

**The Scotch Whisky Heritage Centre Limited ('the Company') trading as
The Scotch Whisky Experience**

Privacy Notice

What is the purpose of this Privacy Notice?

This Privacy Notice sets out the basis on which the Company will process your personal data in accordance with the Data Protection Legislation.

You are being provided with a copy of this Notice because you are applying to work with us or provide services to us.

What is personal data?

"Personal data" means, for the purpose of this Privacy Notice, all information relating to you, directly or indirectly, for example your full name including, if applicable, your preferred name and your previous surname; your gender; your work and personal e-mail address; your marital status and dependants; your National Insurance Number; your date of birth; your job title; your home address; your mobile number and your home phone number; your educational and professional qualifications; your previous and current employment dates and details; and any other personal information that you have provided in your application form or curriculum vitae and covering email or letter to us or which you provide to us in any interview.

"Special categories of personal data" means, for the purpose of this Privacy Notice, personal data revealing your racial or ethnic origin; political opinions; religious or philosophical beliefs, or trade union membership, and the processing of genetic data; biometric data; data concerning health or a natural person's sex life; or sexual orientation.

What is the Data Protection Legislation?

"Data Protection Legislation" means the Data Protection Act 1998; the General Data Protection Regulation (Regulation (EU) 2016/679); any applicable legislation adopted by the United Kingdom post the United Kingdom ceasing to be a Member State of the European Union; and / or any other applicable data protection legislation applicable in any part of the United Kingdom (whichever is in force at the time).

The Company

Where the Company handles your personal data, it is the data controller for the purposes of the Data Protection Legislation.

If you have any questions regarding the Privacy Notice you can contact the Company's HR team at: dpo@scotchwhiskyexperience.co.uk

If you are unhappy with how we handle your personal information you can:

- submit a complaint to the Company's HR team at: dpo@scotchwhiskyexperience.co.uk and / or
- notify the Information Commissioner's Office (ICO) (please see: <https://ico.org.uk/concerns/> for more information)..

Our Data Protection Officer is Jim Nation and you can contact our Data Protection Officer at: dpo@scotchwhiskyexperience.co.uk

Use of your personal data

The Company will hold and process your personal data to assess your skills, qualifications and suitability for the work or role, namely:

- making a decision about your recruitment or appointment;
- communicating with you about the recruitment or appointment process;
- carrying out background and reference checks, where applicable;
- determining the terms on which to offer work, employment or consultancy with us;
- managing any disabilities or special needs you have including administering adjustments to work and/or the recruitment process;
- dealing with legal disputes involving you, or other employees, workers and contractors, including employment disputes;
- complying with health and safety obligations;
- equal opportunities monitoring;
- complying with our legal obligation to ensure that you are entitled to work in the UK; and

Legal basis on which the Company uses your personal data

The Company will use your personal data on the following legal basis:

- it is necessary for the Company to comply with its legal obligations;
- it is necessary for the Company's legitimate interests except where your interest and rights override those. (It is in our legitimate interests to decide whether to enter into such a contract with you since it may be beneficial to our business to appoint someone to a particular role or to carry out work or provide services to us);
- it is necessary to protect your interests or those of someone else; and/or
- it is necessary to process your personal data to decide whether to enter into a contract, of employment or otherwise for work or services, with you.

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

Legal basis on which the Company uses your special categories of personal data

The Company will use your special categories of personal data on the following legal basis:

- it is necessary for the purposes of carrying out the obligations and exercising the rights of the Company in the area of employment; and it is authorised by UK or EU law;
- it is in the public interest, for example it is necessary to assess equality of opportunity or treatment, or to prevent fraud;
- it is necessary to protect your vital interests or those of someone else and you are not able to give consent;
- it is necessary to establish, exercise or defend legal claims;
- the use relates to personal data which is manifestly made public by you; and/or

- in certain cases, where we have your express written consent.

Legal basis on which the Company uses information about criminal convictions and offences

The Company will only collect information about criminal convictions if it is appropriate given the nature of the role. The Company may also only use information relating to criminal convictions where the law allows it to do so. Where appropriate, the Company will collect information about criminal convictions as part of the recruitment process.

The Company will use information about your criminal convictions and offences on the following legal basis:

- where it is appropriate for the role or work for which you have applied and you have agreed to us carrying out a criminal records check;
- it is necessary to carry out the Company's obligations and provided the Company does so in line with this policy;
- it is necessary to establish, exercise or defend legal claims;
- it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent; and/or
- you have already made the information public.

How long the Company will hold onto your data

The Company will not store your personal data longer than necessary for the uses outlined above, unless it is required to do so to comply with the law and / or any regulatory requirements.

The Company shall retain your information for a period of 6 months after we have communicated to you our decision about whether to appoint you to the role or work. After this period, and if you are not successful in your application, we will securely destroy or anonymise your personal information in accordance with our Data Retention Policy OR applicable laws and regulations.

Future Opportunities

If you would like us to retain your personal information on file in case another opportunity may arise in the future so that we can consider you for that opportunity, please e-mail or write to us at jobs@scotchwhiskyexperience.co.uk. We will continue to hold your personal information for this purpose for 12 months after receipt of your written confirmation.

Sharing your data with third parties

The Company contracts with third party service providers and suppliers to deliver certain services. We have data processing agreements in place with each of these providers so that they process your personal data in accordance with this Privacy Notice.

The Company may share your personal information with the following third parties and for the following purposes:

- SAGE payroll software provider, Aegon pension provider, Canada Life life assurance provider, Edenread childcare voucher scheme.

The Company may also share your personal data with other third parties, for example in the context of the possible sale or restructuring of the business. The Company may also need to share your personal data from time to time to comply with the law.

Your Rights

You have certain rights under the Data Protection Legislation which can be exercised by contacting the Company's HR team at: dpo@scotchwhiskyexperience.co.uk namely:

- the right to access the personal data held about the you by making a subject access request in accordance with the Data Protection Legislation. We may charge a reasonable fee when a request is manifestly unfounded or excessive;
- the right to have your personal data rectified if it is inaccurate or incomplete;
- the right to have your personal data deleted in certain specific circumstances as set out in the Data Protection Legislation;
- the right to restrict the processing of your personal data in certain specific circumstances as set out in the Data Protection Legislation;
- the right to ask us not to process your personal data for marketing purposes or for purposes based on our legitimate interests;
- the right to request the transfer of your personal data to another party in certain specific circumstances as set out in the Data Protection Legislation; and
- where you have provided consent, to withdraw such consent at any time.