

Privacy Statement for Employees

Key points:

- **Our use of your data:** We typically use your personal information for purposes related to your relationship with Praxair.
- **Special categories of data:** In performing our role as your employer, Praxair may use information about your health, racial and ethnic origin, sexual orientation, religion and membership or a trade union.
- **Sharing your data:** We may share your data with third parties, including third-party service providers and other entities in the group.
- **Security:** We respect the security of your data and treat it in accordance with the law.
- **International transfer:** We may transfer your personal information outside the EU and, if we do, you can expect a similar degree of protection in respect of your personal information.

1 WHAT IS THE PURPOSE OF THIS PRIVACY STATEMENT?

- 1.1 Under data protection legislation, Praxair Surface Technologies Limited (**Praxair**) is required to explain to our employees why we collect information about you, how we intend to use that information and whether we will share your information with anyone else.
- 1.2 This statement applies to all current and former employees, workers and contractors.
- 1.3 This statement does not form part of any contract of employment or other contract to provide services. We may update this statement at any time.
- 1.4 It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information during your working relationship with us so that the information which we hold is accurate and current.

2 WHO ARE WE?

- 2.1 We are Praxair Surface Technologies Limited (Praxair), a company registered in England and Wales under company number 02416734 and with our registered office at Drakes Way, Swindon, Wiltshire, SN3 3HX, a wholly owned subsidiary of Praxair Inc.

3 OUR DATA PROTECTION COORDINATOR

- 3.1 We have appointed a Data Protection Coordinator (DPC) who is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. This person is not a Data Protection Officer as defined by the GDPR.
- 3.2 If you have any concerns or questions about our use of your personal data, you can contact our DPC by writing to Data Protection Coordinator, Praxair Surface Technologies Limited, Drakes Way, Swindon, Wiltshire, SN3 3HX, UK or via email to Data_ProtectionUK@praxair.com

4 WHY ARE WE COLLECTING YOUR INFORMATION?

- 4.1 The information that you provide to us is required in order for us to provide you with our basic services under your contract of employment with us. Without this information, we would not be able to employ you.
- 4.2 In some instances, we may use information about you in a way which is not necessary in order for us to employ you but are related to your employment (such as the conduct of staff surveys, measuring equality in the workplace, complying with our legal obligations, etc).

5 TYPES OF PERSONAL INFORMATION WE USE

- 5.1 We are collecting information about you which is relevant to your employment. This includes:
 - 5.1.1 personal details (such as name, date of birth, gender, marital status, national insurance number);
 - 5.1.2 contact details (such as your address, personal telephone number and personal email address);
 - 5.1.3 confirmation of your identity (such as a copy of your driving licence or passport);
 - 5.1.4 recruitment information (such as copies of right to work documents, references and other information included in a CV or cover letter or as part of the application process);
 - 5.1.5 information about your family and others (such as dependants, next of kin and emergency contact numbers);
 - 5.1.6 information about your remuneration (such as bank account details, payroll records, tax status information, salary history, pension and benefits);
 - 5.1.7 information about your employment with us (such as start date, location of employment / workplace);
 - 5.1.8 information about your previous employment (such as job titles, work history, working hours, training records, professional memberships, salary / compensation history);
 - 5.1.9 your performance with us (such as appraisal information, colleague and customer feedback, etc);
 - 5.1.10 disciplinary and grievance information;
 - 5.1.11 security information (such as CCTV footage, entry control and clocking information, etc)
 - 5.1.12 information obtained from online background checks, such as credit and sanction/adverse news searches, finance history, DBS reports and motoring offences;
 - 5.1.13 information about your use of our information and communications systems; and
 - 5.1.14 photographs of you.

Special categories of personal data

- 5.2 Some of the information which we collect or receive may be special categories of personal data (also called sensitive personal data). Special categories of personal data require a higher level of protection. The special categories of personal data about you which we may collect use include:
 - 5.2.1 information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;

- 5.2.2 trade union membership;
- 5.2.3 information about your health, including any medical condition, eye sight examination results, urine samples, health and sickness records; and
- 5.2.4 information about criminal convictions and offences.

