

## WORKFORCE PRIVACY POLICY

### WHAT IS THE PURPOSE OF THIS POLICY?

Arawak Walton Housing Association (“Arawak Walton”) is committed to protecting the privacy and security of your personal information.

This privacy policy describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (the retained EU law version of the General Data Protection Regulation (EU) 2016/679) (“GDPR”) and the Data Protection Act 2018.

It applies to all Board members, employees, workers (eg agency staff), consultants and contractors.

Arawak Walton is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy policy.

This policy does not form part of any contract of employment or other contract to provide services. We may update this policy at any time but if we do so, we will provide you with an updated copy of this policy as soon as is reasonably practicable.

### DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says 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.

## THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual, such as a staff member, from which that person can be identified.

There are “special categories” of more sensitive personal data which require a higher level of protection, such as information about a person’s health or sexual orientation.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Marital or relationship status
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave and pension
- Start date and, if different, the date of your continuous employment
- Recruitment information (including copies of right to work documentation, references and other information included as part of the application process)
- Employment records (including job titles, work history, working hours, holidays, training records)
- Performance information
- Disciplinary and grievance information

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

- Information about your health, including any medical condition, health and sickness records
- Equal opportunities data such as religion, nationality and ethnicity
- We also process criminal conviction data by virtue of us carrying out disclosure and barring service checks on our workforce

## HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency. We may sometimes collect additional information from third parties including former employers.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

## HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you (e.g. using your bank details to ensure that you are paid).
- Where we need to comply with a legal obligation (e.g. making deductions for tax purposes).

We may also use your personal information in the following situations, which are likely to be rare:

- For our legitimate interests (or those of a third party).
- In circumstances where we need your consent.

## Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. The situations in which we may process your personal information include the following:-

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions (NICs)
- Providing benefits
- Enrolling you in a pension arrangement
- Administering the contract we have entered into with you
- Conducting performance reviews, managing performance and determining performance requirements

- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations or exercise rights in connection with employment.

### Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leave, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay or statutory sick pay
- We will use criminal conviction information to assess your suitability to work for us given the nature of what we do
- With your consent we will collect types of special category data for equal opportunities monitoring.

## DATA SHARING

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

### Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law or where it is necessary to administer the working relationship with you.

### Which third-party service providers process my personal information?

“Third parties” includes third-party service providers such as payroll, pension administration or our accountants and advisers.

## DATA SECURITY

We have put in place measures to protect the security of your information.

Third parties will only process your personal information where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, contractors and other third parties who have a business need to know. They will only process your personal information where they are subject to a duty of confidentiality.

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.

## DATA RETENTION

### How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we

collected it for, including for the purposes of satisfying 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.

Once you are no longer an officer, employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

Should you wish to obtain more specific information about how long we hold different categories of your personal information for, please refer to our Retention Schedule.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

### **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.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information in certain circumstances.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the DPO.

## **No fee usually required**

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 clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

## **RIGHT TO WITHDRAW CONSENT**

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.

## **DATA PROTECTION OFFICER**

We have appointed a DPO, HY Solicitors, to oversee compliance with this privacy policy. If you have any questions about this privacy policy or how we handle your personal information, please contact the DPO by emailing [DPO@wearehy.com](mailto:DPO@wearehy.com). You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## **CHANGES TO THIS PRIVACY POLICY**

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