


Data Protection

If you have difficulty with sight or hearing, or if you require a translated copy of this document, we would be pleased to provide this information in a form that suits your needs.

	Policy number:	C8
	Policy approved on:	May 2018
	Due for review:	May 2021

Our Vision, Mission Statement and Values

Glen Oaks' vision statement '**Where Communities Thrive**' and our mission statement '**Our aim is to provide good quality affordable housing and an excellent service. We will encourage resident participation and work with other agencies to regenerate our community**' provide the foundation for Glen Oaks Housing Association's commitment to its residents and the communities they live in.

This commitment is also demonstrated in Glen Oaks Housing Association's values which were agreed following discussions with the Board and staff. Glen Oaks' values are fundamental to how we carry out our day-to-day activities.

Our values are:

respectful

we trust and respect our customers and each other

dedicated

we will give 100% commitment to our work

transparent

we will be open and honest about what we do

aspirational

we will strive to achieve the best we can for our communities

Equality & Diversity Statement

Glen Oaks Housing Association is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity.

This document complies with Glen Oaks Housing Association's equality & diversity policy.

Glen Oaks Housing Association will regularly review this document for equal opportunities implications and take the necessary action to address any inequalities that result from the implementation of the policy.

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1.0 Introduction

- 1.1 Glen Oaks Housing Association needs to collect and use certain types of information about individuals. These can include customers, suppliers, business contacts, employees and other people Glen Oaks Housing Association has a relationship with or may need to contact in order to carry out its work. Data Protection legislation requires organisations to meet certain obligations when processing personal information to prevent that information being improperly used or distributed. The individual (known as the data subject) whose personal data is being held have a right to know exactly what information is being held about them and why it is held.
- 1.2 This policy describes how personal data must be collected, handled and stored to meet data protection standards and to comply with the law.

2.0 Aims and objectives

- 2.1 Glen Oaks Housing Association will ensure that all personal information is dealt with properly, regardless of how it is collected, recorded and used. This policy will promote good practice and allow Glen Oaks Housing Association to comply with the principles outlined within the Data Protection legislation.
- 2.2 This policy applies to all employees, Board members and volunteers of Glen Oaks Housing Association. Contractors, suppliers and other people working on behalf of Glen Oaks Housing Association will need to adhere to this policy in order to ensure Glen Oaks Housing Association's compliance with Data Protection legislation.

3.0 Data Protection Legislation

- 3.1 The relevant legislation in relation to the processing of data is:
- the General Data Protection Regulation ("the GDPR");
 - the Privacy and Electronic Communications Regulations 2003 ("the PECRs" (as may be amended by the proposed Regulation on Privacy and Electronic Communications); and
 - The Data Protection Act 2018 (DPA2018)
- 3.2 To comply with the data protection legislation, personal information must be collected and used fairly, stored safely and not disclosed unlawfully. These rules apply regardless of whether the data is collected on paper, stored in a

computer database or recorded on other material. The GDPR principles apply to digital files and images as much as they apply to paper documents.

- 3.3 Glen Oaks Housing Association is registered as a Data Controller under GDPR, which means that it determines what purposes any personal information held, will be used for. It is also responsible for notifying the Information Commissioner's Office (ICO) of the data it holds or is likely to hold and the general purposes that the data will be used for.

4.0 Responsibilities

- 4.1 Everyone who works for Glen Oaks Housing Association has some responsibility for ensuring data is collected, stored and handled appropriately. Each team that handles personal data must ensure that it is handled and processed in line with this policy and the six data protection principles.

- 4.2 The following people have key areas of responsibility

- The Board is ultimately responsible for ensuring that Glen Oaks Housing Association meets its legal obligations
- The Corporate Management Team is responsible for:
 - Checking and approving any contracts or agreements with third parties that may handle Glen Oaks Housing Association's personal data
- The Finance Director / Senior IT Officer are responsible for:
 - Ensuring all systems, services and equipment used for storing data meet acceptable standards
 - Performing regular checks and scans to ensure that security hardware and software are functioning properly
- The Corporate Services Manager, who for the purpose of this policy is the Data Protection Co-ordinator, is responsible for:
 - Ensuring employees and the Board are regularly updated on data protection responsibilities, risks and issues
 - Reviewing data protection procedures and related policies
 - Arranging data protection training and advice
 - Handling data protection questions from employees and anyone else covered by this policy
 - Dealing with requests from individuals to see any data that Glen Oaks Housing Association holds about them i.e. subject access requests
 - Liaising with the ICO regarding any data breaches