6 SOURCE OF YOUR PERSONAL INFORMATION

- 6.1 The above information which we collect about you will be obtained through a variety of sources which include:
 - 6.1.1 from you directly as part of the recruitment process;
 - 6.1.2 from third parties as part of the recruitment process (such as employment agencies, background check providers, former employers, credit reference agencies);
 - 6.1.3 from third party medical organisations as part of the requirements for working with Aerospace, military and/or industrial markets;
 - 6.1.4 information obtained about you in the course of job-related activities throughout the period of you working for us.

7 HOW AND WHY WE USE YOUR PERSONAL DATA

- 7.1 We use the types of personal data listed above for a number of purposes, each of which has a "lawful basis". In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you. There are a variety of different lawful bases for using personal data which are set out in the data protection laws.
- 7.2 We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases we rely on to do so.

Why we use your information	Our lawful basis for using your information
<p>Health and safety:</p> <p>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, to administer benefits and to meet requirements of customers H&S practices.</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.</p> <p>Health: It is necessary to assess the working capacity of our employees.*</p>
<p>Monitoring performance:</p> <p>Such as conducting performance reviews; managing performance and determining performance requirements; considering education, training and development requirements; assessing qualifications for a particular job or task, including decisions about promotions</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interest: It is necessary for our legitimate interests (where they are not overridden by your rights).</p>

Why we use your information	Our lawful basis for using your information
<p>Payment and salary related activities such as making payments to you, deducting tax and National Insurance contributions, liaising with your pension provider; making decisions about salary reviews and compensation</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legal obligations: it is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.</p>
<p>Providing the following benefits to you:</p> <p>Health Insurance, Life Assurance, Income Protection, Pension, Company Car (where applicable), Share options and Awards, Occupational Health services, other health at work services.</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.</p> <p>Consent: We will seek your explicit consent in order to share your personal data (including information about your health) with third party providers of Occupational Health services.*</p>
<p>Day to day employment activities:</p> <p>Such as administering the contract we have entered into with you, business management and planning, including accounting and auditing</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interest: It is necessary for our legitimate interests (where they are not overridden by your rights).</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.</p>
<p>Grievance, disciplinary or legal disputes:</p> <p>Such as gathering evidence for possible grievance or disciplinary hearings; dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work, misconduct and poor performance</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interest: It is necessary for our legitimate interests (where they are not overridden by your rights).*</p> <p>Legal claims: It is necessary for the establishment, exercise or defense of legal claims.*</p>
<p>Determining your continued employment / engagement:</p> <p>Such as making decisions about your continued employment or engagement, making arrangements for the termination of our working relationship</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.*</p>
<p>Monitoring your health:</p> <p>Such as ascertaining your fitness to work, managing sickness absence, complying with health and safety obligations and making workplace adjustments</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legal obligations: It is necessary to meet legal / regulatory obligations.*</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.*</p>

Why we use your information	Our lawful basis for using your information
	<p>Health: It is necessary to assess the working capacity of our employees.</p> <p>Consent: In certain situations, we may require your consent in order to obtain and disclose information about your health e.g. if contacting a doctor.</p>
<p>Monitoring your use of our information and communication systems to ensure compliance with our IT policies; to ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution; to conduct data analytics studies to review and better understand employee retention and attrition rates</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interest: It is necessary for our legitimate interests (where they are not overridden by your rights).*</p>
<p>To comply with our legal obligations such as to prevent fraud and equal opportunities monitoring</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interest: It is necessary for our legitimate interests (where they are not overridden by your rights).*</p>
<p>Equality:</p> <p>We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting</p>	<p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p> <p>Employment: It is necessary for us to carry out our rights and obligations as your employer.*</p>
<p>* This is an additional lawful basis which we need to rely on in order to use special categories of data such as information about your health</p>	

8 HOW WE USE INFORMATION ABOUT CRIMINAL CONVICTIONS

- 8.1 We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able and / or required to do so. This will usually be where such processing is necessary to carry out our obligations as your employer and provided we do so in line with our data protection policy.
- 8.2 Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.
- 8.3 We may also process such information in the course of legitimate business activities with the appropriate safeguards.

