



## STAFF PRIVACY NOTICE

Last updated: 24 February 2023

1. This notice contains the staff privacy notice of Pagoda Projects Ltd and any subsidiaries or holding companies of Pagoda Projects Ltd (collectively referred to as the **Company**).
2. The Company reserves the right to amend, replace or remove the contents of this policy from time to time, in its absolute discretion. Any amendments or revisions will be notified to staff by email and subsequently incorporated into future editions.
3. Staff members are required to familiarise themselves with the contents of this policy and comply with it at all times.
4. The Company is committed to protecting staff members' privacy and complying with its data protection obligations under the Data Protection Act 2018 (the **DPA 2018**), the UK General Data Protection Regulation 2016/679 (the **UK GDPR**) and any other applicable UK legislation (together, **Data Protection Law**).
5. This privacy notice describes the categories of personal data the Company collects from and about staff and how it will use that personal data. Personal data is any information about an identifiable person (eg name, address, performance appraisal or disciplinary records etc).
6. The Company acts as a data controller of its staff members' personal data, which means it is responsible for deciding how to hold and use staff members' personal data. If any staff member has any concerns regarding this policy, contact the Data Protection Officer by email at [clare.harding@pagodaprojects.com](mailto:clare.harding@pagodaprojects.com) or by phone on +44 1618188824.
7. The Company processes staff members' personal data, in accordance with the following data protection principles:
  - a) all personal data must be processed lawfully, fairly and in a transparent way;
  - b) personal data must be collected for specified, explicit and legitimate purposes, and any processing must be compatible with the original purposes for which the data was collected;
  - c) all personal data must be adequate, relevant and limited to what is necessary to achieve the purpose for which it is processed;
  - d) all personal data must be accurate and kept up to date where necessary, and all reasonable steps must be taken to correct or erase inaccurate data promptly;
  - e) personal data must not be kept in a form which identifies individuals for any longer than is necessary for the purposes of processing; and
  - f) personal data must be processed securely and in a way that protects against unauthorised or unlawful processing, accidental loss, destruction or damage.
8. The Company will only process staff members' personal data when there is a lawful basis for doing so. In general, the basis will be that:
  - a) processing is necessary to perform a staff member's contract of employment/working agreement; and/or
  - b) processing is necessary for the Company to comply with its legal obligations; and/or
  - c) processing is necessary for the purposes of the Company's legitimate interests (unless those interests are overridden by the staff member's fundamental rights and freedoms).

Where none of these lawful bases apply, the Company may ask staff members for consent to the processing of their personal data as described in paragraph 10 below.



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9. When the Company asks for staff members' personal data it will make it clear whether the information requested:  
(i) must be supplied, whether according to the terms of any contract of employment/working agreement, to comply with a relevant legal obligation or pursuant to the Company's legitimate interests; or (ii) is optional; and the consequences of not providing the information.
10. Any request for consent to the processing of staff personal data will be made directly to the staff member concerned and will include information about why the Company requires the personal data and what will be done with it. It is not a condition or requirement of any staff member's employment/working agreement to agree to any such consent request from the Company. Any consent given by staff members for the optional processing of their personal data can be withdrawn at any time.

11. Sharing staff members' personal data

The Company will only share staff members' personal data in accordance with Data Protection Law. The Company may share such personal data where necessary:

- a) with group companies;
- b) with employees, contractors, consultants or advisers, where the sharing of staff personal data is necessary to administer the staff member's employment/agreed working relationship with the Company;
- c) with parties who provide products or services to the Company, such as advisers, payroll administrators, pension providers etc;
- d) with Connected Accountancy in the UK;
- e) with NEST in the UK;
- f) with Zhuhai Yiye Accounting Firm in China;
- g) with Metasource in Vietnam;
- h) with ATA Consulting in Thailand;
- i) with Remote Ltd in Europe;
- j) with government or quasi-governmental organisations, law enforcement and other regulatory authorities or third parties when required or permitted by law, including but not limited to in response to court orders, for the prevention and detection of crime and to protect intellectual property and any other legal rights; and
- k) if the Company or part of the business in which the staff member works is sold, transferred or integrated with another business, with our advisers, a prospective purchaser, a prospective purchaser's advisers or the new owner of the Company.

