



# **Employee, Worker, Consultant, Contractor and Intern Privacy Notice**

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## 1 Introduction

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Yarrow Heights School (“YHS”, “we”, “us”, “our”) are committed to protecting the privacy and security of the personal data we collect from employees, workers, consultants, contractors and interns (“you”, “your”). We are further committed to ensuring we meet our legal obligations when processing your personal data.

The purpose of this privacy notice is to explain what personal data we collect about you during and after your working relationship with us and how we use it. Yarrow Heights School is data controller, registered in the UK with the Information Commissioner’s Office (“ICO”), registration number ZA915011.

This privacy notice applies to all current and former YHS employees, workers, consultants, contractors and interns employed or engaged by us. This notice does not form part of any contract of employment or other contract to provide services.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions, when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We update this privacy notice from time to time in response to changes in applicable laws and regulations, to our processing practices, and to the products and services we offer. When changes are made, we will amend the date at the top of this document.

## 2 Personal data we collect

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Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are “special categories” of more sensitive personal data which require a higher level of protection.

## 3 Types of personal data we collect

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We collect and process your personal data because of our employment relationship; the data is collected during the recruitment process. We also sometimes collect your personal data from third parties including former employers (for reference purposes) and background screening providers. We also collect and generate additional personal data throughout the period you work for us. We do not collect anything you would not expect us to collect, and we will not collect any personal data we do not need.



The categories of personal data we may collect and process about you include:

- Your personal contact details, next of kin and emergency contact information
- Date of birth, gender, marital status and number of dependents
- National insurance number, bank account details, payroll records and tax status information
- Start date, salary, annual leave, pension, and benefits information
- Copies of your passport and/or other identity card / photographs
- Employment record including qualifications, skills, experience, job titles, work history, working hours, attendance, training records and professional memberships
- Compensation history, including entitlement to benefits such as pensions or insurance cover, performance information, disciplinary and grievance information
- Information about your use of our information systems and IT
- Images recorded using security CCTV

## **4 Sensitive personal data**

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We may also collect, store, and use the “special categories” of more sensitive personal information including information about your physical or mental health, or disability status or equal opportunities monitoring information. We may collect information about your health and medical conditions for health and safety purposes, e.g. making necessary adjustments to your work environment.

YHS collects your personal information in a variety of ways, for example, through CV’s, your passport or other identity documents such as your driving licence, from other forms completed by you at the start of, or during employment (such as benefit nomination forms), from correspondence with you or through interviews, meetings or other assessments.

We may collect personal data about you from third parties, such as references supplied by former employers, but this is only carried out with your consent.

## **5 Purposes and bases for using your personal data**

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We will only use your personal data when the law allows. Most commonly, we will use your personal information in the following circumstances:

- Where it is necessary for the purposes of the employment contract in which we have entered
- Where we need to comply with a legal obligation
- Where it is in our legitimate interests (or those of a third party) to do so



- We may also use your data in the following situations, which are likely to be rare:
  - With your consent
  - Where we need to protect your vital interests (or someone else’s interests)
  - Where it is needed in the public interest

During and after the end of the employment relationship, we may use your personal data for the following purposes and on the following lawful bases:

Purpose	Lawful Bases for Processing
To manage, administer and maintain our employment relationship, which includes; <ul style="list-style-type: none"> <li>• paying you,</li> <li>• providing you with employment benefits,</li> <li>• performance reviews,</li> <li>• managing disciplinary and grievance processes,</li> <li>• managing sickness,</li> <li>• determining training and development requirements, and</li> <li>• making decisions about promotions or ending our working relationship.</li> </ul>	We process this personal data in the performance of the contract of employment between us and to fulfil our legal obligations to report to government agencies.  It is in our legitimate interests to manage your performance at work and provide personal development and training opportunities.  When processing your special category data, we do so with your explicit consent, or in your vital interest if unable to give consent.
Emergency health and welfare reporting to emergency services, next of kin and other interested parties, <ul style="list-style-type: none"> <li>• ensuring your health and safety in the workplace, and</li> <li>• reporting health and safety incidents.</li> </ul>	It is necessary to meet our legal obligations (to make reasonable adjustments to your workplace) and to protect your vital interest that we process the personal information of both you and your next of kin, in case of emergency.  When processing your special category data, we do so with your explicit consent, or in your vital interest if unable to give consent.
For the purposes of business management and planning, which includes but is not limited to; <ul style="list-style-type: none"> <li>• accounting and auditing,</li> <li>• product development</li> </ul>	It is in our legitimate interests that we process this personal data to identify areas for improving staff retention, develop new products and services and manage the business.



