



## **HR Privacy Notice - *How we use your personal information***

### **Who are we**

emh group comprises of two largely ring fenced functional divisions: emh Housing and Regeneration Limited, trading under the name emh homes, which is a Registered Provider regulated by the Regulator of Social Housing and emh Care and Support whose regulated activities fall within the remit of the Care Quality Commission.

Midlands Rural and emh Sharpes are non registered providers which are subsidiaries of emh Group.

### **Our Privacy Promise**

We promise:

- To keep your data safe and secure
- Treat any data concerns you may have as priority

### **What is the purpose of this notice**

This privacy notice aims to give you information on how we collect and process your personal information throughout your working relationship with us. It makes you aware of how and why your personal information will be used, namely for the purposes of the performance of our contract with you as our employee, and how long it will usually be retained for. In these cases, we will be the “data controller” for the purposes of data protection laws.

This notice provides you with the information that must be provided under the General Data Protection Regulation (EU) 2016/679 (‘the GDPR’), the Data Protection Act 2018 and any subsequent legislation.

### **How your information will be used**

1. As your employer, emh needs to keep and process information about you for normal employment purposes. The information we hold and process will be used for the management and administrative of your contract with us, during your employment. We will keep and use the information to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately. We do not use automated decision making or profiling.
2. The information you provide will be used whilst you are working for us and at the time when your employment ends and after you have left. We will only use your personal information when the law allows us to. Mostly commonly, we do this to enable us to comply with the employment contract and with any legal requirements, pursue the legitimate interests of emh group and protect to our legal position in the event of legal

proceedings. We may also use your information where we need to protect your vital interests or if it is the public interest to do so. If you do not provide this information, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

3. As emh group provides social housing / care and support, we are legally obligated to process your data in accordance with the law. For example we may process your data to prevent fraud, reporting potential crimes and to aid in the detection and prevention of crime. We will process your data securely should any of the above arise.
4. We will use your information to perform checks required to do your job, for example we may need to conduct a criminal records check as part of the employment process. We will only use information relating to criminal convictions where the law allows us to do so and in accordance with our data protection policy.
5. You may be referred to in company documents and records that are produced by you and/or your colleagues during the course of your employment and whilst doing business on behalf of the company.
6. To promote interdepartmental working and efficient working practices across the group we will publish your photographs on the intranet (ibrowse), this enables us to improve collaborative working and connections. We will use the photo taken on joining; you can change this picture at any time, if you would like support with this please contact the Communications team. These photographs are for internal use only and a legitimate business use in line with current data protection legislations.
7. We may also use your personal information for any of the reasons listed below:
  - Making a decision about your appointment;
  - Determining the terms on which you work for us;
  - Checking you are legally entitled to work in the UK;
  - Paying you and, if you are an employee, deducting tax and National Insurance contributions;
  - Providing the following benefits to you: [Health Plan, Childcare Vouchers, Charity Days, Flexible working hours, cycle to work]
  - Liaising with your pension provider;
  - Administering the contract we have entered into with you;
  - Business management and planning, including accounting and auditing;
  - Conducting performance reviews, managing performance and determining performance requirements;
  - Making decisions about salary reviews;
  - Assessing qualifications for a particular job or task, including decisions about promotions;
  - Gathering evidence for possible grievance or disciplinary hearings;
  - Making decisions about your continued employment or engagement;
  - Making arrangements for the termination of our working relationship;
  - Education, training and development requirements;
  - Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
  - Ascertaining your fitness to work;

- Managing any sickness absence;
- Complying with health and safety obligations;
- To prevent fraud;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- Assist in the running of our business; and
- Comply with legal or regulatory requirements.

## **How we collect your information**

8. The information we hold about you will have been provided by yourself during and after the recruitment process, we also collect information about you from internal sources, such as your manager, and in some cases, external sources, such as referees and government agencies like the Disclosure and Barring Service.