12. In some cases, when the Company shares staff members' personal data as described above, it will involve the transfer of that personal data to countries outside the UK which have different data protection standards to those which apply in the UK. In particular:

- a) Zhuhai Yiye Accounting Firm;
- b) with Metasource in Vietnam;
- c) with ATA Consulting in Thailand;
- d) with Remote Ltd in Europe;

Where the Company transfers staff members' personal data outside the UK it will put in place suitable safeguards in compliance with its obligations under Data Protection Law.



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13. Staff members' personal data will only be kept for as long as necessary for the purposes it is being processed and, more specifically, for the periods set out in the table at paragraph 16.

14. Staff members' rights over their own personal data

Depending on the reason their personal data is being processed, staff have a right to:

- a) request access to their personal data;
- b) ask for personal data that is inaccurate or incomplete to be corrected or completed;
- c) ask for personal data to be deleted, which the Company will do when required to by Data Protection Law;
- d) ask for the processing of their personal data to be restricted, which the Company will do when required to by Data Protection Law;
- e) ask for a copy of their personal data in a suitable format or ask for the Company to transfer it directly to someone else;
- f) object to certain types of processing (see paragraph 15 below); and
- g) if the Company has asked for consent to process the personal data, to withdraw this consent.

To exercise any of these rights, please contact the Data Protection Officer. If a concern is not resolved satisfactorily, staff can make a complaint to the Information Commissioner's Office (ICO).

15. The right to object

Staff have the right to object to the processing of their personal data which is carried out:

- a) for direct marketing purposes;
- b) in the public interest; or
- c) pursuant to the Company's own legitimate interests.

The Company will stop any such processing that staff object to when required by Data Protection Law.

16. The table below sets out the categories of staff personal data processed by the Company, the purposes of that processing, the basis for processing and the retention period for the data. Some of the Company's processing will involve special categories of personal data. The Company will only process this data where there is a specific lawful justification to do so and only to the extent necessary to fulfil its lawful purpose.



## CATEGORIES OF STAFF PERSONAL DATA

CATEGORY OF PERSONAL DATA	PURPOSE OF PROCESSING	LAWFUL BASIS FOR PROCESSING	RETENTION PERIOD
<b>Contact details including name, phone number, email address and home address</b>	To communicate with staff, to keep accurate records of staff employed with the Company and to fulfil the Company's duties to supply accurate information to bodies such as HMRC	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Throughout employment/contract work period and for up to six years after employment/last contracted work period comes to an end
<b>Date of birth</b>	Identification and right to work purposes.  Necessary to administer the Company pension scheme	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation  .	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Gender</b>	Used for diversity monitoring and to ensure the Company complies with the Equality Act 2010	The processing is necessary to comply with a legal obligation  .  The processing is necessary to pursue the Company's legitimate interests. Specifically: Meeting the Company's diversity aims	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Payroll, tax and National Insurance information</b>	Used to pay salary, national insurance and pension contributions and fulfil the Company's duties to retain and supply accurate information to bodies such as	The processing is necessary to perform a contract.	Throughout employment/contracted work period and for up to six years after



## CATEGORIES OF STAFF PERSONAL DATA

	HMRC  Necessary to administer the Company benefit/bonus scheme	The processing is necessary to comply with a legal obligation.	employment/last contracted work period comes to an end
<b>Contact details for next of kin</b>	Necessary to communicate with next of kin in an emergency	The processing is necessary to pursue the Company's legitimate interests. Specifically: The Company's duty of care towards staff	Throughout employment/contracted work period
<b>Information and documents concerning immigration status, right to work and residence status</b>	Used to ensure staff have the right to work in the UK and/or in the country where they complete most of their work for Pagoda Projects.	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Salary, bonus and expenses paid</b>	Used to meet the Company's tax obligations, to determine staff eligibility for pay rises and bonuses, and to ensure the Company makes equal and fair pay decisions	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Six years from the end of the tax year to which the records relate
<b>PAYE records, calculations, working sheets and forms</b>	Used to meet the Company's tax obligations, to determine staff eligibility for pay rises and bonuses, and to ensure the Company makes equal and fair pay decisions	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Six years from the end of the tax year to which the records relate
<b>Records of maternity, paternity and adoption pay and maternity allowance</b>	Used to meet the Company's tax obligations, to determine staff eligibility for pay rises and bonuses, and to ensure the Company makes equal and fair pay decisions	The processing is necessary to perform a contract.  The processing is necessary to comply with a	Six years from the end of the tax year to which the records relate



