



## STAFF AND VOLUNTEERS PRIVACY NOTICE

Data controller contact details:

Scotts Project Trust ('The Trust')

Delarue Close, Shipbourne Road, Tonbridge, Kent TN11 9NN

Telephone 01732 367917

Reg Charity No. 1051947 Reg Co. 3143819

Sue Bourne is the Trustee responsible for overseeing for Data Protection.

The Trust collects and processes personal data relating its staff and volunteers to manage the employment relationship. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### What information do we collect?

The Trust collects and processes 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
- A photograph
- 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 Trust.
- Information about your remuneration, including entitlement to benefits such as pensions, insurance cover and loan arrangements
- Details of your bank account and national insurance number
- Information about your marital status, next of kin, dependents and emergency contacts
- Information about your nationality and entitlement to work in the UK
- Employment references
- Company equipment and software access
- Details of your working pattern (i.e. days of work and working hours), breakdown of hours worked, attendance at work and punctuality
- Details of periods of leave taken by you, including holiday, unpaid leave, sickness absence, maternity/paternity, shared parental/parental leave and the details in relation to the reasons etc. for the specified type of leave.



- Risk assessment information for new and expectant mothers and for medical conditions e.g. epilepsy, arthritis
- Work station assessments
- Details of any disciplinary or grievance procedures in which you have been involved including evidence obtained for investigatory purposes, any warnings issued to you and related correspondence
- Assessments of your performance, including appraisals, performance reviews and ratings, performance improvement and development plans and related correspondence
- Internet user activity by employees
- Monitor access to The Trust's IT network, systems and emails to check appropriate usage, conduct and work tasks performed.
- Information about medical or health conditions, including whether or not you have a disability for which The Trust needs to make reasonable adjustments
- Anonymised equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, and religion or belief
- Medical and disability related information

### **How do we collect information?**

The Trust may collect this information in a variety of ways:

- New Employee Details Form – completed by employee on commencement of employment
- Trust benefits forms
- Professional and academic qualifications certification – obtained from employee on commencement of employment or during employment.
- Passport or other valid right work official documentation – obtained from employee on commencement of employment
- Employment contract and offer letter
- Referee Request Form – completed by employee on commencement of employment and collection of references supplied by former employees
- New Employee IT Information Form
- Laptop Receipt and Guidelines for Usage Form
- Leaver – IT Information Form
- Medical questionnaire – completed by employee on commencement of employment
- Statement of Fitness for Work and Self-Certification Sickness Form
- Return to Work Interview Interviews following sickness absence
- Equal Opportunities Monitoring Form
- Formal meeting notes, formal correspondence and investigatory documentation held in secure access personnel files
- Risk Assessment Form for New and Expectant Mothers



- Individual staff risk assessment forms where appropriate
- Supervision and Appraisal documentation
- In some cases, The Trust may collect personal data about you from third parties, such as references supplied by former employers
- Information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.
- Email communications (deleted emails cannot be retrieved after six months)
- The Trust's IT network and server systems
- Internet traffic monitoring software

Data will be stored securely on The Trust's server and within your personnel file.

### **Data processors**

Data processors are third parties who process personal data on behalf of the controller. This means that they cannot do anything with your personal information unless The Trust has instructed them to do so. They will not share your personal information with any organisation apart from The Trust. They hold it securely and retain it for the period The Trust instructs.

Please see a list below of The Trust's data processors:

- LFF- Payroll and Audit
- Computer Trouble Shooters- I.T. maintenance and cloud storage
- CBW- HR Consultants

### **Data controllers**

The Trust operates a data controller as your legal employer. There are other third-party organisations that may process your personal data in order to administer company benefits or in order to insure you to drive Trust vehicles.

Please see the list below of current third-party providers who fall into this category.

- Succession Group- Pension scheme
- Osmond Davis – Insurance Brokers

### **Why do we process personal data?**

The Trust needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, The Trust needs to process your data to provide you with



an employment contract, to pay you in accordance with your employment contract and to administer benefits, such as pension and insurance entitlements.

In some cases, The Trust needs to process data to ensure that it is complying with its legal obligations. For example, The Trust is 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, The Trust has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

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

Where The Trust processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

Data that The Trust uses 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.

The purposes of processing the employee data detailed above allows The Trust to:

- Manage 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
- Record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- Record of employee performance and related processes, to plan for career development, succession planning, workforce management purposes and in some cases an information tool for unsatisfactory performance, capability related matters and for the completion of selection matrix during potential redundancy periods.
- 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 employment and health and safety law, ensure that employees are receiving the pay or other benefits to which they are entitled
- Record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that The Trust 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 administration obligations and requirements
- Provide references on request for current or former employees
- Respond to and defend against legal claims
- Maintain and promote equality in the workplace
- To ensure appropriate use of The Trust's IT systems

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

Your information may be shared internally, including with members of the HR team, Payroll, Finance team, your line manager, senior management team, and I.T if access to the data is necessary for performance of their roles.

The Trust shares your data with third parties for the following purposes:

- Obtain pre-employment references from other employers
- The Trust may also share your data with third parties 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 Trust also shares your data with third parties that process data on its behalf in connection with the provision of benefits and the provision of occupational health services.
- The Trust is legally bound to share details of allegations of harm and/or abuse with the Police, the Local Authority, CQC and the Charities Commission.
- Where the Trust has an assessed and recoded Legitimate Interest to share your personal data, for example with NMDS-SC data set
- In the event of an emergency your personal data may be shared with the emergency services

### **Outside the European Economic Area (EEA)**

The Trust will not transfer HR-related personal data to countries outside the EEA.

### **How do we protect data?**

The Trust takes the security of your data seriously. The Trust has 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 its employees in the performance of their duties.

Where The Trust 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.



### **Where is personal data held?**

Personal data is held digitally on The Trust's secure access server and hard copy data. The Trust ensures there are appropriate technical and organisational measures to support and facilitate secure data processing activities.

### **For how long do we keep data?**

The Trust understands that it has a legal duty to retain accurate data and only retain personal data for as long as it is needed for legal/regulatory obligations or legitimate interests where you are happy for us to do so. Accordingly The Trust has a retention schedule in place that is periodically reviewed.

The periods for which your data is held after the end of employment are:

- Accident, incident, annual leave, training, supervision and appraisal records and your medical questionnaire are retained for 6 months.
- Payroll related data is retained for 6 years in accordance with legal retention periods.
- Application forms, references, DBS number. I.D. verification records, contracts of employment, safeguarding training records and pertinent safeguarding correspondence, are retained for 50 years in accordance with The Trust's Insurance Policy.

### **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 The Trust to change incorrect or incomplete data
- Require The Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- Object to the processing of your data where The Trust is relying on its legitimate interests as the legal ground for processing.

If you believe that The Trust has 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 the organisation 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 The



Trust 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, need to be provided to enable The Trust to enter a contract of employment with you. If you do not provide other information, this will hinder The Trust's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

For further guidance here, please contact the HR department. [hr@scottsprojecttrust.org.uk](mailto:hr@scottsprojecttrust.org.uk)

### **Changes to this Staff and Volunteers Privacy Notice**

The Trust will regularly review the content of this Staff and Volunteer Privacy Notice.