



MD Insurance Services Limited

## MD GROUP : HUMAN RESOURCE PRIVACY NOTICE - MDG (HR)

We have provided this Privacy Notice to help you understand how we collect and use your personal information.

### WHO WE ARE

MD (MDG) Group is made up of the following registered companies:

- MD Insurance Services Limited Registered in England No: 3642459. MD Insurance Services Limited is authorised and regulated by the Financial Conduct Authority. Our permitted business is arranging, dealing as agent and assisting in the administration and performance of general insurance contracts. You may check this on the FCA's register by visiting the FCA website, [www.fca.org.uk/register](http://www.fca.org.uk/register) or by contacting the FCA on 0800 111 6768.
- MD Warranty Support Services Limited Registered in England No: 4759193. MD Warranty Support Services Limited is approved by CICAIR as an Approved Inspector for the purposes of Part II of the Building Act 1984.
- MD Warranty Inspection Services Limited Registered in England No: 5288783.
- MD Remedial Contractors Limited Registered in England No: 10338695.
- MDIS (International) Limited Registered in England No. 8225130 operating from the United Kingdom via its Overseas Branches in accordance with all applicable data protection regulation in the UK and branch locations.
- MD Affinity Schemes Limited registered in England No. 8214231.

The registered office for each company is:

2 Shore Lines Building  
Shore Road  
Birkenhead  
Wirral CH41 1AU  
Telephone: 0151 650 4300

### OUR SERVICE

The companies within the MD Group have been established to provide and administer latent defects insurance. MD Insurance Services Limited is a managing general agent acting as an underwriting agency on behalf of a panel of insurers.

We do not offer advice and will not in any circumstances guarantee or warrant the solvency of any underwriter.

When processing personal data, **MDG (HR)** has adopted the following principles, as laid down in the EU GDPR Regulation:

1. Personal Data shall be processed lawfully, fairly and in a transparent way.
2. Personal Data shall be collected for specified, explicit and legitimate purposes only.
3. Personal Data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Personal Data shall be accurate and, kept up to date. This means MDG (HR) must have in place processes for identifying and addressing out-of-date, incorrect and redundant Personal Data.
5. Personal Data shall be kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the Personal Data is processed.
6. The integrity and confidentiality of Personal Data is maintained at all times through appropriate technical and organisational measures, including protection against unauthorised or unlawful Processing, and against accidental loss, destruction or damage.

Under the Data Protection Act 1998 (the Act); the Privacy & Electronic Communications (EC Directive) Regulations 2003 and the General Data Protection Regulation (GDPR) whenever you provide any personal data to MD Insurance Services (MDG) we are legally obliged to use your information in line with all laws concerning the collection, storage, processing, protection and security of such information.



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We will only collect personal data on the basis of (a) a contractual agreement, (b) your consent, (c) our legal obligations or (d) a legitimate interest, in line with our specific business operations and those of our related third party suppliers.

For the purpose of the Act and GDPR, the data controller is MDIS of 2 Shore Lines Building Shore Road, Birkenhead, Wirral CH41 1AU. Our nominated representative for the purpose of this Act is Jake Lyon – IT Director. Should you have any concerns relating to privacy then please email [hr@mdinsurance.co.uk](mailto:hr@mdinsurance.co.uk)

**Data we MDG (HR) may collect from you.**

You may provide us information about you;

- through our recruitment process
- our employment 'on-boarding' process
- by corresponding with us by phone, e-mail or post.

The information you give us may include (but is not limited to) your;

- Name
- Address
- Date of birth
- Gender
- Details of dependant,
- E-mail address
- Contact telephone numbers
- Emergency contact information,
- National insurance details
- Bank account details,
- Eligibility to work documents
- Employment references
- Work history
- Professional memberships

Where appropriate we may ask you for more sensitive personal information (special category) such as information about your health including any medical condition, health and sickness records for any health and safety reasons or insurance cover that we may have to arrange.

**Data we MDG (HR) may collect about you.**

We will collect additional personal information in the course of your employment with us to enable us to;

- keep a record of your working relationship with us
- carry out our legal and contractual obligations
- perform our legitimate business interests

Such additional information may include (not an inclusive list);

- Photographic ID
- HRMC (tax codes, P60, P45, P46)
- Performance data (appraisals)
- Resignations / exit interviews
- Attendance data
- Other absence records – dependants leave / maternity & paternity



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### **Information we MDG (HR) may receive from other sources.**

We will collect additional information from third parties including former employers.

In all cases we will have informed you when we collected that data how this data will be used. We may also work closely with third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, analytics providers, search information providers, credit reference agencies) and may receive information about you from them.

These are covered in more detail in 'Disclosure of your data' on page 5 in this notice.

### **How we MDG (HR) will use your information?**

We will only use your personal information for the purposes for which we collected it as set out in the GDPR Core Principles detailed on page 1 in this notice; or where we have a legal basis or obligation that permits us to do so.

This includes but isn't limited to;

- Making decisions about your initial application or appointment
- To ensure we remain compliant with applicable laws and requirements such as securing satisfactory employment references
- To carry out our obligations as your employer such as payment of salary, liaison with HMRC regarding government deduction instructions
- For the purposes of conducting work related tasks such as conducting appraisals, performance reviews, education, training, managing performance and determining development requirements
- Making decisions about salary reviews, compensation, or other rewards and benefits.
- For the purposes of gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement or making arrangements for the termination of our working relationship
- Where it is necessary for our legitimate interests (or those of a third party) and for your interests, and your fundamental rights do not override those interests
- Where we need to protect your interests (or someone else's interests), such as fraud prevention
- Where it is needed in the public interest
- Where it is necessary for our legitimate interests (or those of a third party) and for your interests, and your fundamental rights do not override those interests.

