-style-type: none"> • Name and address • Contact information (including telephone number and email address) • Date of birth • Passport/work permit related information • Pre-employment Screening (in line with current relevant legislation) • Reference information • Employment and education history (and any other information recorded within your CV) • Health and Safety information 	<ul style="list-style-type: none"> (a) to process a request by you to exercise your rights under applicable data protection law or other laws (b) to record any medical conditions where necessary for matters such as approving and recording absence and/or making adjustments to your working environment (c) for compliance with legal and regulatory requirements (including but not limited to health and safety laws and

	<ul style="list-style-type: none"> • Disciplinary, appeal and grievance data (and other relevant employee relations data) • Details of any criminal allegations or offences • Medical information • Gender • Racial or ethnic origin • Sexual preference • CCTV data • Photograph • Driving licence, vehicle details and nominated driver details • DVLA Records (for those who drive on company business) • Other Personal Data about you which is subject to a request made by you under applicable law for the purposes of (a) 	<p>employment laws) and good governance obligations</p> <p>(d) for employee care (including any occupational health requirements) and for the provision of occupational health, medical, wellbeing and counselling services</p> <p>(e) for health and safety</p> <p>(f) for compliance and risk management</p> <p>(g) for the provision of occupational health and wellbeing services</p> <p>(h) for compliance with local legal requirements</p> <p>(i) for the prevention and detection of crime (including use of CCTV and photographs on ID cards)</p> <p>(j) to carry out DBS checks in relation to those Bensons Employees who work with young and/or vulnerable people</p> <p>(k) for dealing with legal claims</p> <p>(l) for record retention obligations and other related administrative activities</p> <p>(m) to establish or exercise its legal rights and to comply with law enforcement or other government agency requests or court orders</p> <p>(n) for equal opportunity monitoring</p>
Processing that is necessary for our own legitimate interests (to ensure our business runs efficiently and compliantly, to facilitate sales, to provide services to our staff, to develop and manage our staff, to deal with queries or complaints, to protect our staff and assets, to sell or acquire or business and/or assets, to comply with our obligations) or those of third parties provided these are not	<ul style="list-style-type: none"> • Name and address • Photograph • Contact information (including telephone number and email address) • Date of birth • Nationality • Salary and benefit (including level and history and performance bonus, if relevant) • Performance Development Reviews (including appraisal results and training history) • Attendance data 	<p>(a) to provide and manage facilities such as IT service, library services and car parking provision</p> <p>(b) to manage and assess career development, employee appraisal and training</p> <p>(c) for employee management (including headcount and other similar actions), and for any employee relations proceedings such as grievance and disciplinary investigations</p>

<p>overridden by your interests and fundamental rights and freedoms</p>	<ul style="list-style-type: none"> • Disciplinary, appeals and grievance data • Accident/Incident/Near Miss reporting and investigation data • Employment and education history (and any other information recorded within your CV) • Personal Data about you taken from Social Media including qualifications, work history and lifestyle and social circumstances • Financial and lifestyle employment screening (in line with current relevant legislation) • DVLA Records (for those who drive on company business) • Call recording data • CCTV data • Sales information (including where you have sold goods alongside a credit product, where you work in our stores) 	<ul style="list-style-type: none"> (d) to respond to and/or deal with requests, enquiries, or complaints (e) to manage business travel and employee relocation (f) for compliance and risk management (g) for the processing of any insurance or other claim by any employee or third party (h) for the provision of academic research purposes (i) for the prevention and detection of crime (including use of CCTV and photographs on ID cards) (j) the sale or acquisition of a business (including the necessary due diligence associated with such transactions) (k) for management analysis (l) for auditing purposes (m) for financial forecasting (n) to facilitate the provision of non- contractual benefits (o) to facilitate your trade union membership (including payment of any subscription fees) (p) for business planning and transactions (q) for compliance with Bensons policies (r) for statistical purposes (s) to share with our principal, Product Partnerships Limited ("PPL"), where you make a sale to a customer who chooses to obtain a credit facility for their purchase, as a record of that sale (t) for legal compliance.
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We may convert your Personal Data into statistical or aggregated data in such a way as to ensure that you are not identified or identifiable from that data. We may use this aggregated data to conduct research and analysis, including to produce statistical research and reports. We may share such anonymous aggregated data with third parties. Aggregated and anonymous information does not personally identify you and is therefore not Personal Data.

4. To whom will your Personal Data be disclosed?

Personal Data will be shared and transferred from us to other companies in our group for the purposes noted above (or for such other purposes as are notified by Bensons to you from time to time. It may also be shared with benefits providers (where you choose to receive benefits or are provided benefits under your contract of employment) and with any trade union you choose to become a member of.

Bensons may otherwise disclose Personal Data to third parties that are performing services under contract for Bensons, such as payroll service providers, IT hosting and/or maintenance providers.

Personal Data may also be disclosed (upon lawful request) to government authorities, law enforcement and regulatory authorities, courts, court-appointed persons/entities, where required or permitted by relevant local law and/or for tax or other purposes. Further, Personal Data may be disclosed to third parties in response to legal process and when required to comply with laws, or to enforce Bensons' agreements and corporate policies or to protect the rights, property or safety of Bensons, its employees, agents and/or others, as well as to parties to whom the relevant Bensons Employee has authorised Bensons to release their Personal Data.

