



Staff Data Privacy Notice	
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STAFF DATA PRIVACY NOTICE

(FAIR PROCESSING NOTICE)

Data controller: Graham Engineering Ltd, Unit 1a, Edward Street, Whitewalls Ind. Est., Nelson, BB9 8SY

Introduction

Graham Engineering Ltd is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

Graham Engineering Ltd “The Company” collects, stores and processes personal data relating to its employees in order to manage the employment relationship. This fair processing notice sets out how the Company collects and uses personal information about you during and after your working relationship with us.

This fair processing notice applies to current and former employees, workers and contractors. This notice does not form part of a contract of employment or any contract to provide services and may be updated at any time.

The Company is committed to protecting the privacy and security of your personal information. The Company is committed to being clear and transparent about how it collects and uses that data and to meeting its data protection obligations.

Data protection principles

The Company will comply with data protection law. This means that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes
- Relevant to the purposes we have told you about and limited to those purposes only
- Accurate and kept up to date
- Kept only for such time as is necessary for the purposes we have told you about
- Kept securely

Information we may hold and process

The Company collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- personal contact details, such as your name, title, address and contact details, including email address and telephone number
- date of birth
- 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 Company
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account, tax status 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
- copy of driving licence
- details of periods of leave taken by you, including holiday, sickness absence, family leave, 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, training you have participated in, performance improvement plans and related correspondence
- professional memberships
- CCTV footage and other information obtained through electronic means e.g. swipe card records and clocking in information.
- Recruitment information, CV, application form, interview notes and references
- Photographs for ID purposes

We may also collect, store and use the following special categories of more sensitive personal information:

- information about medical or health conditions, including whether or not you have a disability for which the Company needs to make reasonable adjustments
- details of trade union membership
- information about your criminal record
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief

The Company collects this information in a variety of ways. For example, data is collected through the application and recruitment process and during work-related activities throughout the period of working for us.

In some cases, the Company collects personal data about you from third parties, such as references supplied by former employers.

Data is stored in a range of different places, including in your personnel file, in the Company's HR systems and in other IT systems (including the Company's email system).

Why the Company processes personal data

The Company needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract.

In addition, the Company needs 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.

In other cases, the Company has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Situations in which we will use your personal information

Situations in which we will process your personal information are listed below:

- making decisions about recruitment and promotion processes
- maintaining accurate and up-to-date employment records and contact details (including details of whom to contact in the event of an emergency), and records of employee contractual and statutory rights
- checking you are legally entitled to work in the UK
- gathering evidence for, and keep a record of, disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- paying you and, in the case of employees, making deductions for tax and National Insurance
- ensure payments of statutory and contractual pay entitlements
- making decisions about salary reviews and compensation
- operating and keeping a record of employee performance and related processes
- keeping records of training and development requirements

- operating and keeping 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
- ascertaining your fitness to work
- operating and keeping a record of other types of leave (such as 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;
- ensuring effective general HR and business administration
- providing references on request for current or former employees
- dealing with legal disputes involving you or other employees, workers and contractors
- facilitating equal opportunities monitoring in the workplace
- meet our obligations in line with health and safety laws

If you fail to provide personal information

If you do not provide certain information when requested, the Company may not be able to perform the contract we have entered into with you, such as paying you or providing a benefit. You may also have to provide the Company with data in order to exercise statutory rights, for example in relation to statutory leave entitlements.

Change of purpose

The Company will only use your personal information for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will advise you of this and explain the legal basis which allows us to do so.

You should be aware that we may process your personal information without your knowledge or consent where this is required or permitted by law.

How sensitive personal information is used

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

Where the company processes other special categories of personal information, ie. Information about race, ethnic origin, sexual orientation, religious or philosophical beliefs, this is done only for the purpose of equal opportunities monitoring and in line with our data protection policy.

Data used by the Company for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Information about criminal convictions

We envisage that we will hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

Our employment decisions are not based solely on automated decision-making.

Data retention

The Company will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. 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.

Who has access to data?

Your information will be shared internally, including members of the HR department, payroll staff, H&S department, your line manager, other managers in the department in which you work and IT staff if access to your personal information is necessary for the performance of their roles.

The Company shares your data with third parties where required by law, where it is necessary in order to administer the working relationship with you or where we have another legitimate interest in doing so. The following services are carried out by third party service providers: HR services, reference and employment background checks, payroll providers, benefit providers, pension scheme providers, occupational health providers, external IT services, external auditors and professional advisers such as lawyers and accountants.

The Company may also share your data with other third parties, for example, in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Company will not transfer your data to countries outside the European Economic Area.

Data security

The Company takes the security of your data seriously. The Company has internal policies and controls in place to prevent your data being lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Details of these measures are available on request.

When the Company engages third parties to process personal data on its 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.

Your duty to inform us of changes

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

Your rights

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

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require the Company to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask the Company 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 the Company is relying on its legitimate interests as the legal ground for processing; and
- ask the Company to suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

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 Paul Ashworth or Michell Watson. 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.

If you would like to exercise any of these rights, or you have any questions about the fair processing notice, please contact Paul Ashworth or Michell Watson.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner’s Office.

Changes to this fair processing notice

We reserve the right to update this fair processing notice at any time, and we will provide you with a new fair processing notice 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.