

## **PRIVACY NOTICE**

### **INFORMATION FOR EMPLOYEES WORKING FOR CHS GROUP**

CHS is committed to protecting your personal data. This privacy notice sets out how your personal data will be collected and processed during your employment with CHS. There is a separate privacy notice that relates to the recruitment and selection process. Please note that this privacy notice will be regularly reviewed and may be updated from time to time.

#### **What information do we collect?**

We collect and process personal data relating to our employees to manage the employment relationship. This includes:

- your name, address and contact details (including e-mail address and telephone numbers), date of birth;
- passport size photograph (Extra Care staff only – CQC Requirement);
- details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and with CHS;
- information about your remuneration, including entitlements to benefits and pension contributions;
- details of your bank account, national insurance number, tax code;
- information about your marital status, next of kin, dependants, emergency contacts and conflict of interest such as working with family members;
- information about your nationality and entitlements to work in the UK, including photocopies of relevant identification documents;
- outcome of any DBS check undertaken and any criminal convictions, conditional discharges or cautions;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, maternity leave (including your partners details where shared parental leave applies), jury service, compassionate and dependency 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, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- CCTV (closed-circuit television) images when visiting or working at premises that have a CCTV installation;
- your photo for use on identification passes, for HR records, for internal communications (in our legitimate interests), and external publicity (if you give permission)
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;

- details of your driver's licence and relevant documents to prove the suitability of your vehicle for use for work purposes;
- details of your participation in any employee rewards programmes
- connections to CHS and any disclosure of interests;
- equal opportunities monitoring information, including information related to the protected characteristics set out in the Equality Act 2010 ; and
- trade union membership.

We collect this information in a variety of ways. For example, personal data is collected through application forms, CVs; obtained from your passport or other identity documents such as your birth certificate, driving licence; P45, forms completed via our onboarding portal by you at the start of or during employment (such as the HR Record Form); correspondence with you; or through interviews, meetings or other assessments completed in accordance with HR policies and procedures.

We also collect personal data about you from third parties, such as references supplied by former employers, occupational health assessments provided by Corazon Health, and where appropriate for the role, criminal records checks as permitted by law.

Data is stored in a range of different places, including in your HR and payroll file's (electronic and paper based), Cascade our HR/payroll database system and other IT systems (including e-mail and our onboarding portal).

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

We need to process data to enter into an employment contract with you and to meet the 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 that contract and to administer appropriate entitlements and benefits relevant to your employment.

We also need to process data to ensure that we comply with our legal obligations. For example, we are required to check an employee's entitlement to work in the UK, to deduct tax and any other payments statutorily required (court orders), to comply with health and safety laws, to enable employees to take periods of leave to which they are entitled and where necessary carry out criminal records checks to ensure that individuals are permitted to undertake the role in question. Where staff are working on projects funded by an external organisation, CHS may have to comply with specific data sharing and retention periods set by the funding bodies as part of the project agreement and audit process. If you work for such a project, you will be notified of exactly which data will be retained and for how long.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us to:

- carry out in-house 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;

- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- offer an employee rewards programme
- operate and keep 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;
- obtain occupational health advice, to ensure that we comply with duties in relation to individuals with disabilities, meet our obligations under health and safety law, ensure staff are fit to undertake the job role and that employees are receiving the pay or other benefits to which they 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 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 and business administration;
- conduct employee engagement surveys;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace;
- operate security measures for staff and customer safety, and buildings security.

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

Where we process other special categories of personal data, such as information about ethnic origin, disability, sexual orientation, religion, or belief etc, this is done for the purposes of equal opportunities monitoring. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so. You can also ask us to stop processing this type of special categories of personal data at any time.

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

Your information will be shared internally, including with members of the HR, payroll, your line manager, managers in the business area in which you work (or other business areas if you apply for a vacancy within CHS) and IT staff if access to the data is necessary for performance of their roles.

Your data may also be shared with employee forum representatives in the context of consultation exercises. However, this would normally be limited to the information needed for the purposes of consultation.

Where appropriate, we will require you to share your data with an external provider currently Civil and Corporate in order for us to obtain necessary criminal records checks from the Disclosure and Barring Service.

