

PRIVACY NOTICES

PRIVACY NOTICE FOR EMPLOYEES AND WORKERS in compliance with the Data Protection Act 2018 and the EU General Data Protection Regulation (“GDPR”)

1. St Paul’s Hostel “the organisation” takes the security and privacy of your personal data seriously. We have internal policies and controls in place to try to ensure that your personal data is not lost, accidentally destroyed, misused or disclosed and is processed fairly, lawfully and transparently in line with our Data Protection Policy, a copy which can be obtained from the Chief Executive’s office.
2. St Paul’s Hostel is a ‘Data Controller’ for the purposes of your personal data; this means that we determine the purpose and means of the processing of your personal data.
3. As your employer, we need to gather and use information or ‘data’ about you as part of our business of running the charity and to manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left.
4. This includes using information to enable us to comply with the employment contract, to comply with legal requirements, pursue the legitimate interests of the employer and protect our legal position in the event of legal proceedings.
5. Much of the information we hold will have been provided by you, for example on your application form, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees or background check providers.
6. We will collect and use the following types of personal data about you:
 - a. your application form (or CV), qualifications, membership of professional bodies and pre-employment assessments;
 - b. information about your suitability for the post, including references and security and/or DBS checks;
 - c. your contact details and date of birth;
 - d. the contact details for your emergency contacts;
 - e. your gender, your marital status and family details;
 - f. information about your contract of employment (or services), including start and end dates, role and location;
 - g. your working hours;
 - h. details of promotion, salary (including salary history), pension and benefits;
 - i. your holiday entitlement;
 - j. your absences from work, including sickness absence;

- k. your bank details and information related to your tax status, including your national insurance number;
- l. your identification documents including passport and driving licence and information in relation to your immigration status and right to work in the UK;
- m. information relating to disciplinary or grievance investigations and proceedings involving you (whether or not you were the main subject of those proceedings);
- n. information relating to your performance and behaviour at work;
- o. training records;
- p. information in relation to your use of IT systems or telephones/mobile phones belonging to the organisation;
- q. your images (whether captured on CCTV, by photograph or by video);
- r. information used for equal opportunities monitoring;
- s. any other category of information which we may notify you of from time to time.

7. You will, of course, inevitably be referred to in many other documents and records, including e-mails, that are produced by you and your colleagues in the course of carrying out your duties and the business of the organisation.

8. Where necessary, we may keep information relating to your health, which could include reasons for absence and GP or Occupational Health reports and notes. This information will be used in order to comply with our Health and Safety and Occupational Health obligations, to consider how your health affects your ability to do your job and whether any reasonable adjustments to your job might be appropriate. We will also need this data to administer and manage sick pay in line with your contract and our legal obligations.

9. 'Special categories' of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, health, sexual orientation or any criminal convictions and offences, will only be processed in certain situations in accordance with the law. For example, we can do so if we have your explicit consent or if the information is required to protect your health in an emergency. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

10. We will use your personal data for:

- a. Performing the contract of employment (or services) between us;
- b. Complying with any legal obligation; or
- c. Necessary to protect the vital interest. For example, if you are seriously ill we will pass your medical information to the medical staff.
- d. If it is necessary for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interest and request that we stop this processing.

11. We can process your personal data for these listed purposes without your knowledge or consent. However, we will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

12. The organisation shares your data with third parties in order to obtain pre-employment references from others eg former employers and DBS checks. We may share your personal data with third parties/outsourced providers to carry out our obligations under our contract with you, eg payroll provider, HR providers, pension providers, Occupational Health providers or health insurance schemes who process data on the Company's behalf or for other legitimate purposes. We require those third parties to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

13. We may also share your personal data in the event of a transfer of undertakings (TUPE); in such circumstances the data will be subject to confidentiality arrangements.

14. Further, we may share your personal data where we are legally obliged to do so, eg with HMRC or law enforcement agencies.

15. We will not transfer information about you outside of the European Economic Area. If this changes you will be notified of this and the protections which are in place to protect the security of your data will be explained.

16. We do not use automated decision making or profiling.

17. Your personal data will be stored in a range of different places, including in your personnel file, in the organisation's HR management system and other IT systems including the organisation's e-mail system. Information will be stored and disposed of in line with our Retention and Disposal policy and we will only hold data for as long as necessary for the purposes for which we have collected it.

18. If in the future we intend to process your personal data for a purpose other than that which it was collected, we will provide you with information on that purpose and any other relevant information.

YOUR RIGHTS UNDER GDPR AND THE DATA PROTECTION ACT 2018

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

- a. Access and obtain a copy of your data on request;
- b. Require the organisation to correct incorrect or incomplete data;

- c. Require the organisation to erase or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- d. Object to the processing of your data where the organisation is relying on its legitimate interests as the legal grounds for processing; and
- e. Ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

20. St Paul's Hostel's nominated Data Compliance Officer is the Chief Executive who should be advised, in writing or orally, if you have any concerns regarding the processing of your personal data or would like to exercise any of these rights.

21. In addition, you have the right to lodge a complaint to the Information Commissioners' Office (ICO) if you believe that we have not complied with the requirements of the GDPR or DPA 2018 with regard to your personal data.

WHAT IF YOU DO NOT PROVIDE YOUR PERSONAL DATA?

22. As an employee, 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.

23. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements, eg maternity/paternity/shared parental leave. Failing to provide the data may mean that you are unable to exercise your statutory rights.

24. Certain information, such as contract details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you and to fulfil our legal obligations, eg to HMRC.

25. If you do not provide other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.