

# Employee Information: Privacy Notice for Employees

**Issued 24<sup>th</sup> May 2018**

As part of our employment relationship with you, Strode Park Foundation collects and processes your personal data. We are committed to being transparent about how we collect and use that data, and to meet our data protection obligations.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulations (GDPR). We encourage you to read this notice carefully, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We have appointed a Data Protection Officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. As a data controller, we are responsible for deciding how we hold and use personal information about you. This notice explains to you what decisions we have taken in relation to that information.

## Our details

**Data controller:** Strode Park Foundation, Strode Park House, Lower Herne Road, Herne, Herne Bay, Kent, CT6 7NE.

**Data protection officer:** Kerry Bardsley, HR Director

## General Data protection principles

In collecting and processing your personal information, we will comply with the data protection law in force at the time. This requires that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
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.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## What information does Strode Park collect?

We collect a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;

- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments; and
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

We collect this information in a variety of ways. For example, data might be contained in application forms, CVs, obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment or your volunteering placement; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, Strode Park may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including on your application record, in our electronic HR management systems, in your paper employee file and on other IT systems (including email).

### **Why does Strode Park process personal data?**

We need to process data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension contributions and insurance entitlements.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check an employee's entitlement

to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us to:

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees; and
- respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where Strode Park processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment.

### **Who has access to data?**

Your information may be shared internally, including with members of the HR and Payroll teams, your line manager, managers in the departmental area in which you work, Senior Managers, and IT staff if access to the data is necessary for performance of their roles.

Strode Park shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure

and Barring Service. Strode Park may also share your data with third parties in the context of a service provision change or sale of some or all of its business (for example should a TUPE situation occur). In those circumstances the data will be subject to confidentiality arrangements.

Strode Park also shares your data with third parties that process data on our behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.

Strode Park will not transfer your data outside the European Economic Area.

### How does Strode Park protect data?

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

Where Strode Park engages third parties to process personal data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

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

### For how long does Strode Park keep data?

Strode Park will hold your personal data for the duration of your employment. At the end of your employment, your employee file is held until your 75<sup>th</sup> birthday or 6 years after you leave employment; whichever is sooner.

### Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require Strode Park to change incorrect or incomplete data;
- require Strode Park to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where Strode Park is relying on its legitimate interests as the legal ground for processing; and

If you would like to exercise any of these rights, please contact Strode Park's Data Protection Officer (details above) stating you wish to make a **subject access request**. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. If you believe that we

have not complied with your data protection rights, you can complain to the Information Commissioner.

### **What if you do not provide personal data?**

You have some obligations under your employment contract to provide Strode Park with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide Strode Park with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable Strode Park to enter a contract of employment with you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

### **Do we need your consent to use particularly sensitive information?**

We do not need your consent if we use your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law.

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Automated decision-making**

For information, employment decisions are not based solely on automated decision-making.