



**Cloch Housing Association**

# **Employee Privacy Notice**

<b>Policy Name</b>	Employee Privacy Notice
<b>Policy Category</b>	HR
<b>Policy Number</b>	119
<b>Date Adopted</b>	01/09/2009
<b>Last Review</b>	12/10/2021
<b>This Review</b>	16/2/2023
<b>Next Review</b>	February 2026
<b>Equalities Impact Assessment Required</b>	No
<b>Link to other policies</b>	Retention Policy, Data Protection Policy
<b>Consultation</b>	Yes
<b>Need for Procedure</b>	No

Cloch Housing Association, as an employer is a data controller and collects and processes personal data and special category personal data relating its employees to manage the employment relationship it has with you as an employee and after you cease being an employee. We want to be transparent about how we collect and use your data and to meet our data protection obligations.

## Who are we?

Cloch Housing Association Ltd, registered as:  
 a Scottish Charity (Scottish Charity Number SCO 13996  
 a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 1893 R(s)  
 Registered with the Scottish Housing Regulator, Number HEP91  
 and having their Registered Office at: 19 Bogle Street, Greenock PA15 1ER

We are notified as a Data Controller with the Information Commissioner’s Office under registration number, Z1221458 and we are the data controller of any personal data that you provide to us, or that we receive about you from other organisations.

Our Data Protection Officer is appointed as RGDP LLP, [info@rgdp.co.uk](mailto:info@rgdp.co.uk). The Data Lead Officer at Cloch is the Head of Corporate Services.

## What personal information we collect and why is it processed?

We collect and process a range of information containing personal data about you. The table below details the personal data collected, our purpose for this and the legal basis we are relying on for the processing:

Personal Information	Purpose	Our legal basis
Basic personal information and contact details including: <ul style="list-style-type: none"> <li>• Name</li> <li>• Address</li> <li>• Date of birth</li> <li>• Telephone numbers (home and mobile)</li> <li>• Personal email address</li> <li>• Emergency contact details</li> </ul>	To maintain accurate employee records and contact details.  To be able to contact someone in the event of an emergency.  To allow contract, HR and business administration and defence against potential legal claims.	Necessary for the performance of a <b>contract</b> with you.  Necessary for compliance with a <b>legal obligation</b> .  Necessary for our <b>legitimate interests</b>
Recruitment records including: <ul style="list-style-type: none"> <li>• Application Forms, interview notes and assessments</li> <li>• Proof of right to work in UK (such as passports and visas)</li> <li>• Evidence of education and qualifications</li> <li>• References</li> </ul>	To make a decision about your suitability for the role you applied for.  To comply with legislative and regulatory requirements  To allow contract, HR and business administration and	Necessary for the performance of a <b>contract</b> with you  Necessary for compliance with a <b>legal obligation</b> .  Necessary for our <b>legitimate interests</b>

<ul style="list-style-type: none"> <li>• Employment Contract</li> <li>• Induction records</li> </ul>	defence against potential legal claims.	
<p>Payroll Information including:</p> <ul style="list-style-type: none"> <li>• Pay and benefits entitlements</li> <li>• Bank details</li> <li>• National insurance number</li> </ul>	<p>To pay employees and make appropriate tax payments and keep appropriate records.</p> <p>To allow HR and payroll and benefit administration and defence against potential legal claims.</p>	<p>Necessary for the performance of a <b>contract</b> with you</p> <p>Necessary for compliance with a <b>legal obligation</b></p>
<p>Work schedule and Leave including:</p> <ul style="list-style-type: none"> <li>• Days of work</li> <li>• Working hours</li> <li>• Attendance</li> <li>• Leave taken</li> <li>• Leave requests</li> <li>• Leave authorisation</li> </ul>	<p>To pay employees correctly</p> <p>To comply with legal requirements regarding working time</p> <p>To allow resource planning</p> <p>To manage statutory and non-statutory holidays and leave.</p>	<p>Necessary for the performance of a <b>contract</b></p> <p>Necessary for compliance with a <b>legal obligation</b>.</p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Pension records including:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Marital status</li> <li>• Address</li> <li>• DOB</li> <li>• Salary</li> <li>• Pension age</li> <li>• Beneficiaries</li> </ul>	<p>To make appropriate pension payments.</p> <p>To comply with Legislative and regulatory requirements</p> <p>To allow pension administration and defence against potential legal claims.</p> <p>To allow auditing and reporting of Pension schemes</p>	<p>Necessary for the performance of a <b>contract</b></p> <p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Performance records including:</p> <ul style="list-style-type: none"> <li>• Appraisal documents</li> <li>• Probation and performance reviews</li> <li>• Performance improvement plans</li> <li>• Records of capability meetings and related correspondence/ warnings</li> </ul>	<p>To maintain a record of the operation of performance improvement processes.</p> <p>To allow HR administration and defence against potential legal claims.</p>	<p>Necessary for the performance of a <b>contract</b></p> <p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Disciplinary and grievance records including:</p> <ul style="list-style-type: none"> <li>• Records of investigations</li> <li>• Witness statements</li> </ul>	To maintain a record of the operation of disciplinary and grievance procedures and their outcome.	Necessary for the performance of a <b>contract</b>

