

# Employee Privacy Notice

**Data Controller:** Golding Homes, Whatman House, St Leonard's Road, Maidstone, Kent ME16 0LS

**Data Protection Officer:** [dpo@goldinghomes.org.uk](mailto:dpo@goldinghomes.org.uk)

## 1.0 Introduction

We collect and process personal data relating to our employees in order to manage our employment relationship with you.

We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

This privacy notice does not form part of your contract of employment and may be amended or updated from time-to-time.

## 2.0 What Information Do We Collect?

2.1 We collect and process a range of information about you in order to manage our employment relationship with you. This includes, but is not limited to:

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- Your photograph for security purposes;
- 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 us;
- 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 where this is required for your role;
- Details of your work schedule and working hours and attendance at work;
- Details of periods of leave that you take including holiday, sickness absence, family leave, career breaks, 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, learning and development plans and participation, performance improvement plans and related correspondence;

- Information about medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments;
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

2.2 We collect this information in a variety of ways which includes, but is not limited to:

- Application forms, CVs, resumes and supporting cover letters;
- Your passport or other identity documents such as your driving licence;
- Forms completed by you at the start of or during employment, including information you provide for the administration of employment benefits;
- Correspondence with you;
- Interviews, meetings, assessments, etc.

2.3 In some cases, we collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks as permitted by law where this is required for your role.

2.4 Your data is stored securely in a range of different places including our HR management system, Finance and general ICT systems, including email.

### 3.0 **Why Do We Process Your Personal Data?**

3.1 We need to process your data in order 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 your benefits, pension and insurance entitlements.

3.2 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 your entitlement to work in the UK, to deduct tax and national insurance, to comply with health and safety laws and to enable you to take periods of leave to which you are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that you are permitted to undertake certain roles.

3.3 In other cases, we have a legitimate interest in processing personal data before, during and after the end of our employment relationship with you. Processing your 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), records of your 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 your 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 you receive the pay and other benefits to which you are entitled;
- Obtain occupational health advice, to ensure that we comply with duties in relation to colleagues with disabilities, meet our obligations under health and safety law, and ensure that you are receiving the pay and other benefits to which you 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 we comply with our duties in relation to leave entitlement, and to ensure that you are receiving the pay and other benefits to which you are entitled;
- Ensure effective general HR and business administration;
- Provide reference on request for current or former colleagues;
- Respond to and defend against legal claims; and
- Maintain and promote equality in the workplace.

3.4 Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of employees or workers and have concluded that they are not.

3.5 We process some special categories of personal data, such as information about health or medical conditions, in order to carry out employment law obligations (such as those in relation to colleagues with disabilities and for health and safety purposes).

3.6 Where we process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for the purposes of equal opportunities monitoring. Data that we use for these purposes is anonymised or is collected with express consent of employees, which can be withdrawn at any time.

#### 4.0 **Who Has Access To Your Personal Data?**

4.1 We share your data internally with the HR team, Finance (including payroll), your line manager, managers in your business area and ICT staff if access to the data is necessary for performance of their roles.

4.2 We share your data with specific third parties as appropriate, such as HM Revenue & Customs, Office for National Statistics, Child Support Agency, Council Tax offices, and similar.

4.3 We share some of your data with third parties which process data on our behalf such as our payroll provider, pension providers, occupational health provider, insurance provider, Lone Worker Personal Alarm provider, health care plan provider, and similar.

4.4 We will not transfer your data to countries outside the European Economic Area unless there are adequate safeguards, such as the country being an adequate country or a member of the Privacy Shield. If we decide to utilise a supplier outside the EEA, we will notify you immediately.

## **5.0 How Do We Protect Your Data?**

- 5.1 We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties.
- 5.2 Where we engage 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 organisation measures to ensure the security of data.

## **6.0 For How Long Do We Keep Your Data?**

- 6.1 We hold your personal data for a variety of periods, including during recruitment activities, for the duration of your employment with us, and for some periods after the end of your employment. These periods are set out in our data retention schedule which is available on the intranet.

## **7.0 Your Rights**

- 7.1 As a data subject, you have a number of rights. You can:
- Access and obtain a copy of your data on request;
  - Require us to change incorrect or incomplete data;
  - Require us 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 we are relying on our legitimate interests as the legal ground for processing; and
  - Ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing your data.
- 7.2 If you would like more detailed information about your rights, please visit the Information Commissioner's Office at this link:  
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>
- 7.3 If you want to exercise any of your rights, please contact the Data Protection Officer.
- ## **8.0 What If You Do Not Provide Us With Your Personal Data?**
- 8.1 You have some obligations under your employment contract to provide us 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.
- 8.2 You are also required to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide us with the data may mean that you are unable to exercise your statutory rights.

8.3 You have to provide certain information, such as contact details, your right to work in the UK and payment details in order to enable us to enter into a contract of employment with you. If you do not provide such information, this will hinder our ability to administer the rights and obligations arising as a result of our employment relationship with you efficiently.

## 9.0 **Automated Decision-Making**

9.1 We do not make any decisions about you using automated means and we do not envisage this changing in the near future. If this situation changes, we will notify you.

## 10.0 **Data Protection Officer**

10.1 We have a Data Protection Officer responsible for compliance with this privacy notice.

10.2 If you have any questions about this privacy notice or how we handle your personal data, please contact the Data Protection Officer.

10.3 If you have a concern about how we handle your personal data, you can raise this with the Information Commissioner's Office (ICO). The ICO is the UK's independent authority for data protection issues. The link to their website where you can raise a concern is:  
<https://ico.org.uk/concerns/>