

Employee Privacy Notice

This Privacy Notice is provided to comply with your right to be informed under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It explains what personal data we collect about you, how we use it, how we keep it safe, and what rights you have.

What information we keep about you

We will hold and process the following information:

1. Your personal and contact details including your name, address, telephone numbers, emails
2. Particulars of your employment including your job title, salary, benefits
3. Financial information including your bank details, NI No, tax statements, payslips
4. Particulars of your right to work in the UK
5. Particulars of your qualifications and skills including references, licences, certificates and training
6. Emergency contact information
7. Particulars of your performance including tasks, attendance
8. Sensitive information including protected characteristics under the Equality Act 2010 for Equal Opportunities Monitoring and Compliance
9. IT usage information including email addresses, log-ins, passwords
10. Particulars of processes e.g. disciplinary, grievance, performance management processes undertaken with you
11. Copies of letters and communications between us and you
12. Health records including fitness for work, medical capability and assessment outcomes
13. DBS records e.g. records of past convictions or records of no previous convictions
14. Criminal Convictions e.g. unspent convictions declared and driving offences
15. Particulars of former employment including references and salaries

Why we hold and process information about you

We are the controller of this information and we are also the processor of this information. This data has been gathered as you are party to a contract of employment with us and in the legitimate interest of assisting us in fulfilling the contractual requirements to supply hours and pay in the course of your employment. It will also be necessary for us to hold and process this data in the interests of your health, safety and welfare in work.

How we protect your information

We apply appropriate and organisational measures in line with standards to ensure the security of your personal data. These include:

- Access controls so that only authorised people can access your data.
- Secure storage of personal data where appropriate.
- Security reviews, monitoring and staff training on data protection.
- Incident response procedures to detect, investigate, and address data breaches promptly.

Data Breaches

In the event of a personal data breach that poses a risk to your rights and freedoms, we will notify you without undue delay and explain the steps being taken to mitigate any harm.

Who is responsible for protecting your information

The person responsible for the protection of your data is:

Leanne Linacre

Director of Sales and Business Development

Leanne@lilalovetolearn.com

What your information will be used for

Your data will be used to assign you work, provide you with hours of work, pay you, monitor your performance, write to you with important documents, check your skills, qualifications and experience, appraise your performance and safeguard your health, safety and wellbeing in the workplace.

This is done on the basis of your being a party to a contract of employment and in the legitimate interests to safeguard your health, safety and welfare and the health, safety and welfare of your colleagues, clients and third parties in the workplace. The failure to provide us with the data may impact upon your recruitment, employment or tasks, duties and responsibilities with your role and/or assignment. You should discuss the further impact of this with your manager.

With whom we share your information

The recipients of your data are us and we anticipate that we may need to share personal data with the HMRC (e.g. your Name and National Insurance Number), Pension Providers and the Pensions Regulator (e.g. your earnings and contact details), HSE (e.g. your Name and Employment Details where there has been a reportable accident or investigation), Legal Advisers and professional advisers (e.g. your name and employment details where we need advice), Tribunals and Courts (e.g. your name, employment details and other personal data which is necessary for the determination of claims where litigation is commenced).

It is not anticipated that there will be any other recipients nor any transfers of data to a third country. Accordingly, it is considered that safeguards for the transfer of data to a third country are not necessary. Should this change you will be notified.

How long we keep your information

Your employment data will be kept for the duration of your employment and for a further period thereafter of 6 years. This period has been set for the protection of our organisation throughout your employment and for a period thereafter in the event of any employment tribunal claims. If such a claim has been filed, the data will be retained for a period of 6 years following resolution of that claim and for 6 years following the resolution of any further claims. This period has been determined for the protection of the organisation in the event any professional negligence or breach of contract claims in the event we use representation to defend any claims.

Your financial data will be kept for the duration of your employment and for a further period thereafter of 6 years. This period has been set for the protection of our organisation throughout your employment and for a period thereafter in the event of any employment tribunal or breach of contract claims. If such a claim has been filed, the data will be retained for a period of 6 years following resolution of that claim and for 6 years following the resolution of any further claims. This period has been determined for the protection of the organisation under HMRC requirements and in the event any professional negligence or breach of contract claims in the event we use representation to defend any claims.

Your rights

You have **the right to be informed of fair processing information** with a view to transparency of data. This statement is intended to fulfil that right

You have **the right to access the information we hold**. You should make such a request in writing to Victoria Lee using the above contact information.

You have **the right to rectification**. Request inaccurate data to be corrected or completed.

You have **the right to request the information we hold** is rectified if it is inaccurate or incomplete. You should contact Victoria Lee using the above contact information and provide them with the details of any inaccurate or incomplete data. We will then ensure that this is amended within one month. We may, in complex cases, extend this period to two months.

You have **the right to erasure** in the form of deletion or removal of personal data where there is no compelling reason for its continued processing. We have the right to refuse to erase data where this is necessary in the right of freedom of expression and information, to comply with a legal obligation for the performance of a public interest task, exercise of an official authority, for public health purposes in the public interest, for archiving purposes in the public interest, scientific research, historical research, statistical purposes or the exercise or defence of legal claims. You will be advised of the grounds of our refusal should any such request be refused.

You have the **right to restrict our processing of your data** where you contest the accuracy of the data until the accuracy is verified. You have the right to restrict our processing of your data where you object to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and we are considering whether our organisation's legitimate grounds override your interests. You have the right to restrict our processing of your data when processing is unlawful and you oppose erasure and request restriction instead. You have the right to restrict our processing of your data where we no longer need the data and you require the data to establish, exercise or defend a legal claim. You will be advised when we lift a restriction on processing.

You have **the right to data portability** in that you may obtain and reuse your data for your own purposes across different services, from one IT environment to another in a safe and secure way, without hindrance to usability. The exact method will change from time to time. You will be informed of the mechanism that may be in place should you choose to exercise this right.

You have **the right to object** to the following:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics

The data collected is not anticipated to fall within the above categories.

Whilst there is no anticipated automated decision making relating to the data you provide, you have **rights where there is automated decision making** including profiling. We may only do this where it is necessary for the entry into or performance of a contract, authorised by EU or the UK law or based on your explicit consent. Whilst it is not anticipated that this will occur, where it does, we will give you information about this processing, introduce to you simple ways for you to request human

intervention or challenge a decision, and carry out regular checks to ensure that our systems are working as intended.

You have **the right to lodge a complaint** with a supervisory authority such as the Information Commissioner's Office or any other of our regulators or accreditors that may regulate or provide accreditations to us from time to time. We advise that you exhaust our internal complaints procedure prior to referring the matter to any supervisory, regulatory or accrediting body. A copy of our complaints process is available from Victoria Lee at the contact information above.

Version History

Review Date	Review by	Review Reason & Notes
30/05/2018	Katherine Watson	Initial document. GDPR compliance. Based upon ELAS document SEC-024b, version 1 (17/04/2018) "Employee Privacy Notice (without consent)".
29/11/2021	Simone Amaglio	Annual Review
2023	Victoria Bligh	Annual Review
2024	Stacey McGee	Annual Review