

## 1. INTRODUCTION

We respect and protect the personal information and privacy of our People.

South32 SA Investments Limited and South32 SA Marketing Limited (together, “**South32**”, “**we**” or “**us**”) has issued this Privacy Notice to describe how we manage personal information that we hold about our People and job applicants in the United Kingdom and European Economic Area (EEA) (collectively referred to as “**you**”).

“**Our People**” includes our directors, executive management, employees and contract staff (e.g. labour hire, agency and temporary workers, secondees).

This Privacy Notice (“**Notice**”):

- relates to “**Personal Information**”, which is any information (including an opinion) about an identified or identifiable person.  
It also extends to any information where you can be identified, directly or indirectly, in particular by reference to an identifier (for example, a name or email address, or an online identifier such as a unique device identification number).
- explains how we collect, manage and use Personal Information about you, and how you can exercise your privacy rights.

If you have any questions about this Notice, please contact us at the contact details in Section 10 below.

## 2. TYPES OF PERSONAL INFORMATION WE COLLECT

In the course of your employment at South32, or when making an application for employment, we may process Personal Information about you and your dependents, beneficiaries and other individuals whose Personal Information has been provided to us.

The types of Personal Information we may process include, but are not limited to:

- **Identification data** – such as your name; gender; photograph; date of birth; worker IDs.
- **Contact details** – such as home and business address; telephone numbers; email addresses; emergency contact details.
- **Employment details** – such as job title/position; office location; employment contract; performance and disciplinary records; training information; grievance procedures and business conduct reporting; hours of work; sickness/holiday records; talent management information; details of termination or resignation of employment; details of promotions, transfers and secondments.

- **Background, education and qualification information** – such as academic/professional qualifications; education details; CV/resume; language skills; details of spouses and dependents; references and referees; previous employer details; membership of professional or trade association or trade union.
- **Vetting information** (for vetting purposes, where permissible and in accordance with applicable law) – such as criminal records data; pre-employment medical information/results; psychometric testing; drug and alcohol screening and testing results; anti-corruption checks (including information about close relatives); references; qualification checks; data relating to equal opportunities monitoring; health and workers compensation claims; health monitoring results and records.
- **National identifiers** – such as national ID/passport; birth certificate; immigration/visa status.
- **Financial information** – such as banking details; tax information; withholdings; salary; benefits; expenses; company allowances; stock and equity grants.
- **IT information** – information required to provide access to company IT systems and networks such as IP addresses; log files and login information.
- **Other information relating to your employment** – such as, information relating to internal audits; communications with you (including notes from meetings and telephone calls); feedback or survey responses you provide to us.

Under privacy laws, certain categories of Personal Information are considered particularly sensitive and therefore needing additional protection. This includes information about racial or ethnic origin, political opinions, religious beliefs or affiliations, trade-union membership, health or medical conditions, genetic or biometric information, sexual orientation, or criminal convictions and offences (“**Sensitive Personal Information**”). South32 will only collect, manage and use your Sensitive Personal Information where we have obtained your explicit consent or where we have other lawful grounds to do so under applicable law.

However, in some circumstances, we may need to collect, or request on a voluntary disclosure basis, some Sensitive Personal Information for legitimate employment-related purposes: for example, information about your racial/ethnic origin, gender and disabilities for the purposes of equal opportunities monitoring, to comply with anti-discrimination laws and for government reporting obligations; or information about your physical or mental condition to provide work-related accommodations, health and insurance benefits to you and your dependents, or to manage absences from work.

### 3. PURPOSES FOR PROCESSING PERSONAL INFORMATION

#### 3.1 Recruitment purposes

If you are applying for a role at South32, we collect and use your Personal Information primarily for recruitment purposes – in particular, to determine your qualifications for employment and to reach a hiring decision. This includes assessing your skills, qualifications and background for a particular role, verifying your information, carrying out reference checks or background checks (where applicable) and to generally manage the hiring process and communicate with you about it.

If you are accepted for a role at South32, the information collected during the recruitment process will form part of your ongoing worker record.

If you are not successful, we may still keep your application to allow us to consider you for other suitable openings within South32 in the future.

#### 3.2 Employment or work-related purposes

Once you become a worker at South32, we collect and use this Personal Information for the purpose of managing our employment or working relationship with you – for example, your employment records and contract information (so we can manage our employment relationship with you), your bank account and salary details (so we can pay you), your equity grants (for stock and benefits plans administration) and details of your spouse and dependents (for emergency contact and benefits purposes).

We process the Personal Information of our People through a global human resources system (“HR System”), which comprises tools that help us to administer HR and worker compensation and benefits at an international level and which allows our People to manage their own Personal Information in some cases. This will involve transferring your Personal Information to our servers outside of the United Kingdom and, in particular, to those in Australia, Brazil, Canada, Colombia, Mozambique, Singapore, South Africa, and the United States of America. South32 entities may host these servers or utilise third party servers, but in either case South32 will be responsible for the security access of Personal Information on the HR System.