5.0 Data protection principles

5.1 *Personal data must be processed **lawfully, fairly and in a transparent manner** in relation to individuals.*

Processing shall be **lawful** only if at least one of the following applies:

- Data subject has given consent
- There is a legal obligation to process the personal data
- Processing the data is in the public interest
- Processing the data is necessary for the performance of contract
- To protect the vital interest of the data subject or another person
- There is a legitimate interest

Consent as a ground of processing will require to be used from time to time by Glen Oaks Housing Association when processing personal data. It should be used where no other alternative ground for processing is available. In the event that consent is required to process a data subject's personal data, it will be obtained in writing. The consent provided by the data subject must be freely given and the data subject will be required to sign any relevant consent forms. Any consent to be obtained must be for a specific and defined purpose (i.e. general consent cannot be sought).

Glen Oaks Housing Association must be fair and transparent with the data subject at the point of collecting data. This allows the data subject to make an informed decision to provide the data if they know what Glen Oaks Housing Association is going to do with it.

It would not be considered fair if personal data is collected for one purpose and then used for another without the data subject being advised when it was collected that this may be the case. The way in which this information is provided is via our Privacy Notices

5.2 *Data may only be collected for **specified, explicit and legitimate purposes** and not further processed in a manner that is incompatible with those purposes.*

Having given notice to the individual of the purpose for which the information is to be used, it should not be used for any other purpose.

5.3 *Personal data shall be **adequate, relevant and limited to what is necessary** in relation to the purposes for which they are processed.*

Glen Oaks Housing Association will identify the minimum amount of information that is required in order to fulfil its purpose.

5.4 *The data shall be **accurate and kept up to date***

Every reasonable step will be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay.

5.5 *Personal data processed for any purpose or purposes shall **not be kept for longer than is necessary** for that purpose or those purposes*

Glen Oaks Housing Association will regularly review the information kept and will delete or destroy that which is no longer required as detailed in the document retention schedule.

5.6 *Personal data shall be processed in a manner that **ensures appropriate security** of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.*

Glen Oaks Housing Association will take reasonable steps to ensure that staff members only have access to data required for them to carry out their duties and provide them with appropriate training. Risk assessments will be carried out to identify and manage the risk of breach of security.

6.0 Personal Data

6.1 “Personal data” is that from which a living individual can be identified either by that data alone or in conjunction with other data held by Glen Oaks Housing Association.

6.2 Glen Oaks Housing Association also holds personal data that is sensitive in nature (i.e. relates to or reveals a data subject’s racial or ethnic origin, religious beliefs, political opinions, relates to health or sexual orientation). This is “Special Category Personal Data” or “Sensitive Personal Data”.

General “personal data” includes but is not limited to:

- First and last name
- Address
- Tenancy (or owner) reference number

- Location data
- Online identifier (i.e. IP address)
- Video / CCTV
- Bank account details
- Passport information
- Personal email address
- Credit card information
- Photos and videos
- Usernames and passwords

“Special category” personal data include:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic or biometric data
- Data concerning health
- Sex life or sexual orientation
- Criminal convictions and offences

6.3 Collecting and processing of special category (sensitive) data is prohibited unless any of the following reasons from (GDPR) Article 9.2 applies.

The reasons which allow organisations to process such data are:

- The data subject has given explicit consent
- The controller has a legal obligation with regard to employment, social security and social protection as set out in law by a Member State
- Such processing is necessary to protect the vital interests of the data subject
- Foundations, associations or other non-profit bodies with political, philosophical, religious or trade union aims processing such data in accordance with their legitimate activities providing such activities apply only to members or former members with regular contact
- The data subject has made such information public
- Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity
- Processing is in the public interest where such processing is proportional to the aim pursued

- Processing relates to occupational health to assess the working capacity of an employee, provision of treatment or management of health or social care
- Processing is necessary for public health
- Processing is for public interest, scientific or historical research purposes or for statistical purposes

