



Colleague Privacy Notice

May 2020

Introduction

This Privacy Notice sets out why we collect data about you, the types of data we collect, who we will share this data with, how we will protect this data and how long we will hold it for.

It is important that you read and are aware of this Privacy Notice and how it applies to you. It is also important that you ensure that we always hold the most up to date information about you and you should therefore advise us of any changes as soon as they happen.

Yarlington is committed to safeguarding the privacy of the personal data that we gather concerning our current and former colleagues.

This notice applies to all colleague personal data and to the use of that personal data in any form, whether spoken, electronic or written.

Yarlington is committed to transparency of how it collects and uses that data and to meet its data protection obligations.

As defined by the General Data Protection Regulation (GDPR) Yarlington is the Data Controller and ultimately responsible for ensuring the data you provide is kept secure, processed correctly and that you understand your legal rights in relation to the data you provide. As part of our Data Controller responsibilities we have an assigned Data Protection Officer (or equivalent) who can be contacted at GDPR@yhq.co.uk

The data we collect

Yarlington collects and processes a range of data about you that is relevant to your employment or appointment as an officer. This may include:

- Name, address and contact details, including personal email address, personal telephone number, date of birth and gender and marital status.
- Employment terms and conditions;
- Office holder terms and conditions (where appropriate)

- Recruitment information including CV's, application forms, qualifications, skills, experience and employment history, including start and end dates with previous employers and with Yarlington and references.
- Remuneration data, including entitlement to benefits and pensions or insurance cover;
- Bank account, tax information and national insurance number;
- Equal opportunities monitoring data, including ethnic origin, sexual orientation, health and religion or belief;
- Marital status, next of kin, dependants and emergency contacts;
- Nationality and entitlement to work in the UK;
- Criminal record history;
- Working schedule, attendance at work and work location;
- Absence history and bookings – including dates and the reason for the absence;
- Disciplinary or grievance data and related correspondence;
- Performance assessments including appraisals, performance reviews, improvement plans and related correspondence training, development records and professional membership.
- Medical or health condition data, including whether or not you have a disability or impairment for which Yarlington needs to make reasonable adjustments for.
- Staff satisfaction survey feedback
- Security information including CCTV footage and swipe card information.
- Information about your use of our information and communication systems.
- Photographs and imagery of you
- Driver/car information for those who use their cars for company business, or drive lease cars or fleet vehicles. This will include the driver information of any family member of the colleague who may wish to drive the lease cars.
- Vehicle tracking information for those who use fleet vehicles for work

Where we collect this data from

Yarlington collects this data from a variety of sources, for example from you directly during the recruitment process, or via third parties who are authorised to share this information with us.

Data is also collected during the course of job-related activities as part of your employment or period of office with us, also during interviews, meetings or other assessments.

For security and health safety purposes imagery of you, or data that tracks your movement in our vehicles will be gathered, using monitoring systems that are owned and sometimes operated by other companies

Where we will store this data

Data will be stored in a range of secure places which include the following:

- Electronic personnel files and hard copy files for historic data;
- Yarlington's HR management system; and

Other IT systems which meet our security requirements (which may include third party hosted systems)

How long will we hold your data

Retention periods are determined by taking the following factors into account:

- The nature of the data;
- The sensitivity of the data;
- Legal requirements;
- The potential risk of harm from unlawful use/disclosure;
- The purpose for which we process and whether the purpose could be achieved through other means

In some circumstances we will anonymise data which will enable us to use this data without the requirement to further notify you.

Most data which is held about you will be kept for no more than 7 years, unless we are compelled by law to keep it for longer. However:

- CCTV imagery is stored for no more than 30 days, unless an incident has been recorded that requires further investigation, in which case it will be stored until any required follow-up action has been taken, including where appropriate police investigation and prosecution)
- Fleet Vehicle tracking data is held for 3 months
- Photos of you may be kept in our photo library as an historic reference indefinitely, or until you ask us to destroy them

Why we need this data

Yarlington needs to process the types of data listed above for a variety of reasons. but the primary purpose is to enable us to enter into an employment contract or contract for services with you and then meet our obligations under your contract, and in law as an employer.

The reasons in more detail are as follows:

- **The Recruitment Process** – ensuring that we can effectively recruit, and appoint colleagues to fill positions in our organisation, as employees or Board

members; determining the terms on which you will work, or serve as a Board member; determining that you are eligible to work legally in the UK.

We will only collect criminal record data where it is appropriate and lawful to do so based upon the role concerned. This information is typically gathered during the recruitment process (but may also be provided subsequently during the employment contract)

We may also process such information in the course of legitimate business activities with the appropriate safeguards.