<ul style="list-style-type: none"> <li>• Notes of disciplinary or grievance meetings</li> <li>• Correspondence with employees</li> <li>• Relevant warnings</li> </ul>	<p>To allow HR administration and defence against potential legal claims.</p>	<p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Absence records including:</p> <ul style="list-style-type: none"> <li>• Details of absence taken</li> <li>• Reasons for absences</li> <li>• Records of absence management discussions such as Return to Work Interviews</li> <li>• Correspondence with employees</li> </ul>	<p>To maintain records of the implementation of absence procedures</p> <p>To ensure that employees receive statutory and contractual sick pay or other pay entitlements and benefits</p> <p>To meet health and safety obligations and comply with the requirement to make reasonable adjustments</p> <p>To allow HR administration and defence against potential legal claims.</p>	<p>Necessary for the performance of a <b>contract</b></p> <p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<ul style="list-style-type: none"> <li>• CCTV Images</li> <li>• Video and sound recordings (e.g., Teams/Zoom),</li> <li>• Telephone recordings</li> </ul>	<p>To maintain security of Cloch premises</p> <p>To provide a safe working environment for employees</p> <p>To comply with legislative and regulatory requirements</p> <p>To improve our services in dealing with our customers</p>	<p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Information about Employee use of business equipment including:</p> <ul style="list-style-type: none"> <li>• Access to computers</li> <li>• Desk telephones</li> <li>• Mobile phones</li> <li>• Software and applications</li> <li>• Internet usage</li> <li>• Emails</li> <li>• Social media</li> </ul>	<p>To maintain the operation, security, and integrity of business communications systems</p> <p>To provide IT and communications systems support</p> <p>To preventing excessive personal use</p>	<p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>
<p>Photos and Videos</p>	<p>To promote the business of Cloch Housing Association</p>	<p>Necessary for our <b>legitimate interests</b></p>

Special category personal information	Purpose for processing	Our legal basis for processing	Special category legal basis
Family leave including maternity, paternity, adoption and shared parental leave, parental leave, and time off for dependents (which could include information about Employee health and sexual orientation).	<p>To maintain a record of leave</p> <p>To ensure that employees receive statutory and contractual pay entitlements</p>	<p>Necessary for the performance of a <b>contract</b></p> <p>Necessary for compliance with a <b>legal obligation</b></p> <p>Necessary for our <b>legitimate interests</b></p>	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.
<p>Occupational Health records including:</p> <ul style="list-style-type: none"> <li>• Medical records</li> <li>• Health monitoring information</li> <li>• Referrals for treatment such as counselling</li> <li>• Reports and correspondence with external practitioners, GP's or Occupational Health Specialists.</li> </ul>	<p>To assess suitability for work</p> <p>To meet Health &amp; Safety obligations</p> <p>To comply with the requirements to provide reasonable adjustments</p>	<p>Necessary for compliance with a <b>legal obligation.</b></p> <p>Necessary for our <b>legitimate interests</b></p>	<p>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.</p> <p>Necessary for the purposes of preventative medicine or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health care systems.</p>

We will collect this information in a variety of ways including directly from you, and from third parties as outlined below:

- Recruitment Agencies
- Former employers or other referees

- Occupational Health providers

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

We will share your data as required by law to administer the working relationship that we have with you.

We may share your data with third parties, including third party service providers that process data on our behalf, in connection with payroll; the provision of employee benefits; the provision of occupational health services and IT services.

In relation to our third-party service providers, we have in place a written contract which only permits them to process your data for specified purposes and in accordance with our instructions. All their employees must be subject to a duty of confidentiality. The contract also requires third party service providers to take appropriate security measures in relation to your personal data which are in line with our policies. They are also not allowed to use your personal data for their own purposes.

### **How we secure your personal data?**

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by our employees in the performance of their duties.

In addition, we limit the access that employees have to your personal data to those who have a need to know based on their job role.

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

### **How long will we keep your personal data?**

It is important that the personal data that we hold about you is accurate and current. Please keep us advised of any changes to the personal data that is held, particularly contact details for you and your emergency contacts throughout the course of your employment.

We will hold your personal data for the duration of your employment and for as long as is necessary to fulfil the purposes of satisfying any legal, accounting or reporting requirements that we are subject to. The periods for which your data is held after the end of employment are set out in our Retention Policy.

In determining the retention period, we will consider the amount, nature and sensitivity of the personal data and the potential risk of harm from unauthorised use or disclosure; the purpose for which the data is being processed; and whether we can achieve those purposes through other means; and the applicable legal requirements for holding that data. For most situations, we hold a former employees record for 6 years after they leave Cloch.

## Your Rights

You have several rights in relation to your personal data. These are listed below. A fee will not generally be charged for exercising any of these rights unless your requests are manifestly excessive.

- The right to access information about the personal data we process about you and to obtain a copy of it;
- The right to require us to change incorrect or incomplete data;
- The right to require us to erase or stop processing your data; and
- The right to object to the processing of your data where we are relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, or if you have any concerns about how your personal data is being processed, please contact the Head of Corporate Services or [info@rgdp.co.uk](mailto:info@rgdp.co.uk).

If you still believe that we have not complied with your rights, you can complain to the Information Commissioner's Office. Contact details are available at <https://ico.org.uk/make-a-complaint/>

## What if you do not provide personal data?

You have some obligations under your employment contract to provide us with information. 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 which you have as an employee. You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the information to us may mean that you are unable to exercise these statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable us to enter a contract of employment with you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

## Changes to this Privacy Notice

Cloch may update this privacy notice from time to time and will provide you with a new notice when making any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.