#### 3.3 The South32 global directory

We maintain a global directory of our People which contains your professional contact details (such as your name, location, photo, job title and contact details). This information is available to everyone in the South32 Group to facilitate global cooperation, communication and teamwork.

#### 3.4 Other legitimate business purposes

We may also collect and use Personal Information when it is necessary for other legitimate purposes, such as to help us conduct our business more effectively and efficiently – for example, for general HR resourcing on a global level, IT security/management, accounting purposes, or financial planning. We may also process your Personal Information to investigate violations of law or breaches of our own internal policies.

#### 3.5 Law related purposes

We may also use your Personal Information where we consider it necessary for complying with laws and regulations, including collecting and disclosing worker Personal Information as required by law (e.g. for tax, health and safety, anti-discrimination laws), under judicial authorisation, or to exercise or defend the legal rights of the South32 global group of companies.

### 4. WHO WE SHARE YOUR PERSONAL INFORMATION WITH

#### 4.1 Transfers to other group companies

As mentioned above, we will share your Personal Information with other members of the South32 Group around the world to administer human resources, worker compensation and benefits at an international level on the HR System, as well as for other legitimate business purposes such as IT services/security, tax and accounting, and general business management.

#### 4.2 Transfers to third party service providers

In addition, we make certain Personal Information available to third parties who provide services to us. We do so on a “need to know basis” and in accordance with applicable data privacy law.

For example, some Personal Information will be available to our worker benefit plans service providers and third party companies who provide us with payroll support services, relocation, tax and travel management services.

#### 4.3 Transfers to other third parties

We may also disclose Personal Information to third parties on other lawful grounds, including:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, including, but not limited to, a subpoena, government audit or search warrant.
- In response to lawful requests by public authorities (including for national security or law enforcement purposes).
- As necessary to establish, exercise or defend against potential, threatened or actual litigation.
- Where necessary to protect the vital interests of another person.
- In connection with the sale, assignment or other transfer of all or part of our business.
- With your consent.

## 5. LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION

Our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect Personal Information from you only where we have your consent to do so, where we need the Personal Information to perform a contract with you (i.e. to administer an employment or work relationship with us), or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect Personal Information from you or may otherwise need the Personal Information to protect your vital interests or those of another person.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided at Section 10 below.

## 6. TRANSFER OF PERSONAL INFORMATION ABROAD

As we operate at a global level, we may need to transfer Personal Information to countries other than the ones in which the information was originally collected. When we export your Personal Information to a different country, we will take steps to ensure that such data exports comply with applicable laws. For example, if we transfer Personal Information from the United Kingdom to a country outside the United Kingdom (UK) that is not recognized as having adequate privacy laws, we will implement an appropriate data export solution such as entering into standard contractual clauses with the data importer, or taking other measures to provide an adequate level of data protection under UK law.

## 7. DATA RETENTION PERIODS

Personal Information will be stored in accordance with applicable laws and kept for as long as needed to carry out the purposes described in this Notice or as otherwise required by applicable law.

Generally this means your Personal Information will be retained until the end of your employment, employment application, or work relationship with us plus a reasonable period of time thereafter to respond to employment or work-related inquiries or to deal with any legal matters (e.g. judicial or disciplinary actions), document the proper termination of your employment or work relationship (e.g. to tax authorities), or to provide you with ongoing pensions or other benefits.

## 8. YOUR DATA PRIVACY RIGHTS

You may exercise the rights available to you under applicable data protection laws as follows:

- If you wish to **access, correct, update or request deletion** of your Personal Information, you can do so at any time by contacting us using the contact details provided at Section 10 below.
- You can **object to processing** of your Personal Information, ask us to **restrict processing** of your Personal Information or **request portability** of your Personal Information. Again, you can exercise these rights by contacting us using the contact details provided at Section 10 below.
- If we have collected and processed your Personal Information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your Personal Information. For more information, please contact your local data protection authority. (Contact details for the Information Commissioner's Office in the United Kingdom are available [here](#)).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

## 9. UPDATES TO THIS NOTICE

This Notice may be updated periodically to reflect any necessary changes in our privacy practices, or when relevant regulatory changes occur. In such cases, we will inform you accordingly and indicate at the top of the Notice when it was most recently updated. We encourage you to check back at South32's Privacy website page (link [here](#)) or intranet page in order to be aware of the most recent version of this Notice.

## 10. CONTACT DETAILS

Please address any questions, requests or complaints relating to this Notice (in respect of either South32 SA Investments Limited or South32 SA Marketing Limited) to:

By email: [UKprivacyofficer@south32.net](mailto:UKprivacyofficer@south32.net)

By mail: Privacy Officer  
South32  
4th Floor, 62 Buckingham Gate,  
London SW1E 6AJ,  
United Kingdom

South32 will review and respond to your question, request or complaint as soon as possible, generally within 30 days of receiving it.

As approved by our Chief People and Legal Officer  
Adopted on 25 May 2018 | Updated on 8 August 2019