**STAFFORD FUELS LIMITED**

**STAFF DATA PROCESSING NOTICE**

1. Introduction

This Notice describes the practices of Stafford Fuels Limited (“**Stafford Fuels** ”) regarding the collection, use, transfer, disclosure and other handling and Processing of your Personal Data as an employee of, or staff contractor to, Stafford Fuels .

In particular, Stafford Fuels is committed to Processing the Personal Data of its employees in a fair, lawful and transparent manner. Accordingly, this Notice provides Stafford Fuels employees with certain information about how their Personal Data is used by Stafford Fuels . Stafford Fuels has also adopted a Privacy Policy (the “Stafford Fuels Privacy Policy”) that addresses data protection more generally. Capitalised terms used in this Notice are defined in the Glossary in Annex I to this Notice.

In relation to Personal Data provided by you to Stafford Fuels , Stafford Fuels will act as Data Controller of such Personal Data. This means that Stafford Fuels determines why and how such data is used. Stafford Fuels ’s data Processing is generally undertaken in fulfilment of its legitimate interests and for the performance of contracts.

1. What is Personal Data?

Personal data is any information relating to a living individual which allows either directly or indirectly the identification of that individual. Personal Data can include a name, an identification number, details about an individual’s location or any other detail(s) that is specific to that individual and that would allow the individual to be identified or identifiable. The type of Personal Data that Stafford Fuels collects and Processes in relation to employees is described in more detail in the table at Appendix II of this Notice*.*

1. How we Collect and Use your Personal Data

The table at Appendix II also describes in detail the particular purposes and lawful basis for Stafford Fuels ’s Processing of employee Personal Data as required by Data Protection Law. Stafford Fuels will generally Process your Personal Data for personnel administration purposes and for purposes as necessary for and connected with the performance of contracts, such as employment contracts, and in its legitimate interests.

Stafford Fuels may obtain Personal Data about you from third parties, such as former employers, educational institutions, recruitment agencies, recruitment platforms such as LinkedIn, government agencies, from information in the public domain and available on the internet and from other employees (e.g., other Stafford Fuels staff, members of the HR Department, etc.). We may also seek Personal Data about you from third parties in connection with: (I) locating former employees and beneficiaries for purposes of administering retirement, pension or other benefits; (II) performance evaluations; (III) academic and processional references; (IV) disciplinary matters and internal investigations; (V) purposes that relate to your employment relationship with us; and (VI) other purposes permitted in accordance with applicable law. Where we obtain Personal Data about you from third parties, we will do so in accordance with Data Protection Law.

1. Special Categories of Data

Stafford Fuels Processes Special Categories of Data (“**SCD**”) relating to employees in limited circumstances, typically related to the ordinary course of personnel administration which is in accordance with the Data Protection Law. Such Processing of SCD is permitted under several provisions of the Data Protection Law, including the following:

* + Article 9(2)(f) GDPR where it is “*necessary for the establishment, exercise or defence of legal claims*” and this ground is amplified under the Data Protection Act 2018 which permits the Processing of SCD where it is necessary for the purposes of providing or obtaining legal advice or for the purposes of, or in connection with, legal claims, prospective legal claims, legal proceedings or prospective legal proceedings, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights (and which may include Processing in the context of disciplinary proceedings); and
  + In relation to the management of medical risk and medical claims the Data Protection Act 2018 permits the Processing of SCD where it is necessary for the purposes of preventative or occupational medicine, to assess the working capacity of an employee, for the management of health or social care systems and services or for ensuring high standards of quality and safety of health care.

1. Your rights under Data Protection Law

Data Protection Laws provide certain rights in favour of data subjects. The rights in question are as follows (together the “**Data Subject Rights**”):

* + The right of a data subject to receive detailed information on the Processing (by virtue of the transparency obligations on the Data Controller);
  + The right of access to Personal Data;
  + The right to rectify or erase Personal Data (known as the “right to be forgotten”);
  + The right to restrict Processing;
  + The right of data portability; and
  + The right to object to automated decision making, including profiling and where processing is based on the legitimate interests of Stafford Fuels or a third party.

The Data Subject Rights are subject to certain conditions and accordingly will not be available in all circumstances.

Any data subject wishing to exercise their Data Subject Rights should contact the Stafford Fuels Managing Director at Stafford Fuels Ltd, Raheen, New Ross, Co. Wexford. Your request will be dealt with in accordance with Data Protection Law.

1. Data Security and Data Breach

We have technical and organisational measures in place to protect Personal Data from unlawful or unauthorised destruction, loss, change, disclosure, acquisition or access. Personal Data are held securely using a range of security measures including, as appropriate, physical measures such as locked filing cabinets, IT measures such as encryption, and restricted access through approvals and passwords.

The GDPR obliges Data Controllers to notify the Data Protection Commission and affected data subjects in the case of certain types of Personal Data security breaches (Art. 34). We will manage a Data Breach in accordance with our Personal Data Security Breach Procedure. For further information on identifying and reporting a Data Breach please contact Managing Director at the details below. If you become aware of or suspect that a Data Breach has taken place you are required to immediately notify the Stafford Fuels Managing Director by both phone and email:

|  |  |
| --- | --- |
| Name | Andy Maher |
| Email | Andy.maher@staffordfuels.ie |
| Phone | 087-687 3985 |

1. Disclosing Personal Data

From time to time, we may disclose Personal Data to third parties, or allow third parties to access Personal Data which we Process (for example where a law enforcement agency or regulatory authority submits a valid request for access to Personal Data). We may also share Personal Data: (a) with a statutory body where there is a lawful basis to do so; (b) with selected third parties including our legal, financial and tax advisors and sub-contractors; (c) if we are under a legal obligation to disclose Personal Data. This includes exchanging information with other organisations for the purposes of fraud prevention or investigation.