7.0 Privacy Notice

7.1 Glen Oaks Housing Association must provide a Privacy Notice to customers at the time of collecting their personal information. **Appendix 1**

7.2 An Employee Privacy Notice will be provided to all employees of Glen Oaks Housing Association. **Appendix 2**

8.0 Data Sharing

8.1 Glen Oaks Housing Association shares its data with various third parties for numerous reasons in order that its day to day activities are carried out in accordance with Glen Oaks Housing Association's relevant policies and procedures. In order that Glen Oaks Housing Association can monitor compliance by these third parties with data protection laws, we will require the third party organisations to enter into an agreement with Glen Oaks Housing Association. This will govern the processing of data, security measures to be implemented and responsibility for breaches. These agreements will either be Data Processing Agreements or Data Sharing Agreements dependent upon the relationship with the third party.

9.0 The rights of individuals

9.1 Under the data protection legislation, individuals (data subjects) have a number of rights as listed below.

9.2 *The right to be informed*

Individuals have the right to be informed about the collection and use of their personal data. We must provide individuals with a Privacy Notice at the time of collecting their personal data.

If we obtain personal data from other sources, we must provide individuals with privacy information within a reasonable period of obtaining the data and no longer than one month. The privacy information that we provide must be

concise, transparent, intelligible and easily accessible. We must use clear and plain language.

We must regularly review and, where necessary, update our privacy information and we must bring any new uses of an individual's personal data to their attention before we start the processing.

9.3 *The right of access*

The right of access allows individuals to be aware of and verify the lawfulness of the processing.

Individuals have the right to obtain:

- Confirmation that their data is being processed
- Access to their personal data; and
- Other supplementary information – this largely corresponds to the information that should be provided in the Privacy Notice.

If an individual contacts Glen Oaks Housing Association requesting this information, this is called a Subject Access Request (SAR). The request can be made verbally or in writing and we must respond to this request within one calendar month*.

The SAR procedure will be followed and the Data Protection Co-ordinator will take a lead in this process.

** In rare and exceptional circumstances, a SAR response time can be extended by 60 days. The DPO should be contacted to see if this is the case or relevant.*

9.4 *The right to rectification*

Individuals have the right to have inaccurate information rectified or completed if it is incomplete. The request can be made verbally or in writing and we must respond to this request within one calendar month. The data Protection Co-ordinator will deal with these requests. In certain circumstances a request for rectification can be refused.

9.5 *The right to erasure (the right to be forgotten)*

Individuals have the right to have their personal data erased, the right to erasure is also known as “the right to be forgotten”. The request can be made

verbally or in writing and we must respond to the request within one calendar month. The request is not absolute and only applies in certain circumstances.

9.6 *The right to restrict processing*

Individuals have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances. When processing is restricted, it is permitted to store the personal data but not use it. An individual can make a request for restriction verbally or in writing and a response must be provided within one calendar month.

9.7 *The right to data portability*

Individuals have the right to obtain their personal data, where the processing of personal data is carried out by automated means, in a structured, commonly used, machine-readable and interoperable format, and to transmit it to another controller. This is unlikely to affect Glen Oaks Housing Association as it is felt that no processing is undertaken by automated means.

9.8 *The right to object*

Individuals have the right to object to specific types of processing:

- Direct marketing
- Processing based on legitimate interests or performance of a task in the public interest / exercise of official authority; and
- Processing for research or statistical purposes

Only the right to object to direct marketing is absolute (i.e. there is no need for the individual to demonstrate grounds for objecting, there are no exemptions which allow processing to continue). Glen Oaks Housing Association is obliged to notify individuals of these rights at an early stage through the Privacy Notice.

9.9 *Rights in relation to automated decision making and profiling*

Where an individual has objected to automated decision making, they have a right to request human intervention. Controllers who are direct marketing must bring to the attention of the data subject the fact that they have the right to object and explain how to do that.

10.0 Children

Where any personal information about children (under the age of 12) is collected, consent will be obtained from the parent or guardian.

11.0 Data breaches

In certain situations, data breaches must be reported to the ICO within 72 hours of it being identified even if the investigation is still ongoing. If Glen Oaks Housing Association fails to report a breach within this timescale, it must demonstrate to the ICO why this happened and, if the ICO deem the delay unjustified, a fine may be imposed. In every situation that a data breach is suspected or confirmed, advice must be sought from our Data Protection Officer (DPO) in order that necessary and relevant steps are taken.

