



No Excuse for Abuse CIC

PRIVACY POLICY

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Privacy Notice

Introduction

No Excuse for Abuse CIC are expected to meet their contractual, statutory and administrative obligations under the Data Protection Act which is the Act which implements the General Data Protection Regulations 2018. No Excuse for Abuse CIC are committed to ensuring that the personal data of our staff members is handled in accordance with the principles as set out in the Regulations.

This privacy notice is intended to confirm what you can expect when No Excuse for Abuse CIC collect's any personal information about members of staff, volunteers, contractors, other workers and directors and their rights under the legislation. This guidance applies to all job roles with us, members of staff, ex-members of staff, agency workers, Directors, Volunteers and Contractors. The information No Excuse for Abuse CIC will process about individuals will vary depending on the specific role and their personal circumstances. No Excuse for Abuse CIC are the 'controller' for this information, unless specifically stated otherwise. For members of staff, agency workers, Directors, Volunteers and Contractors this notice should be read in conjunction with the No Excuse for Abuse CIC Confidentiality Policy and the Data Protection Guidance. For members of staff this should also be read in conjunction with the contract of employment. For contractors' it should be read in conjunction with their contract for services, for Directors it should read this notice in accordance with the Articles of Association and Volunteers, with their Volunteers Agreement.

How do we get information?

- Directly from individuals.
- From an employment agency
- From referees
- From GPs or health providers via Fit Notes or reports.
- From Pension administrators, Tax Offices and other government Departments

No Excuse for Abuse CIC process the following categories of personal data:

- Information related to your employment;
- Information we hold to carry out the contract we have with individuals, to provide access to business services required for your role, and to manage our human resources processes and payroll obligations.

This includes personal details such as your:

- Name
- Address
- Contact telephone numbers (landline and mobile)
- Bank details
- Personal email addresses
- Your date of birth, gender and NI number
- A copy of your passport or similar photographic identification and proof of address and Identification.
- Marital status.
- Qualifications, Professional Registrations, PIN's and Driving License.
- Next of kin, emergency contacts and their contact information.
- Employment and education history including job application, employment references, right to work information and where necessary details of any criminal convictions that you declare.
- Disclosure and Barring Check (in line with the DBS Employers Code of Practice) where required for your post
- Location of your employment
- Details of any secondary employment declared
- Declarations of interests / potential conflict of interests declared
- Declarations of gifts from third parties including, hospitality, travel
- Records of issue of ID Badge/ Swipe keys/ fobs/ equipment including those which contain your photograph and name
- Information related to your salary, pension and workplace loans
- Trade Union membership for the purpose of the deduction of subscriptions directly from salary
- Training information and study leave applications
- Letters and emails relating to your employment

No Excuse for Abuse CIC will process information for the payment of salary, payment of tax and national insurance, pension and other employment related benefits.

No Excuse for Abuse CIC also process information for the administration of statutory and any contractual leave and sick pay entitlements as well as holiday, maternity leave, parental leave or shared parental leave etc.

Information about your job role and your employment contract including; your start and leave dates, salary, any changes to your employment contract, working pattern (including any requests for flexible working or changes in hours).

This includes details of your time spent working and any additional hours, expenses claims' or other payments, including details of loans or training agreements.

Data Protection Principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and kept up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.
- not transfer data outside of the UK.

Information relating to your performance and training

We use information to assess performance, to conduct reviews and to deal with any employer / employee related disputes.

No Excuse for Abuse CIC also use information to meet the training and development needs required for roles.

Information relating to performance at work e.g. probation reviews, personal development plans, supervision, training and promotions.

We will also process data in relation to employment issues including but not limited to:

Grievances, harassment and bullying complaints and any matters and investigations to which you may be a party or witness.

Disciplinary records and documentation related to any investigations, hearings and any warnings or penalties issued.

Whistleblowing concerns raised, or associated witness statements.

Information relating to training history and development needs.

Information relating to monitoring

We use this information to assess compliance with No Excuse for Abuse CIC policies and procedures and to ensure the security of our premises, IT systems and members of staff, Volunteers and Service Users. This includes CCTV monitoring where it is installed.

Information relating to health and wellbeing and other special category data

No Excuse for Abuse CIC also hold information to ensure the health, safety and wellbeing of our staff members as part of our duty of care to our employees or workers. This includes health and wellbeing information either declared by you or obtained from health checks, eye examinations,

health referrals and reports, sick leave forms, health questionnaires/ declarations or fit notes i.e. Statement of Fitness for Work from your GP or Hospital. Accident records if you have an accident at work. Details of any audits, risk assessments, access needs or reasonable adjustments and information you have provided regarding Protected Characteristics.

Lawful basis for processing your personal data

Depending on the processing activity, we rely on having a lawful basis for processing your personal data under the GDPR.

How long we keep your personal data

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Retention periods will vary depending on the purpose for holding your data. (to a maximum of six years for P45 and P60 documents)

Data Sharing

In some circumstances, such as under a court order, No Excuse for Abuse CIC are legally obliged to share information.

We may also share information about you with third parties including data processors, government agencies, our advisers and external auditors. We may share information about you with HMRC for the purpose of collecting tax and national insurance contributions.

Data Processors

The payroll is delivered by an external bookkeeper and accountancy service. On occasion we may need the help of external HR Consultants. External service providers will always provide signed confidentiality agreements as part of their contracts to provide services to us, before information is shared by us and they are bound by the same rules as No Excuse for Abuse CIC in relation to the Data Protection Act and under the GDPR (2018).

Transfers of personal data

We don't routinely transfer staff personal data but when this is necessary we ensure that we have appropriate safeguards in place. Such instances would be in the case of transfer of employment. (TUPE) and you will always be informed of this process. We will not transfer information outside of the UK.

Further information – Personnel files

Physical and electronic records may be held for each member of staff.
Data is held securely and limited access to authorised personnel only.

You can request a copy of your personnel file by submitting an access request to the Data Controller.

You can also make a verbal request for your information.

Where No Excuse for Abuse CIC holds physical files containing personal information those files will be kept in a locked cabinet at all times. You will not be able to take away your physical personal file way from the office.

Every effort will be taken to restrict the processing of your personal data and maintain confidentiality whether this is possible will be dependent on the nature of the concern and any investigation.

Resources to help with your work

We may provide access to memberships to professional bodies and journal subscriptions for the use as a resource to help members of staff with work. Any personal information shared with these organisations will be used to allow you to use those resources.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you.

These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. (there is no longer a charge for this service)
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subjected to automated decision making in a way that adversely affects your legal rights. We do not at the date of this document use automated decision making technology in relation to your personal information.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you can raise this with our Board of Directors or you are able to make a complaint directly to the ICO.

Data Protection Officer

The No Excuse for Abuse CIC Data Protection Officers are the Board of Directors.