In certain circumstances, we will also disclose your Personal Data to third parties who will receive it as controllers of your Personal Data in their own right such as legal advisors, other professional advisors and insurers, or if we sell our business (or part of it) in connection with a share or asset sale, we may disclose or transfer your Personal Data to the prospective seller or buyer and their advisors. An example of this is where we share limited details about you (name and time of sale) with PPL where you make a sale to a customer who also chooses to obtain a credit facility for that purchase (PPL is our principal, where we act as an agent in facilitating a credit facility for our customers).

For the purposes described above (or for such other purposes as are notified by Bensons to you from time to time), your Personal Data may be transferred to, and stored, and otherwise processed in, one or more countries outside of the United Kingdom. The jurisdiction of other organisations outside the UK may not have adequate data protection laws equivalent to those in place within the UK. For transfers of your Personal Data to third parties outside of the UK, we take additional steps in where required line with data protection laws. In some instances, we have implemented appropriate technical and organisational measures to protect your Personal Data in the form of EU Commission approved forms of contract with the relevant recipient(s) of your Personal Data. In addition, we will take reasonable steps to ensure that your Personal Data is adequately protected in accordance with the requirements of the UK data protection law. If you would like to obtain a copy of the EU Commission approved forms of contract, please contact us by using the details below.

Bensons may also, where permitted (and having obtained any necessary consents as may be required by law), disclose Personal Data outside of the UK for the purposes noted above in respect of Bensons, or:

- where required as matter of law (for example, to tax and social security authorities);
- where required to protect Bensons' and/or other Bensons group companies' legal rights (for example, to defend against litigation); and/or
- for talent management of senior staff, where to transfer the Personal Data would not cause an unwarranted prejudice to the rights and freedoms of the Bensons Employee; and/or for such other purposes as are notified by Bensons from time to time.

5. Security of your Personal Data

As stated above, Bensons takes the protection of your Personal Data seriously and we have implemented technical, physical, and organisational measures to help us keep Bensons Employee Personal Data (including Sensitive Personal Data) accurate, up to date and protected against unauthorised or accidental destruction, alteration or disclosure, accidental loss, unauthorised access, misuse, unlawful processing and/or damage.

6. Data Retention

Bensons will retain your Personal Data only for such period as is necessary to perform the purpose(s) for which it was collected. In many cases this means that Personal Data will be retained for the duration of your employment with us and then for a reasonable time thereafter in order to manage our relationship with you, defend any claims, for tax purposes and/or for any other record keeping purposes. This period is typically a period of not less than 7 years after the end of your employment, but some longer retention periods apply, as set out in our Retention Policy (for example information relevant to health and long term risk of damage to health is retained for 40 years).

7. Your Rights

You have certain legal rights, which are briefly summarised below, in relation to any Personal Data about you which we hold.

Your right	What does it mean?	Limitations and conditions of your right
Right of access	Subject to certain conditions, you are entitled to have access to your Personal Data (this is more commonly known as submitting a “data subject access request”).	If possible, you should specify the type of information you would like to see to ensure that our disclosure is meeting your expectations. We must be able to verify your identity. Your request may not impact the rights and freedoms of other people, e.g. privacy and confidentiality rights of other staff.
Right to data portability	Subject to certain conditions, you are entitled to receive the Personal Data which you have provided to us and which is processed by us by automated means, in a structured, commonly- used machine readable format.	<p>If you exercise this right, you should specify the type of information you would like to receive (and where we should send it) where possible to ensure that our disclosure is meeting your expectations.</p> <p>This right only applies if the processing is based on your consent or on our contract with you and when the processing is carried out by automated means (i.e. not for paper records). It covers only the Personal Data that has been provided to us by you.</p>
Rights in relation to inaccurate personal or incomplete data	<p>You may challenge the accuracy or completeness of your Personal Data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your Personal Data accurate and up to date.</p> <p>We encourage you to notify us of any changes regarding your Personal Data as soon as they occur, including changes to your contact details, telephone number, immigration status.</p>	<p>Please always check first whether there are any available self-help tools to correct the Personal Data we process about you.</p> <p>This right only applies to your own Personal Data. When exercising this right, please be as specific as possible.</p>
Right to object to or restrict our data processing	Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your Personal Data.	<p>The right to object applies where our processing of your Personal Data is necessary for our legitimate interests or for a task carried out in the public interest.</p> <p>If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.</p>

		You can also object to our processing of your Personal Data for direct marketing purposes.
Right to erasure	Subject to certain conditions, you are entitled to have your Personal Data erased (also known as the “ <i>right to be forgotten</i> ”), e.g. where your Personal Data is no longer needed for the purposes it was collected for, or where the relevant processing is unlawful.	We may not be able to erase your Personal Data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims.
Right to withdrawal of consent	As stated above, where our processing of your Personal Data is based on your consent you have the right to withdraw your consent at any time.	If you withdraw your consent, this will only take effect for future processing. It will not affect the lawfulness of our processing based on your consent before you withdrew that consent.

Where our processing of your Personal Data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your Personal Data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.

Please contact us at gdpr@bensonsforbeds.co.uk if you would like to exercise any of these rights or if you have any concern about how your Personal Data is processed and we will try to resolve your concerns. However, if you consider that we are in breach of our obligations under data protection laws, you may lodge a complaint with the Information Commissioner's Office (<https://ico.org.uk/global/contact-us/>). You have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or of an alleged infringement of the GDPR.

8. Updates to this Privacy Notice

Bensons may change this Privacy Notice from time to time in order to reflect changes in the law and/or its privacy practices. When this happens and where Bensons is required to do so by law, it will provide you with a new and/or updated Privacy Notice detailing how the use of your Personal Data is changing and, if necessary, obtaining your consent for the further Processing, as may be applicable.

Policy Last Updated December 2020