## CATEGORIES OF STAFF PERSONAL DATA

		legal obligation.	
<b>Information about staff performance, such as appraisal records</b>	Used to maintain levels of performance and to manage and operate appraisals	The processing is necessary to pursue the Company's legitimate interests. Specifically: Maintaining acceptable levels of performance amongst staff	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Details of disciplinary or grievance investigations and proceedings including formal warnings and related documentation</b>	Used to ensure staff are meeting the terms of their employment contracts and complying with Company policies  For the assessment of staff eligibility for pay rises and bonuses.  To ensure staff have access to effective recourse if they have any concerns about their employment	The processing is necessary to pursue the Company's legitimate interests. Specifically: Maintaining acceptable levels of conduct amongst staff and keeping appropriate records for use in future disciplinary proceedings  The processing is necessary to perform a contract.	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Attendance records including sickness absence and holiday leave</b>	Used to monitor and manage absence levels  For the assessment of staff eligibility for remuneration or benefits related to health such as sick pay  Used to make reasonable adjustments to account for any staff member's disability	The processing is necessary to pursue the Company's legitimate interests. Specifically: Maintaining acceptable levels of attendance and supporting the wellbeing of our staff  The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Photograph</b>	Used to identify staff  Staff photographs may be displayed on the Company website and on security passes	The processing is necessary to pursue the Company's legitimate interests. Specifically: Identifying staff members and maintaining an up-to-date Company website	Throughout employment/contracted work period and for one year after employment/last





## CATEGORIES OF STAFF PERSONAL DATA


		The processing is necessary to perform a contract.	contracted work period comes to an end
<b>Copy of passport, visa, ID card, work permit and/or driving licence</b>	<p>Necessary to ensure the Company has correct information about staff members' identity under staff contracts of employment and fulfil the Company's duties to retain and supply accurate information to bodies such as HMRC or local government bodies</p> <p>Used to ensure staff have the right to work in the UK or the country where they work</p> <p>Used to make sure staff are qualified to drive for work where this is a requirement</p>	<p>The processing is necessary to comply with a legal obligation.</p> <p>The processing is necessary to perform a contract.</p>	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
<b>Educational and training information</b>	Used to make sure staff have the qualifications necessary for their role	The processing is necessary to pursue the Company's legitimate interests. Specifically: Ensuring staff are appropriately qualified to fulfil their role	Throughout employment/contracted work period and for up to six years after employment/last contracted work period comes to an end



## CATEGORIES OF STAFF PERSONAL DATA

Sensitive personal data				
Category of sensitive personal data	Purpose of processing	Lawful basis for processing	Special condition for processing sensitive personal data	Retention period
Health records and medical information, including whether a staff member has a disability	Compliance with the Company's health and safety obligations, personnel management and administration purposes  Used to consider how staff members' health affects their ability to do their job and whether any reasonable adjustments are required	The processing is necessary to pursue the Company's legitimate interests. Specifically: Supporting the wellbeing of staff and pursuing business continuity purposes  The processing is necessary to comply with a legal obligation.  The processing is necessary to perform a contract.	The processing is necessary for the Company to exercise its rights or comply with its obligations under employment law. The processing is necessary to protect the staff member's own vital interests (eg to protect their life).	Throughout period of employment/contracted work period and for up to six years after employment/last contracted work period comes to an end
Information about staff members' racial or ethnic origin	Used to help the Company meet its diversity aims and ensure compliance with the Equality Act 2010	The staff member has consented to the processing.	The staff member has given explicit consent to the processing of their sensitive personal data in this way.	Throughout period of employment/contracted work period and for up to six years after employment/work contract comes to an end
Criminal records	Used to comply with legal requirements and obligations to third parties and to assess suitability for employment or promotion	The processing is necessary to perform a contract.  The processing is necessary to comply with a legal obligation.	Employment law obligations	Throughout employment/contracted work period and for up to six months after employment/work contract comes to an end

Signed:

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Clare Harding

Head of Operations

24 February 2023