



Southside Housing Association

Employee Fair Processing Notice

Employee Fair Processing Notice

Introduction

The purpose of this Employee Fair Processing Notice (FPN) is to explain to you the reasons which we will hold and use your personal data and explain your rights under the current data protection laws including the Data Protection Act 2018 (DPA 2018) and the United Kingdom General Data Protection Regulation (UK GDPR).

As your employer we will 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, apprenticeships, secondments from other employers 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.

Southside Housing Association, 135 Fifty Pitches Road, Glasgow, G51 4EB. We are registered as a data controller with the information commissioner and our registered number is Z6936072.

Our Data Protection Officer is Des Phee

Where does your personal information come from and who may it be shared with?

The organisation may collect this information in several ways and share it with a number of other organisations. We may receive and share information from and with the following:

- Recruitment processes including information obtained from agencies
- For secondments information obtained from the principal employer
- Your identification documents you have given us
- Background checks conditional for your engagement with us
 - 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 will 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.
- 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.
- The Chartered Institute of Housing and other professional membership bodies may provide us with information that confirms your membership, qualifications and training you have undertaken
- Our internet service provider will provide us with the following personal information:
 - A log of HTTP traffic going to an IP address you have connected to. This is used mainly for troubleshooting purposes and is overwritten after 14 days. Web browsing and email exchange information will not be monitored routinely.
 - Pension schemes including TPT Retirement Solutions and the Strathclyde Pension Fund may provide us with information to enable effective processing of pension information and handling of your pension.
 - Iris to facilitate your pay information via Iris MyePayWindow.
 - Department of Work and Pensions (DWP) as required by the Social Security Administration Act 1992.
 - Trades Unions who you may have chosen to represent your interests or act on your behalf.

We may also need to share your personal information with the Scottish Housing Regulator. This data in relation to ethnicity and/or disability is provided in anonymous statistical format. Please note that the above list is not necessarily exhaustive and there may be other third parties from which we may collect or share data.

What Information do we collect?

The organisation 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 your personal information that we hold and process 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, dependents 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, religion or belief or marriage or civil partnership status.

The data we hold on you in relation to your employment or engagement with us will be stored securely in paper files in secured files within our Human Resources team and password controlled access to electronic files. In terms of both paper and electronic files access to your personal data will be strictly limited to individuals or organisations (including those listed above) who have a contractual, legal or legitimate interest requirement to access it. The Association will only retain your personal data for as long as necessary to fulfil the purposes for which it was collected and to satisfy any legal, regulatory, accounting or reporting requirements. A copy of our full Data Retention Schedule can be found on our website.

Processing Personal Data

As an organisation we will process data in accordance with the following legal grounds:

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 and
- To administer your employment benefits.
- To enable you to take periods of leave to which you are entitled.
-

Legal Obligations:

We are required;

- To obtain check's regarding your right to work in the UK,

- To deduct tax, National Insurance, and administrate your pension,
- To comply with health and safety laws

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 arises.

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. There are specific legal conditions for processing this special data, detailed information in regard to these conditions can be found on the Information Commissioner's Office website at <https://ico.org.uk/for-organisations/guide-to-data->

[protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#scd2](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#scd2) .

- Ethnic Origin – for the purpose of monitoring equality of opportunity or treatment between different groups.
- Disability - for the purpose of monitoring equality of opportunity or treatment between different groups.
- Health – for the assessment of an employee’s working capacity, subject to confidentiality safeguards
- Religious belief - for the purpose of monitoring equality of opportunity or treatment between different groups.
- Sexual Orientation or Gender Identity - for the purpose of monitoring equality of opportunity or treatment between different groups.
- Criminal conviction information - for the purposes of performing or exercising obligations or rights of the employer or employee under employment law.

Employee Monitoring

We carry out the following monitoring exercises:

- CCTV – The Association operates CCTV on its premises and properties for the safety and security of staff, and the detection of crime or anti-social behaviour.
- Email – Email records are held on the Association’s Exchange Server, back up email records are held for three months. In line with the Acceptable Use Policy, the Association reserves the right to monitor use of its computer network.
- Telephone calls made to or from the Associations’ telephone network are not recorded. A call history record is retained on the telephone network and on Association mobile telephones.

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
- IT staff
- Managers in the business area you work
- HR 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; pension administration, IT provider
- For individuals on secondment from another organisation your principal employer
- Any other third parties as necessary to comply with your contract of engagement and our legal and statutory obligations with third party organisations.

When you give us information we take steps to make sure that your personal information is kept secure and safe. We have the following controls in place to ensure the security of your personal information:

- Paper based records are securely locked in storage cupboards when not actively being used.
- Our offices are protected by an alarm system, a security company and are monitored by CCTV.
- All Association computer servers are within a secure network.
- All electronic communication takes place within this secure environment.

The unauthorised use of IT systems is prevented by:

- User ID
- Password assignment
- Lock screen with password activation
- Each authorised user has a private password known only to themselves.
- Regular prompts for password amendments

The following additional measures are taken to ensure the security of any Data:

- Network username
- Network password
- Application username
- Application password
- Application permissions and access restricted to those who require it.

Transfers outside the UK and Europe

Your information will only be stored within the United Kingdom.

Where information is transferred outside the United Kingdom we will ensure that there are adequate safeguards in place to protect your information in accordance with this notice

Your Rights

As a data subject, you have a number of rights, as follows:

- To be informed of the personal data we hold on you
- Access and obtain a copy of all your personal data on request
- Require the organisation to change incorrect or incomplete personal data
- Require the organisation to delete or stop processing your personal data e.g. where the data is no longer necessary for the purposes; and object to the processing of your data where the organisation does not require to process it
- To personal data portability
- To object to the personal data we hold on you
- To be informed of automated decisions made in relation to you

These rights are qualified and are not absolute.

If you would like to find out more about how we use your personal data or want to see a copy of information about you that we hold or wish to exercise any of your above rights, please contact Des Phee, Corporate Compliance Officer dphee@southside-ha.co.uk

If you have any complaints about the way your data is processed or handled by us, please contact dphee@southside-ha.co.uk

If you remain unsatisfied after your complaint has been processed by us, 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: 0303 123 1115
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 personal and contact details.

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 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 after termination; or
 - 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.
- We will retain records of redundancy details and records of payments for twelve years following termination of your engagement through redundancy.

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 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 the payment details, have to be provided to enable the organisation to enter into 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.



Southside Housing Association

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