We may also share your data with the following external organisations:

HMRC through Real Time Information	Legal requirement
SHPS (Social Housing Pension Scheme)	Pension Information
Occupational Health Service Provider, (currently Corazon Health)	Subject to your consent, to seek medical advice as part of our Sickness Absence Management Policy
Other Employers	Service transferring to another service provider under TUPE.
External Funders (e.g., Lottery)	Evidence payment of salaries where posts are externally funded.
External Regulators (CQC, Ofsted)/Cambridgeshire County Council	Inspections – Extra Care and Supported Housing
References for rental/mortgage applications	Subject to your consent, we will provide data relevant to the application.
New employer references for existing or former staff that leave CHS.	Subject to your consent, we will provide a potential employer with relevant data about your employment history with CHS.
External Training Providers	To enrol employees on external training courses/professional qualifications. If external funding is available, your NI Number may also be required to secure the funding.
Employee rewards programme providers (currently Pluxee Ltd and Doctor Care Anywhere Ltd)	In our legitimate interests to offer enhanced employee benefits to CHS staff

We will not transfer your data to countries outside the European Economic Area, except where requested to do so by an existing or former employee in relation to employment references.

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

The organisation takes the security of your data seriously. We have 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 organisation 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.

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

Both HR and Payroll, will hold your personal data for the duration of your employment and up to seven years after the end of your employment, except for the Chief Executive and Directors whose HR file will be kept permanently for historical purposes.

All records relating to parental leave must be retained for eighteen years from the birth of the child.

For projects funded by external organisations, CHS may be required to retain some of your personal data for longer periods to meet contractual obligations. If you work for such a project, you will be notified of exactly which data will be retained and for how long.

There may also be other statutory timescales that apply, particularly in relation to health and safety matters, which will result in data being kept longer than the seven years.

For further information on document retention timescales, please review the HR, Payroll and Health and Safety Retention Schedule available on Synergy.

## **Your rights**

Even if we already hold your personal data, you still have various rights under data protection legislation. We will seek to deal with your request without undue delay and in accordance with any legislative requirements. We may keep a record of your communication to help us resolve any issues or requests that you raise.

- Right to object – if we are using data because we deem it necessary for our legitimate reasons to do so and you do not agree, you have the right to object. You also have the right to object to being subject to automated decision making, including profiling and direct marketing.
- Right to withdraw consent – where we have obtained your consent to process personal data for certain activities (including marketing), you may withdraw your consent and request that your personal data be deleted at any time.
- Right to access (subject access request) – you have the right to ask us to confirm what information we hold about you at any time and may ask us to modify or update such information. We may ask you to verify your identity, provide more information and/or where legally permitted decline your request and explain why.
- Right to erasure – in the following circumstances, you have the right to request that your personal data be erased: if the data is no longer necessary for the original purposes it was collected or processed, it has been processed unlawfully, it should be deleted due to a legal obligation or you object to processing and there is no overriding legitimate interest for us to continue processing. We may only decline your request if certain limited conditions apply.
- Right to portability – you have the right to ask us to transfer your data to another data controller.
- Right to block or restrict processing whilst the organisation considers your requests exercised under data protection legislation.

If you would like to exercise any of these rights in relation to your employment, please e-mail [human-resources@chsgroup.org.uk](mailto:human-resources@chsgroup.org.uk) or [data.protection@chsgroup.org.uk](mailto:data.protection@chsgroup.org.uk) or write to the HR Department, Endurance House, Vision Park, Chivers Way, Histon, Cambridge, CB24 9ZR.

If you are unhappy with the way in which your personal data has been processed you may in the first instance contact Kathy Batey, Director of Corporate Services and Data Protection Officer ([kathy.batey@chsgroup.org.uk](mailto:kathy.batey@chsgroup.org.uk)) or our Data Protection Advisor using the above data protection e-mail address.

If you remain dissatisfied, then you have the right to complain directly to the Information Commissioner ([www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)).

### **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 organisation 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, have to be provided to enable the organisation to enter a contract of employment with you. 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.

### **Automated decision-making**

Employment decisions are not based solely on automated decision-making.

### **Contact details of the Data Protection Officer**

CHS Group has a Data Protection Officer, Kathy Batey, who can be contacted by e-mailing [data.protection@chsgroup.org.uk](mailto:data.protection@chsgroup.org.uk) or writing to our offices at Endurance House (at the address given above).

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