Where we enter into agreements with third parties to Process Personal Data on our behalf we will ensure that the appropriate contractual protections are in place to safeguard such Personal Data where required by Data Protection Law. Examples of such third party service providers that we engage, and to whom we may provide Personal Data include but are not limited to communications providers, payroll service providers, pension administrators, occupational health providers, marketing or recruitment agencies, operators of data centres used by us, security services, catering service providers, and professional advisors such as external lawyers, accountants, tax and pensions advisors.

1. Data Retention

We will keep Personal Data only for as long as the retention of such Personal Data is deemed necessary for the purposes for which that Personal Data are Processed (as such purposes are set out in this Notice).

1. Data Transfers outside the EEA

From time to time we may need to transfer Personal Data outside the EEA. This transfer will occur in accordance with applicable Data Protection Law. We take reasonable steps to ensure that the Personal Data is treated securely (typically through the use of EU-approved Model Contract Clauses) and in accordance with the Stafford Fuels Privacy Policy when transferred outside the EEA. A copy of the Model Clauses is available on request.

1. Further Information/Complaints Procedure

You can ask a question or make a complaint about this Notice, the Stafford Fuels Privacy Policy and/or the Processing of your Personal Data by contacting the Stafford Fuels Managing Director, at the details set out in paragraph 6 above. While you may make a complaint in respect of our compliance with Data Protection Law to the Irish Data Protection Commission, we request that you contact the Stafford Fuels Managing Director, in the first instance to give us the opportunity to address any concerns that you may have.

**ANNEX I – Glossary**

In this Notice, the terms below have the following meaning:

“**Data Breach**” means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.

“**Data Controller**” means the entity which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

“**Data Processor**” means the party that Processes Personal Data on behalf of the Data Controller (for example, a payroll service provider).

“**Data Protection Law**” means the General Data Protection Regulation (No 2016/679) (“**GDPR**”) and the Data Protection Acts 1988 to 2018] and any other laws which apply to Stafford Fuels in relation to the Processing of Personal Data.

“**European Economic Area**” or “**EEA**” means Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the UK, Iceland, Liechtenstein, and Norway.

“**Personal Data**” means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

“**Processing**” means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. “**Process**” and “**Processing**” are interpreted accordingly.

“**Special Categories of Personal Data**” (or “**SCD**”) are types of Personal Data that reveal any of the following information relating to an individual: racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership. Special Categories of Personal Data also include the Processing of genetic data, biometric data (for example, fingerprints or facial images), health data, data concerning sex life or sexual orientation and any Personal Data relating to criminal convictions or offences.

APPENDIX II – Data Processing Purposes

The following table describes the type of Personal Data that is collected by Stafford Fuels relating to Stafford Fuels employees and the purposes and lawful basis for Processing that data under by Data Protection Law:

| **Description of Personal Data** | **Purpose of Processing** | **GDPR lawful basis** |
| --- | --- | --- |
| Information contained in: CVs, cover letters and job applications (*including* *previous employment background, education history, professional qualifications, references, language and other relevant skills, certification, certification expiration dates), interview notes and feedback; details on performance management ratings).* | Recruitment, personnel administration and HR management, including performance analysis, promotion purposes and booking work related travel and accommodation. | For the performance of contracts. (Art 6(1)(b)). |
| HR files and records (*including* Name, address(es), telephone, mobile, email, salary details, pension membership, union membership, DOB, contract, next of kin, CV, references, driving licenses (drivers & staff with company cars), GPS tracking for drivers of company vehicles. *passport copy, training records, disciplinary records*, *salary details, benefits, compensation type, pay grade, awards, pay frequency, effective date of current compensation, salary reviews, banking details, working time records (including vacation and other absence records, leave status, hours worked and department standard hours), pay data, national insurance or other number, marital/civil partnership status, domestic partners and dependents*). | Personnel administration and HR management, including performance analysis and promotion purposes. | Compliance with legal obligations under employment legislation (Art 6(1)(c); and  Protecting the vital interests of employees and other persons (Art 6(1)(d)). |
| Data related to pensions | To enable Stafford Fuels pension trustees and related service providers to administer your pension entitlements. | Contract performance (Art 6(1)(b)). |
| Medical information (*including medical certificate and sick notes).* | Personnel administration and to verify employee absences from work on sick leave and purposes of preventative or occupational medicine. | To assess the working capacity of an employee under the Data Protection Act 2018. |
| CCTV Footage | Stafford Fuels has closed circuit television cameras (“**CCTV**”) located throughout its premises covering buildings, internal spaces, car parks, roads, pathways and grounds. Stafford Fuels ’s CCTV system is implemented in a proportionate manner as necessary to protect Stafford Fuels property against theft or pilferage and for the security of staff and visitors to the Stafford Fuels premises (to protect their vital interests). | Protecting the vital interests of employees and other persons (Art 6(1)(d)). |