12.0 Physical security

12.1 Glen Oaks Housing Association will take appropriate physical security measures to prevent unauthorised access to, or loss, alteration or damage of personal data.

12.2 Physical security measures will include:

- The office will be kept secure, within and outwith working hours so that unauthorised persons cannot access Glen Oaks Housing Association's personal data records.
- When personal data is no longer required it must be disposed of securely by the employee responsible for it
- Employees will log out of the network or lock their computer screen when leaving their desks
- Computer terminals which are not in use will be logged off the network by the last user before leaving the terminal
- No personal data will be stored in areas of the office where unauthorised persons have unsupervised access.
- Contractors and other third parties will agree to comply with GDPR as a condition of their contract.

13.0 Data Protection Impact Assessments

13.1 Data Protection Impact Assessments (DPIAs) will be used to help Glen Oaks Housing Association identify and reduce the risks that our operations have on personal privacy of data subjects.

- 13.2 Glen Oaks Housing Association will carry out a DPIA before undertaking a project of processing activity which poses a “high risk” to an individual’s privacy. High risk can include (but is not limited to) activities using information relating to health or race, or the implementation of a new IT system for storing and accessing personal data.
- 13.2 The DPIA should include a description of the processing activity, its purpose, an assessment of the need for the processing, a summary of the risks identified and the measures Glen Oaks Housing Association will take to reduce those risks, and details of any security measures that require to be taken to protect the personal data.

14.0 Exemptions

14.1 Glen Oaks Housing Association can introduce exemptions from the GDPR’s transparency obligations and individual rights but only where the restriction respects the essence of the individual’s fundamental rights and freedoms and is a necessary and proportionate measure in order to safeguard:

- Public security
- The prevention, investigation, detection or prosecution of criminal offences
- Other important public interests, in particular economic or financial interests, including budgetary and taxation matters, public health and security
- Breaches of ethics in regulated professions
- The protection of the individual, or the rights and freedoms of others
- The enforcement of civil law matters

15.0 Freedom of Information (Scotland) Act 2002

15.1 As of 11 November 2019, Glen Oaks Housing Association is deemed to be a Public Authority under the Freedom of Information (Scotland) Act 2002 and is, therefore, required to appoint a Data Protection Officer (DPO). We have engaged RGDP LLP (www.rgdp.co.uk) to act as our Data Protection Officer and they can be contacted either via 07951 241584 or info@rgdp.co.uk

Glen Oaks Housing Association has adopted the Office of the Scottish Information Commissioner’s **Model Publication Scheme** and the principle of being as open as possible in its business and restricting the withholding of information solely to that of commercially sensitive information.

16.0 Training

16.1 Glen Oaks Housing Association will provide appropriate training to all employees who record and/or process personal data.

17.0 Monitoring & reviewing policy

17.1 We will review the policy every three years. More regular reviews will be considered where, for example, there is a need to respond to new legislation / policy guidance.



Privacy Notice

Use of your personal data

Since 25 May 2018, Glen Oaks Housing Association has been subject to the rules set out in the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. To allow us to deliver our services to you, we will process personal data (which may be held on paper, electronically, or otherwise) and we recognise the need to treat it in an appropriate and lawful manner. This leaflet explains what information we collect, when we collect it and how we will use it.

Since 11 November 2019, Glen Oaks Housing Association is deemed to be a Public Authority under the Freedom of Information (Scotland) Act 2002 and is, therefore, required to appoint a Data Protection Officer (DPO). We have engaged RGDP LLP (www.rgdp.co.uk) to act as our Data Protection Officer and they can be contacted either via info@rgdp.co.uk

We may collect the following type of personal information from you (and members of your household):

- Name(s)
 - Address
 - Gender, ethnicity, disabilities
 - Date of birth
 - Phone numbers
 - E-mail address
 - National Insurance number(s)
 - Health or Medical details
 - Care and support information
 - Employment details
 - Criminal record declaration
 - Next of kin / emergency contacts
 - Marital status
 - Bank account details
-

This information comes from:

- Housing applications
 - Correspondence about your tenancy
 - Repair requests
 - Membership (shareholder) applications
 - Factoring agreements
 - Tenancy sign-up documents
 - Complaints
 - Arrangements to make payment to us
 - Use of online services, including social media
-

We receive the following information from third parties:

- Benefits information, including awards of Housing Benefit / Universal Credit
 - Payments made by you via bank transfer, Allpay or any other method
 - Complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland and Community Safety Glasgow
 - Reports as to the conduct or condition of your tenancy, including references from previous landlords, and complaints of anti-social behaviour
 - Support needs of vulnerable tenants
 - Information supplied by the local authority relating to homeless applications
 - New home owner details
-

We need your personal information to allow us to:

- Undertake and perform our obligations and duties in relation to the services we provide as your landlord or factor
- Respond to repair requests, housing applications, complaints and requests for medical adaptations
- Improve and develop the services we offer
- Monitor our performance in relation to service delivery
- Refer you to other organisations that may support you
- Meet our legal obligations (this includes information we have to provide to regulators and statutory authorities)
- Keep you updated on any changes to our services

Sharing of your information

The information you provide to us will be treated by us as confidential and will be processed only by our employees within the UK. We may disclose your information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including the following:

- If we enter into a joint venture or merge with another business entity, your information may be disclosed to our new business partners or owners;
- If we instruct repair, maintenance or upgrade works, your information may be shared or disclosed with and to our contractors or suppliers;
- If we are investigating a complaint, information may be disclosed to the Scottish Public Services Ombudsman, Police Scotland, Local Authority Council and/or Council Departments, Scottish Fire & Rescue Service, elected members and others involved in any complaint, *whether investigating the complaint or otherwise*;
- If we are updating tenancy details, your information may be disclosed to third parties (such as utility companies and Local Authority);
- If we are investigating payments made or otherwise, your information may be disclosed to payment processors, Local Authority and the Department for Work and Pensions;
- If required by an emergency service;
- If we are conducting a survey of our products and / or a service, your information may be disclosed to third parties assisting us in the compilation and analysis of the survey results;
- If required by law, we will disclose your information to statutory bodies, such as solicitors, auditors and our Data Protection Officer;
- If we are pursuing debts associated with a tenancy, or a former tenancy, we may share relevant information with our solicitors, the Local Authority, Utility Companies and/or a third party agency to assist in the recovery of those debts;
- If we need to facilitate the payment of any benefits, your information may be disclosed to the Department for Work and Pensions, Local Authority or any other relevant department;
- If the Local Authority is processing information about your council tax or relating to the electoral register, your information may be disclosed to them;
- If required by a regulatory body;

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

Transfers outside the UK and Europe

Your information will only be stored within the European Economic Area (EEA).

Security

When you give us information we take steps to make sure that your personal information is kept secure and safe. All information is held in accordance with our Data Protection Policy, a copy of which is available on request and/or on our website.

How long will we keep your information?

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, as required by law, or as set out in any relevant contract we have with you.

Your rights

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- require us to correct any inaccuracies in your information;
- make a request to us to delete personal data on you that we hold; and
- object to receiving any marketing communications from us.

If you would like to exercise any of your rights above please contact Martha Hutcheson on 0141 620 2705 or email martha.hutcheson@glenoaks.org.uk

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL

Telephone: 0131 244 9001

Email: Scotland@ico.org.uk

The accuracy of your information is important to us - please help us keep our records updated by informing us of any changes to your email address and other contact details.

Contact Us

Glen Oaks Housing Association Limited, 3 Kilmuir Drive, Arden, Glasgow, G46 8BW



0141 638 0999



www.glenoaks.org.uk



go@glenoaks.org.uk



Glenoakshousing

Our office opening hours are:

Monday, Tuesday & Thursday: 9am - 5pm

Wednesday: 9am - 1pm

Friday: 9am - 4pm

Our office is closed for staff training from 1pm every Wednesday.

Glen Oaks Housing Association is a non-profit Housing Association and a recognised Scottish Charity (No. SC034301)
Financial Services Authority Registration No. 2402 R (S) – Scottish Housing Regulator No. HCB241
Scottish Property Factor Register No. PF000173

The Association is registered as a Data Controller with the Information Commissioner's Office (ICO) under registration number Z5443064.