9 WHAT MAY HAPPEN IF YOU DO NOT PROVIDE YOUR PERSONAL INFORMATION?

9.1 If you refuse to provide certain information when requested, 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 workers).

10 COMPLYING WITH DATA PROTECTION LAW

10.1 We will comply with data protection law. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:

- 10.1.1 used lawfully, fairly and in a transparent way;
- 10.1.2 collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- 10.1.3 relevant to the purposes we have told you about and limited only to those purposes;
- 10.1.4 accurate and kept up to date;
- 10.1.5 kept only as long as necessary for the purposes we have told you about; and
- 10.1.6 held securely.

11 SHARING YOUR INFORMATION

11.1 We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

11.2 Some "third parties" are service providers (including contractors and designated agents) carrying out activities on our behalf. Other third parties will be data controllers in their own right. This means that they are not required to act on our instructions and they are solely responsible for ensuring that they comply with the law when using your personal data. We are not responsible for their use of your data if we are acting lawfully whenever we share your data with them.

Which third-party service providers process my personal information?

11.3 "Third parties" includes third-party service providers (including contractors and designated agents) customers and other entities within our group. The following activities are carried out by third-party service providers:

- 11.3.1 Payroll;
- 11.3.2 pension administration;
- 11.3.3 benefits provision and administration;
- 11.3.4 IT services;
- 11.3.5 reference and background checking services;
- 11.3.6 time and attendance services;
- 11.3.7 occupational health / healthcare services;
- 11.3.8 childcare vouchers;
- 11.2.9 driver licence checks.

How secure is information with third-party service providers?

Some third parties with whom we share your personal data with are limited in their ability to use your personal data for the specific purpose identified by us. They are known as 'data processors'.

We will ensure that any data processors with whom we share your personal data are subject to privacy and security obligations consistent with privacy laws.

12 TRANSFERRING YOUR INFORMATION ABROAD

- 12.1 We may transfer the information which you provide to us to the US. We may transfer that information to the US because our parent company, Praxair Inc. is based in the US.
- 12.2 We shall only share your personal data with Praxair Inc where is it necessary to do so for the performance of your contract of employment with us.

13 SECURITY OF YOUR INFORMATION

- 13.1 We have put in place measures to protect the security of your information, including:
 - 13.1.1 Secure cupboard and office areas
 - 13.1.2 Restricted access server directories
 - 13.1.3 Encrypted and password protected files
 - 13.1.4 Robust hosted FTP systems and websites
- 13.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

14 CAN WE USE YOUR INFORMATION FOR ANY OTHER PURPOSE?

- 14.1 We typically will only use your personal information for the purposes for which we collect it. In limited circumstances we may use your information for a purpose other than those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.
- 14.2 We may use your personal information without your knowledge or consent where such use is required or permitted by law.

15 STORING YOUR INFORMATION - RETENTION PERIODS

- 15.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from HR.
- 15.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 15.3 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.
- 15.4 Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy.

16 YOUR RIGHTS

- 16.1 Under certain circumstances, by law you have the right to:
- 16.1.1 **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - 16.1.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - 16.1.3 **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 below).
 - 16.1.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
 - 16.1.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
 - 16.1.6 **Request the transfer** of your personal information to another party.
- 16.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Coordinator (details above).

17 RIGHT TO WITHDRAW CONSENT

- 17.1 In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Coordinator (details above). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

18 RIGHT TO COMPLAIN TO THE INFORMATION COMMISSIONER'S OFFICE

- 18.1 You have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

19 CHANGES TO THIS PRIVACY STATEMENT

- 19.1 We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.