## **The information we store about you**

9. The sort of information we store includes your application form and references, your contract of employment and any amendments to it. We will hold any correspondence with or about you, for example letters to you about a pay rise or, letters produced at your request like a letter to your mortgage company confirming your salary. Any information needed for payroll, benefits and expenses purposes. Your contact and emergency contact details, records of holidays, sickness and other absences.
10. The information needed for monitoring equal opportunities and records relating to your career history, such as any training completed, appraisals, other performance measures and where appropriate, any unspent disciplinary warnings and grievance throughout your employment.
11. Where necessary we may keep information relating to your health, which could include reasons for absence, GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations and to consider how your health affects your ability to do the job. Health information will also be used to determine whether any adjustments to your job might be needed. We will also need this information to administer and manage any statutory and company sick pay you may be entitled to.
12. Information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation will only be used when required by law or the information is required to protect your health in an emergency.
13. We monitor the use of any company computers, mobile telephones and tablets and keep records of usage. This is detailed in our mobile device policy which can be found i-browse. For any person who uses the Efficient Flexi time system, we also keep records of your hours of work by way of our clocking on and off system. We also use CCTV

throughout our premises and therefore you may appear on CCTV footage.

14. We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The criteria used for determining how long your data will be stored for is detailed in the HR Data Protection Policy. This can be found on i-browse and hardcopies can be requested from the HR Department.
15. Should we need to process your personal data for a purpose other than that which it was collected for, we will provide you with information on that purpose and any other relevant information.

## **Who we share your information with**

16. We will not normally share your information without your consent unless the law allows or requires us to do so. Where it is legally required or necessary in accordance with data protection law, we may share employee information with:

- Our regulator;
- Other members of the emh Group;
- Suppliers and service providers;
- Financial organisations;
- Our auditors;
- Survey and research organisations;
- Trade unions and associations;
- Occupational health;
- Insurers;
- Pension providers;
- Professional advisers and consultants;
- Police forces, courts, tribunals;
- Professional bodies;
- Employment and recruitment agencies.

## **How we keep your information secure**

17. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
18. All personal information you provide to us is stored on our secure servers within the UK. However there may be occasions where your information may need to be stored in or sent to companies, service providers, agents, subcontractors and regulatory authorities in countries outside of the European Economic Area ('EEA') which may not have the same level of security and protection as we have under UK legislation. If we have to do this, we will make sure that suitable security measures are in place.

19. We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

## How long we keep your information

20. We will keep your personal information for as long as you are an employee of emh group. After you stop being an employee, we may keep your data for up to 7 years for one of these reasons:

- ✓ To respond to any questions or complaints.
- ✓ To show that we treated you fairly.
- ✓ To maintain records according to rules that applies to us.

21. We may keep your data for longer than 7 years if we cannot delete it for legal or regulatory reasons.

## Your rights

22. You have the right to request a copy of the information we hold about you. Such requests will be processed within one month of receiving the request.

23. You have the right to request any outdated, incorrect or inaccurate information we hold about you to be corrected. Such request will be processed within one month of receiving the request.

24. In certain circumstances you may also have the right to object to our use of your personal information, object to certain decisions being taken by automated means, have your information deleted, and have your information transmitted electronically to another organisation. You may also claim compensation for damages caused by a breach of the GDPR.

25. You can expect that we will only share relevant, up to date information when we are legally or contractually required to. We will ensure your information is secure and will let you know if your information is ever compromised. Where we have requested consent to share your information, this consent can be revoked at anytime by contacting the HR Department.

26. You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the General Data Protection Regulation (GDPR).

27. If you want to exercise any of these rights, please contact us using the details in the **(Where to Get Help)** section below.

## Where to get help

Please contact us if you have any questions about our privacy policy or the information we hold about you. You can do so via one of the contact details below;

- Email [dataprotection@emhgroup.org.uk](mailto:dataprotection@emhgroup.org.uk)
- Post - Quality & Standards Team, Memorial House, Stenson Road, Coalville, Leicestershire, LE67 4JP.
- Telephone - 01530276000

We have appointed a Data Protection Officer to oversee our compliance with this privacy policy. Our Data Protection Officer is Kasandra Silcott. If you have any questions about this privacy policy or how we handle your personal information, please contact our Data Protection Officer using the details above.

Alternatively if you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Further information and guidance please visit <https://ico.org.uk/concerns/>.

**Also please see;**

- **Data Protection policy on i-browse**
- **HR Data Protection policy on i-browse**
- **Subject Access Request policy on i-browse**
- **CCTV Policy on i-browse**
- **Encryption Policy on i-browse**
- **Personal Data Breach on i-browse**
- **Document Retention Policy on i-browse**
- **Data Subject Rights Procedure on i-browse**
- **Data Deletion Procedure on i-browse**
- **Information Commissioner's website: [www.ico.org.uk](http://www.ico.org.uk)**