STAFF PRIVACY NOTICE

(How we use your personal information)

This notice explains what information we collect, when we collect it and how we use this. During the course of our activities, we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

Introduction

The purpose of this staff privacy notice is to explain to you the reasons which we may hold and use your personal data and explain your rights under the current data protection laws.

As your employer we may collect and process personal data relating to you to manage our contract with you. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you.

This notice does not form part of your contract of employment or engagement with us. It applies to all our employees, workers and consultants, regardless of length of service, and may be amended at any time. If any amendments are required in the future, we will notify you as is appropriate.

Glen Oaks Housing Association of: 3 Kilmuir Drive, Arden, Glasgow, G46 8BW

is registered as a data controller with the Information Commissioner (ICO) and our registered number is Z5443064.

Where does your personal information come from?

The Association may collect information in several ways which include:

- Recruitment processes including information obtained from agencies
- Your identification documents you have given us
- Background checks conditional for your engagement with us (if relevant)
- PVG/Disclosure/DVLA checks relating to criminal convictions/offences
- Former employers or other individuals whom you have given us permission to contact to provide us with a reference. This data could include:
 - Your work history with them, including your dates you were with them;
 - the work tasks you did,
 - your level of responsibility,
 - job title,
 - salary on leaving,
 - reason for leaving their workplace and
 - whether they would be happy to have you work for them again.
 - suitability to the post applied
 - strengths and weaknesses
- Medical professionals provide us with appropriate health information in order that we can manage any health-related situations that may have an impact on your ability to work with us.
- Membership with professional bodies that confirm membership
- Qualifications/training bodies that provide us information relating to you
- Web browsing history and email exchanges can be routinely monitored for the purposes of maintaining the IT infrastructure
- HMRC

What information do we collect?

The Association controls and processes a range of information about you. In this privacy notice 'your personal information' means your personal data i.e. information about you from which you can be identified. Your 'personal information' does not include data where your identity has been removed (anonymous data). It is really important that the personal information that we hold and process about you is accurate and up to date. Please keep us informed if your personal information changes during your engagement with us.

This includes:

- Your name, address, and contact details including email address and telephone number, date of birth and gender
- The terms and conditions of your employment or engagement with us
- Details of your qualifications, skills, experience and work history, including start and end dates with previous employers and workplaces
- Information about your remuneration, including entitlement to benefits such as, pay, pension and holidays
- Details of your bank account and national insurance number
- Information about your marital status, next of kin, dependants and emergency contacts
- Information about your nationality and entitlement to work in the UK
- Information about any criminal convictions if relevant for your job.
- Details of your work pattern (days of work and working hours) and attendance at work
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals
- 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, performance improvement plans and related correspondence
- Information about medical or health conditions, including if you have a disability for which the organisation needs to make reasonable adjustments
- Equal opportunities monitoring information about your ethnic origin, sexual orientation and religion or belief

The data we hold about you will be kept in your personnel file which is stored securely and access to the files is restricted. The information will only be held for the periods outlined in the Association's Retention Policy.

Processing Personal Data

We will process data in accordance with the following legal grounds:

Under our Contract with you:

We need to process the data we hold on you in order that we comply with our obligations with you under the contract we have with each other. This includes;

- the need to process your data to provide you with an appropriate contract,
- to pay you in accordance with your employment contract,
- to administer your employment benefits (pensions, appraisals, training etc.)
- any other employment related activities

Under our Legal Obligations:

We are required;

- to obtain checks regarding your right to work in the UK
- to deduct tax, National Insurance, and administer your pension
- to comply with health and safety laws and
- to enable you to take periods of leave to which you are entitled
- To comply with Court Orders

We are also required to process special categories of personal data, such as information about health or medical conditions to carry out our employment law obligations, such as those in relation to any disability you may have or that arises (in order, potentially, to make reasonable adjustments etc.)