<ul style="list-style-type: none"> <li>dealing with legal disputes involving you or other employees, consultants, workers, and contractors.</li> </ul>	
<p>To manage, administer and maintain our employment relationship, which includes;</p> <ul style="list-style-type: none"> <li>recruitment and selection campaigns,</li> <li>maintaining accurate and up to date employment records and contact details and records of employee contractual and statutory rights,</li> <li>operating and keeping a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace,</li> <li>operating and keeping a record of employee performance, to plan for career development, and for succession planning and workforce management purposes,</li> <li>operating and keeping a record of absence and absence management procedures, to allow effective workforce management and ensuring that employees are receiving the pay or other benefits to which they are entitled,</li> <li>obtaining occupational health advice, to ensure that we comply with our lawful duties under the Equality Act 2010 in relation to individuals with disabilities, meet our obligations under the Health and Safety at Work Act 1974, and ensuring that employees are receiving the pay or other benefits to which they are entitled,</li> <li>operating and keeping a record of other</li> </ul>	<p>It is in our legitimate interests to before, during, and after the end of the employment relationship, to process this employee data.</p> <p>When processing your special category data, we do so with your explicit consent, or in your vital interest if unable to give consent.</p>



<p>types of leave to allow effective workforce management, to ensure that we comply with our duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled,</p> <ul style="list-style-type: none"><li>• ensuring effective general HR and business administration,</li><li>• providing references on request for current or former employees,</li><li>• responding to and defending legal claims, and</li><li>• maintaining and promoting equality in the workplace.</li></ul>	
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Conditions for processing sensitive personal data

We will only process the “special categories” of more sensitive personal data where we meet one of the conditions required by law for doing so. This includes complying with legal obligations or exercising specific rights in the field of employment law. We may also ask for your explicit consent to process some special categories of personal data.

We process special categories of personal data when we collect or process 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.

## **6 Collecting this data**

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While the majority of information we collect about you is compulsory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is compulsory or optional. If it is compulsory, we will explain the possible consequences of not complying.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities



- Government departments or agencies
- Police forces, courts, tribunals
- Previous employers

## **7 Sharing your data**

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Your data will be shared internally with directors, your line manager other managers of the business and IT staff. Only that information which is necessary to enable us to fulfil our duties is shared.

### Third parties with whom we might share your personal data

We share your personal data with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. This includes our third-party service providers for reasons including payroll, pension administration, benefits provision and administration, and IT services.

### Obligations on third parties with whom we share your personal data

All YHS third-party service providers with whom we share your personal data are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for our specified purposes and in accordance with our instructions. In such cases where your personal data, our service providers and suppliers are data processors. This relationship and other obligations are set out in the data processing agreement between us.

### Transferring personal data outside the EEA

We will not share your personal data with third-party service providers located in countries outside the UK or European Economic Area (the “EEA”) where the data protection laws are not equivalent to those within the UK or EEA. However, should this become an operational necessity in the future, we will safeguard any such data transfers using Standard Contractual Clauses approved by the UK ICO and European Commission, which contractually oblige our business partners in those countries to protect your data to the standard expected within the UK or EEA.

## **8 How do we protect personal data**

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YHS takes the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by its employees in the performance of their duties. Where we engage third parties to process personal



data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of the data.

## **9 How long do we keep your data**

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We only retain your personal data for as long as is necessary to fulfil the purposes for which we collected it, including satisfying any legal, accounting, or reporting requirements. Details of retention periods applicable to employee, worker, consultant, contractor and intern personal data are set out in our Data Retention & Destruction Policy and Schedule.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker, consultant, contractor or intern of the company, we will retain and securely destroy your personal information in accordance with our Data Retention & Destruction Policy and Schedule.

## **10 Data subject rights**

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You have certain rights in relation to the processing of your personal data, including to:

- **Request access** to your personal data (commonly known as a “Subject Access Request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it
- **Request rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below)
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data, for example if you want us to establish its accuracy or the reason for processing it



- **Request the transfer** of your personal data to another party (data portability)

### Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis or legal requirement for doing so.

### How to exercise your rights

If you wish to exercise your rights, please email [richard.young@yarrowheights.com](mailto:richard.young@yarrowheights.com).

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **11 How to complain**

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Employees in the UK/EU have the right to lodge a complaint with a supervisory authority, if you believe we are infringing UK/EU data protection laws. You have the right to make a complaint at any time to the Information Commissioner's Office if you are concerned about the way in which we are handling your personal data.

## **12 Your duty to update us**

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It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.



### **13 What if you do not provide personal data to us**

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You have obligations under your employment contract to provide us with your personal data. 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 us 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 payment details, must be provided to enable YHS to enter into a contract of employment with you. If you do not provide the required information this will hinder or prevent us from administering the rights and obligations arising as a result of the employment relationship.

### **14 Automated decision making**

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We do not make employment decisions based solely on automated decision making.

### **15 Contact**

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You can contact us in relation to this privacy notice by emailing [richard.young@yarrowheights.com](mailto:richard.young@yarrowheights.com).