### **How we MDG (HR) use special categories of personal data**

Article 9 in the GDPR Regulations covers Special categories of personal data. This is data of particularly sensitive personal information requiring higher levels of protection.

Processing of this category of personal data is prohibited unless one of the following applies;

- in limited circumstances, with your explicit written consent
- where we need to carry out our legal obligations and employer obligations
- where it is needed in the public interest, such as for equal opportunities monitoring
- where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- 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.



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Under our obligations as an employer, 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, in order to comply with Health & Safety regulations, 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.
- We will use information about your gender, race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring; dealing with our regulators and quality assurance reporting.

We do not need your consent if we use special categories of your personal information in accordance with our written notice 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.

### **Disclosure of Data**

We require all the categories of information in the list above primarily to allow us to perform our contractual obligations with you and to enable us to comply with our legal obligations.

In some situations we may share your personal information with selected third parties where required by law, where it is necessary to administer the working relationship or to pursue any other legitimate interests and where your fundamental rights do not override those interests.

These may include;

- Third party service providers and suppliers for the performance of any contract we enter into with them or you.
- We require all third parties to respect the security of your data. They are required to take appropriate security measures to protect your personal information and to treat it in accordance with the law and our policies. We do not allow our third party providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes in accordance with our instructions.
- Our pension providers for the purposes of pension administration.
- Our financial partners for the purposes of salary payments and banking obligations, including fraud prevention.
- Our employee benefits providers for the purposes of any benefits provision and administration.
- We may need to disclose your details (if required) to the police, regulatory bodies or legal advisors.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use or other agreements we have entered into with you; or to protect the rights, property, or safety of MD Insurance (MDG), our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We may share your data with any member of the MD Group (MDG) – as listed on page 1 of this notice.

We will not transfer any of your data to other third parties without your permission or unless indicated in this privacy notice.



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We may disclose your personal information to third parties without obtaining further consent from you including:

- to our business partners and suppliers for the performance of any contract we enter into with you
- where we outsource any of our business functions under which we collect or store your data, in which case we will ensure that any such service provider adheres to at least the same obligations of security with regard to your data as undertaken by us
  - For the avoidance of doubt we outsource our payroll function and the administration of our Corporate Benefit package.
- where we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or to protect our rights, property, or safety of our employees, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We will never sell your data to third parties for the purposes of marketing.

### **Where we MDG (HR) store your data**

Our main HR database system is maintained and managed securely by the MD Group.

We will never sell or disclose any personal data to a third party unless requested to do so by an individual request. Any request should be made in writing to [hr@mdinsurance.co.uk](mailto:hr@mdinsurance.co.uk). We limit access to your personal information to those employees, agents and other third parties who have a business or operational need. They will only process your personal information on our instructions and are subject to a duty of confidentiality and have agreed to keep any information confidential and secure.

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

We may use external companies to collect or process data on your behalf. We do extensive checks on these companies before we work with them and agree a contract and data protection agreement prior to any work taking place, that sets out our requirements and expectations, especially regarding how they may manage personal data they collect or have access to.

We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Notice.

### **How long may we keep your personal data?**

We will hold your personal information on our systems for as long as is necessary to fulfil the purposes of which it was collected for in respect of any relevant activity and in line with applicable legislation and regulations.

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. Once you are no longer an employee of the company we will retain and securely destroy your personal information in accordance with the applicable legislation and regulations.

### **Data Accuracy**

Keep your information up to date and accurate forms part of our obligations in order to comply with GDPR.

Should any of the personal information that you have provided us change, for example your name or address please update your profile on the internal HR database and Payroll Administrator's website for which you have been / will be allocated secure log in details.

If you fail to provide certain information when requested / required 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 employees).



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### **Your Rights**

- You have the right to ask us to restrict, stop or suspend processing of your personal data, assuming that it's not essential for the purpose that it was provided, we will do so.
- You have the right to request access to your personal information we hold about you (commonly known as a "Subject Access Request"). If you would like access to your information then please send your request in writing to [hr@mdinsurance.co.uk](mailto:hr@mdinsurance.co.uk) detailing the information that you would like to see. We can only accept information requests in writing from the individual themselves, and charges may be made for any multiple or excessive requests for information. Our IT department will assist in the recovery of the data in response to a Data access request.
- You have the right to request correction of the personal information that we hold about you, in order to correct any incomplete or inaccurate information we hold about you.
- You have the right to 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 above).
- You have the right to request the transfer of your personal information to another party.

### **Changes to our MDG (HR) Privacy Notice**

Any changes we may make to our privacy notice in the future will be posted on our page and internal Intranet.

By accessing either of these sites you will have deemed to have accepted any changes we make to our Privacy Notice.

If you do not agree to any changes you have the option to opt out at any time. Please check frequently to see any updates or changes to our Privacy Notice.

### **Contact Us**

Questions, comments and requests regarding this privacy notice are welcomed and should be addressed to [hr@mdinsurance.co.uk](mailto:hr@mdinsurance.co.uk)

### **MDG (HR) Privacy Notice**

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2 Shore Lines Building, Shore Road, Birkenhead, Wirral, CH41 1AU. T +44 (0)151 650 4300 E [info@mdinsurance.co.uk](mailto:info@mdinsurance.co.uk)

MD Insurance Services Limited is registered in England No: 3642459. Authorised and regulated by the Financial Conduct Authority.