- **Performance Monitoring and Management** – this includes conducting Great Conversations and additional performance reviews. This ensures that there is accurate data for informing and advising effective career development, succession planning and workforce management practices;
- **Measuring and Improving staff morale** – by organising events and devising communication channels/media to ensure staff understand Yarlington's business, and are proud to be Yarlington employees;
- **Staff and Stakeholder Information** – including the sharing of information through internal and stakeholder communication media about the work and achievements of our teams and individuals, building and maintaining YHG's profile and reputation among stakeholders, customers and general public.
- **Remuneration and expenses**– this includes making relevant salary payments to you and making accurate deductions from pay as appropriate to include tax, NI, salary sacrifice; also includes redundancy payments and repayment of expenses incurred within authorised limits.
- **Colleague Benefit provision** – this includes ensuring that employees are receiving the other pay and benefits to which they are entitled such as maternity, paternity and pension contributions;
- **Day to Day Employment Activities** – this includes the maintenance of accurate and up-to-date employment records, contact details and records of employee contractual/statutory rights, business planning and auditing and the decisions regarding determining your continued employment;
- **Use of IT/Communication Systems** – ensuring compliance with our policies; also ensuring network and information security, including the prevention of unauthorised access, malicious access or distribution of data; and to conduct data analysis.
- **Archiving** – retention of information regarding former employees so that references may be provided, and statistics analysed for future business development.
- **Estate management, security and insurance**– ensuring that access to company premises are limited to those who are authorised to work there and that car parks and other facilities are used in accordance with company policy; also ensuring that we can manage insurance claims concerning colleagues.

- **Compliance with legislation, third party contracts and Yarlington policies and codes of conduct**– this includes keeping accurate disciplinary and grievance records to ensure acceptable conduct within the workplace, and dealing with any relevant legal disputes that may involve you or others at work; it also includes monitoring data that impacts on our ability to meet our contractual obligations to third parties eg. vehicle leasing companies.
- **Safe Working Environment** – this is about using your personal data to ensure we can contact you when working offsite, and to check that you are not at risk in carrying out duties whether working within our premises or off-site, in line with our Health and Safety obligations as an employer. This may sometimes involve the use of on-site CCTV and fleet vehicle tracking systems.
- **Monitoring Health** - operating and keeping absence management records and ensuring that Yarlington is accurately discharging its responsibilities regarding contractual and statutory pay or benefits and data regarding Occupational Health to ensure compliance with duties in relation to individuals with disabilities/impairments, meet obligations under health and safety law.
- **Inclusion** - maintaining and promoting equality and diversity in the workplace. Yarlington collects and uses other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief for the purposes of equal opportunities monitoring and to develop its approach towards people management. Employees are free to decide whether or not to provide such data and are always provided with the response option of 'prefer not to say'
- **Training and Development** – we need to compile and monitor data that concerns you participation in training which is appropriate to your role.
- **Meeting legal obligations** – whether under law, regulation or court order

Who we share your data with

Where required by law, where it is necessary to administer our working relationship with you, or where we have other legitimate business reasons to do so, we will share your data with third parties, which include but is not limited to:

- External recruitment provider;
- IT Service Providers;
- Disclosure and Barring Service;
- Pension providers;
- Organisations which facilitate accrued salary loan advances
- Outsourced payroll bureau;
- Occupational Health;
- Benefit providers such as tax-free childcare schemes; and
- External Auditors

- Fleet vehicle leasing company
- Fleet vehicle tracking service provider
- DVLA and its partner organisations which process driver data

The organisation may also share your data with third parties in the context of a sale or partnership agreement of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements between all relevant parties.

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

How we will secure your data

Yarlington takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, altered, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

In addition we always limit access to your personal data to those employees, agents or third parties who have a genuine business need to know. They will only process your personal data as instructed by Yarlington and will be subject to duties of confidentiality.

Your Rights

Under certain circumstances you have the right to:

- **Request Access** – You have the right to request access to your personal data (commonly known as a Subject Access Request SAR) which entitles you to a copy of the data held about you and how it is being handled.
- **Request Correction** – This enables you to have any inaccurate or incomplete data we hold about you corrected
- **Request Erasure** – Where there is no good reason for us to hold data, you have the right to request that this is removed/deleted. Where you have exercised your right to 'object to processing', you may also insist on such data being removed/deleted
- **Object to Processing** –this may apply if Yarlington is relying on legitimate interest or public interest as our lawful basis for processing and there is something about your situation which leads you to object. You also have the same right to object if we are processing your data for direct marketing purposes.
- **Request Restrictions to Processing** – this enables you to suspend our processing of your data in order to establish accuracy
- **Request Data Transfer** – this enables you to permit the transfer of your data to a third party

What if you do not provide personal data

If you choose to not provide the required information, Yarlington may not be able to either form or remain in an employment contract with you. Yarlington may also not be able to comply with our legal requirements such as ensuring the health and safety of our colleagues.

Changes to our Privacy Statement

We reserve the right to modify or amend this privacy statement at any time and for any reason, providing it maintains compliance with the General Data Protection Regulation (EU 2016/679), and the Data Protection Act 2018.

If you would like to exercise any of your rights, you can contact our Data Protection Officer at GDPR@yhq.co.uk

If you remain dissatisfied, you have the right to refer the matter to the Information Commissioner (www.ico.org.uk).