In our Legitimate Interests:

We are also required to process your data in accordance with our legitimate interests which can occur, during and after our employment relationship which will allow us to:

- Run recruitment and promotion processes
- Maintain accurate and up to date employment records, contact details, emergency contact details, and records of employee contractual statutory rights
- Operate and keep a record of disciplinary and grievance processes
- Plan for career development, succession planning and workforce planning
- Operate and keep a record of absence management procedures, to allow workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Obtain occupational health advice, ensuring that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Operate and keep a record of other leave you may take including maternity, paternity, adoption, parental and shared parental leave, to allow effective workforce management, to ensure that the organisation 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 and business administration
- Provide references on request for current or past employees; and
- Respond to and defend against legal claims
- In the event of a business sale/transfer
- Any regulatory checks and/or statutory check/requirements in relation to your engagement with us

Processing Special Category Personal Data

Special categories of information means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purposes of uniquely identifying you.

The "special categories" of sensitive personal information referred to above 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 situations:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our privacy policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our Privacy Policy.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Our Obligations as Employer

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

- We will use information relating to leave 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.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Employee Monitoring

We will carry out the following monitoring exercises:

- CCTV – images and footage recorded of any person visiting our premises. This is used for staff safety, security and the prevention (detection) of crime. Footage is currently retained for 1 month
- Wi-fi Browsing – Our I.T. provider can monitor web browsing history and email exchanges for the purposes of maintaining the IT infrastructure
- Phone records of Association mobile users with regards to call history and length of calls. Recordings are retained for 12 months

Access to Data and Security

In order to process your data in accordance with the grounds stated above the following will have access to your data:

Internally:

- Line manager / Director
- IT provider
- HR function
- Payroll function

Third parties:

- For the purposes of pre-employment checks; past employers, disclosure and PVG
- For the purposes of processing data on behalf of us: payroll provider, Seeking advice in relation to your contract of engagement and other associated policies and procedures; HR or employment consultants, pension administration, IT support provider
- Internal and External Audit firms for the purpose of providing assurance to Board and Statutory agencies
- Any other third parties as necessary to comply with your contract of engagement and our legal and statutory obligations with third party organisations.

Your Rights

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- require us to correct any inaccuracies in your information;
- in certain situations, make a request to us to delete your personal data;
- request we restrict processing your personal data;
- object to receiving any marketing communications from us, and;
- to be informed of any automated decisions made in relation to you.

Any questions relating to this notice and our privacy practices should be directed, in the first instance, to go@glenoaks.org.uk or by telephoning 0141 638 0999

Our Data Protection Officer is provided by RGDP LLP and can be contacted either via 07951 241584 or info@rgdp.co.uk

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

The Information Commissioner's Office – Scotland
45 Melville Street,
Edinburgh,
EH3 7HL,

Telephone: 0131 244 9001
Email: scotland@ico.org.uk

Data Retention

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including to satisfy any legal, accounting or reporting requirements.

We will retain all of your personal information during your engagement and for 6 years after termination to allow us to establish, exercise or defend legal claims, with the exception of the following:

- We will delete **out-of-date** contact, emergency contact, and bank account details whenever you provide us with updated details.
- We will retain **current** contact and bank account details during your engagement and delete these when we have processed the final payment to you following the termination of your engagement.
- We will retain **current** emergency contact details during your engagement and delete these when your engagement terminates.
- We will retain payroll and wage records, salary and benefits details, including pension and bonus details during your engagement and until the later of:
 - 6 years from the financial year-end in which payments were made
- We will retain a copy of your driving licence during your engagement and delete this when your engagement terminates.

If you do not wish to provide your personal data

You have obligations under your employment contract to provide the organisation with the necessary 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 Association 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 the payment details, have to be provided to enable the Association to enter into a contract of employment with you. If you do not provide other information, this will hinder the Association's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Acknowledgement of receiving and reading this notice

I _____ [print name] confirm that I have read and understood the contents of this Staff Privacy Notice.

Signed

Date

Appendix 1

Conditions for Processing Special Category Data

The information below is an extract from the ICO guidance and is available directly from their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

The conditions below are listed in Article 9(2)

- (a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- (b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- (c) Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- (d) Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, Association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- (e) Processing relates to personal data which are manifestly made public by the data subject;
- (f) Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- (g) Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- (h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment of the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
- (i) Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89 (1) based on Union Member State law which shall be proportionate to the aim pursued, respect the essence of the right to the data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Some of these conditions make reference to UK law, and the GDPR also gives member states the scope to add more conditions. The Data Protection Act 2018 includes proposals for additional conditions and safeguards, and the ICO will publish more detailed guidance here once these provisions are finalised.