

Berwickshire Housing Association

GDPR Fair Processing Notice

(How we use employee information)

This notice explains what information we collect, when we collect it and how we use this. During the course of our activities we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

1. Berwickshire Housing Association (“we” or “us”) is committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and adhere to guidelines published in the [Data Protection Act of 1998] and the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted. We collect and use personal data for a variety of reasons.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z7069235 and we are the data controller of any personal data that you provide to us.

Our Data Protection Officer is the Corporate Services Manager.

Any questions relating to this notice and our privacy practices should be sent to:

The Data Protection Officer
Berwickshire Housing Association
55 Newtown Street
DUNS
TD11 3AU

Or by email to data@berwickshirehousing.org.uk

2. We collect the following information from you through a variety of resources (i) directly from you; or (ii) third parties (including Employment Agencies, pensions service, Trade unions etc):

- (a) Name
- (b) Date of Birth
- (c) Address
- (d) Telephone Number (landline and mobile)
- (e) E-mail address
- (f) NI number
- (g) Personal characteristics such as nationality, gender and ethnic group
- (h) Proof of identity and right to work in the UK
- (i) Bank details
- (j) Next of kin/emergency contact details
- (k) Marital Status
- (l) Qualifications
- (m) Car Insurance details
- (n) Absence information
- (o) Details of any health conditions that you tell us about or that we are made aware of and that we need to know about to ensure you are safe at work.
- (p) Any criminal record you may have, so we can ensure the appropriate records are obtained.
- (q) Work history and past experience

We collect this information about you to enable us to fulfil our obligations of the contract between us including but not limited to:

- a. Administration of contracts of employment
- b. Payment of salaries
- c. Recruitment and selection
- d. Pensions and associated benefits, appraisal, training and development
- e. Membership of professional bodies
- f. Applications for membership of the Protection of Vulnerable Groups Scheme (PVG)

g. Risk assessments in the workplace

If any information we collect about you, for example a medical condition and that condition is no longer relevant, then you have the right to ask us to stop processing that information. You can do this by contacting the data Protection Officer.

3. We may disclose to and share information about you with third parties for the purposes set out in this notice, or for purposes approved by you, including the following:

- To process your monthly salary payments;
- To allow your pension provider to process pensions information and handle your pension;
- To allow your payslips to be produced and issued to you;
- If we enter into a joint venture with or the Association or its subsidiaries are sold to or merged with another business entity, your information may be disclosed to our new business partners or owners.
- To obtain employment law advice.
- To allow relevant bodies to certify your fitness to work in restricted sectors
- To allow the processing of child care vouchers
- To facilitate membership of health related benefit schemes
- To recruit and select staff through recruitment and employment agencies

4. Your information will only be stored within the UK and EEA

Where information is transferred outside the UK or EEA we ensure that there are adequate safeguards in place to protect your information in accordance with this notice, including the following:

- Ensuring that the organisation we are transferring your data to has adequate safeguards/ details of appropriate security provisions in place.
- That the organisation we are transferring your data to is within the EEA
- That you are informed of the transfer and you give your consent to the transfer.

5. When you give us information we take steps to make sure that your personal information is kept secure and safe.

- The electronic systems and devices that are used to store and process your data are encrypted and secured against unauthorised access
 - All staff are trained on the importance of data and information security and do not get access to our electronic or manual filing systems until they have completed and passed relevant training to our required standard
 - Our electronic systems are controlled using role based permissions. This means that only staff that need access to your data get access.
 - Our manual filing systems are stored in secure locked cabinets and access to these is restricted again, based on the staff members role and their need for access.
6. We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

Data retention guidelines on the information we hold are detailed below:

Data Processed	Retention period
Tax and Social Security	
Record of taxable payments	6 years
Record of tax deducted or refunded	6 years
Record of earnings on which standard National Insurance Contributions payable	6 years
Record of employer's and employee's National Insurance Contributions	6 years
NIC contracted-out arrangements	6 years
Copies of notices to employee (e.g. P45, P60)	6 years plus current year
Inland Revenue notice of code changes, pay & tax details	6 years
Expense claims	6 years after audit
Record of sickness payments	6 years
Record of maternity payments	6 years
Income tax PAYE and NI returns	6 years
Redundancy details and record of payments & refunds	12 years
Pension Schemes	
Actuarial valuation reports	Permanently
Detailed returns of pension fund contributions	Permanently
Annual reconciliations of fund contributions	Permanently

Money purchase details	6 years after transfer or value taken
Qualifying service details	6 years after transfer or value taken
Investment policies	12 years from end of benefits payable under policy
Pensioner records	12 years after benefits cease
Records relating to retirement benefits	6 years after year of retirement
Personnel procedures	
Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals	6 years after last date of currency
Service contracts for directors (companies)	6 years after directorship ceases
Remuneration package	6 years after last date of currency
Former employees' Personnel Files	6 years
References to be provided for former employees	20 years or until former employee reaches age 65 (whichever comes first)
Training programmes	6 years after completion
Individual training records	6 years after employment ceases
Short lists, interview notes and related application forms,	1 year
Application forms of non-shortlisted candidates	6 months
PVG membership documentation	6 years after employment ends
Time cards	2 years after audit
Trade union agreements	10 years after ceasing to be effective
Trust deeds, rules and minutes (for joint employee/employer sports/social clubs, etc, set up under trust)	Permanently
Employer/employee committee minutes	Permanently
Health and Safety	
Medical records relating to control of asbestos	40 years
Health and Safety assessments	Permanently
Health and Safety policy statements	Permanently
Records of consultations with safety representatives	Permanently
Accident records, reports	6 years after date of occurrence
Accident books	6 years after date of last entry
Sickness records	6 years from end of sickness
Health and safety statutory notices	6 years after compliance

Members and Trustees

Data Processed	Retention period
----------------	------------------

Trustee information and documents – appointment letters, SLAs, bank details etc	6 years after board membership ceases though some details will be destroyed when membership ceases eg bank details etc
Register of Shareholding members	Permanently but individual records will be removed 20 years after membership ceases
Register of share certificates	Permanently
List of members (Registered Societies)	Permanently

7. You have the right at any time to:

- Ask for a copy of the information about you held by us in our records;
- Objects to, or request that we restrict, the processing of your personal data; and
- Require us to correct any inaccuracies in your information

8. 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:

The Data Protection Officer
Berwickshire Housing Association
55 Newtown Street
DUNS
TD11 3AU

Or by email to data@berwickshirehousing.org.uk

You have the right to complain to the Information Commissioner's Office in relation to our use of your information.

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0131 244 9001
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.