

Clarke Transport

Privacy notice for contract drivers

Under data protection law, individuals have a right to be informed about how the business uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we contract to drive for Clarke Transport.

We, Clarke Transport, are the 'data controller' for the purposes of data protection law.

Our Data Privacy Team can be reached at clarkeshr@clarketransport.co.uk

The personal data we hold

We process data relating to those we contract to drive for Clarke Transport. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Copy of driving licence
- Photographs
- CCTV footage, including audio, in certain areas.
- Tracking and location data collected from a company vehicle
- Tracking and location data collected from use of a company handheld terminal
- Data about your use of the company's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Trade union membership
- Health, including any medical conditions, and sickness records

Why we use this data

The purpose of processing this data is to help us run the company, including to:

- Enable you to be paid
- Support your wellbeing in the workplace
- Support effective performance of contract
- Allow better financial modelling and planning

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Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data – for example, where:
 - Subscribing to company-based websites and applications to support you with the delivery of the contract with Clarke Transport, such as company Email, Payroll etc.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the company's use of your data.

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Monitoring in the workplace (CCTV & location tracking)

Clarke Transport employs certain systems across company vehicles and on company sites, for the purpose of ensuring security, defence of a legal claim, operational planning and safety of staff, contractors and visitors including:

- CCTV [both fixed and in company vehicles]; and
- location tracking and telematics in company vehicles and handheld devices.

Clarke Transport is currently piloting CCTV, with the ability to capture audio, in the Tipton Depot.

Clarke Transport has reviewed the Information Commissioners Code of Conduct for using CCTV and ensured a CCTV policy, including procedure and controls, are in place to ensure correct operation, with controlled access, to review the rights of the data subject are carefully considered, and where appropriate, upheld.

How we store this data

We create and maintain a contractor file for each contract driver. The information contained in this file is kept secure and is only used for purposes directly relevant to your contract.

Once the contract period has ended, we will retain this file and delete the information in it in accordance with our Retention Policy, which can be found in the company's data retention policy.

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Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Your Family or representatives
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll, or company insurance
- Financial organisations
- Our auditors
- Trade unions and associations
- Health authorities
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies [Including the Road Haulage Association]

Transferring data internationally

Where we transfer personal data to a country or territory outside of the United Kingdom, we will do so in accordance with restricted data transfers under the Data Protection Act 2018.

Automated decision making

Clarke Transport does **not** employ any system which incorporate automated decision making, including artificial intelligence, and which may result in the a detrimental effect.

Your rights

How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the company holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Privacy Team.

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Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

...to exercise any of these rights, please contact our Data Privacy Team.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Privacy Team.

Alternatively, you can make a complaint to the Information Commissioner's Office:

Report a concern online at <https://ico.org.uk/concerns/>

- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Privacy Team** on clarkeshr@clarketransport.co.uk