

Privacy Notice: Employees, Workers & Contractors

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Privacy Notice

Eacotts (the “Data Controller”) cares about the rights of our employees, workers and contractors. We only collect and use information in line with the General Data Protection Regulation, the Data Protection Act and any other applicable laws and regulations.

This Privacy Notice is to inform you about our processing activities and fulfils our obligation to notify you about the data we hold, why we use it, the likely retention periods and other information which will help you exercise your rights as a Data Subject.

What categories of Personal Data do we process?

We process the following kinds of information in relation to these Data Subjects above:

- Personal contact details such as name, title, address, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Nationality
- Signature
- System user information (Usernames / Passwords)
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Copies of driving licence and passport
- Qualification certificates
- Reference details and their opinions about your performance in former roles
- Recruitment information (including copies of right to work documentation, and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Pay history
- Performance information including probation forms, appraisals and promotions
- Disciplinary and grievance information
- Information about your use of our information and communications systems
- Photographs
- HMRC documents (P45 / P60)
- Your terms of employment or engagement, commencement and termination dates
- ‘Fit and Proper Person’ Questionnaires (for some appropriate positions)
- Records of your General Intelligence Assessment
- Records of the correspondence you make using our systems

We may also collect, store and use the following “special categories” of more sensitive personal information in line with our Processing Sensitive Data Policy:

- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences

Why do we process this information?

We will use the types of personal information specified above in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with our legal obligations.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information when it is necessary to protect your own interests or those of another person.

Situations in which we will use your personal information

We need the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Entering into an employment contract with you
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Ensuring you are a 'fit and proper person' in line with our regulatory body's requirements
- Administering your pay and other agreed terms under your contract
- Deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering statutory sick pay, maternity pay and other employment rights
- Administering the contract we have entered into with you
- General business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- To assess your capacity on health grounds subject to appropriate confidentiality safeguards
- To comply with our duty of care and to consider work related adjustments where required under the Equality Act 2010
- To ensure we comply with safeguarding duties regarding vulnerable adults and / or children

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Where did we collect this data from?

We usually only collect information for Data Subjects directly. But in the context of employment, we may also have obtained your data from one of the sources below:

- Employment agencies or businesses
- Credit reference agencies
- Business partners who provide online intelligence tests for us
- The Disclosure and Barring Service (DBS)
- Former employees or workers who may have recommended you

We will also collect information in the categories above in the course of your employment throughout the period you work for us.

Are you under any obligation to provide the Personal Data?

Where we process Personal Data to comply with our legal obligations Data Subjects must provide this information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our employees /workers), or we may be prevented from achieving our legitimate interests as your employer.

Who do we share this information with?

We will share your personal information with other entities in our group ie those entities under the control of the Eacotts partnership as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We also use some third-party service providers who process data for us under strict instructions and under a binding contract ("Processors"). Our Processors provide the following services:

- Accountancy services
- IT services
- Web-based Customer Relationship Management software
- Cloud-based storage
- Outsourced HR
- Data Protection Consultancy
- Legal advisors

All our Processors and other entities in the group are required to take appropriate security measures to protect your personal information 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 specified purposes and in accordance with our instructions.

We may share your personal information with other third parties in special circumstances, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

None of the Processors we use for employment administration transfer any data outside the EU. If this ever changes we will notify you in writing.

Will the information be used for automated decision making or profiling?

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

How long do we keep this information?

We retain Personal Data in compliance with our Retention Policy and Schedule for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Our Retention Policy and Schedule are available on request.

How do we keep this information secure?

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

What rights do you have?

Data Subjects are entitled to request that we erase, restrict, rectify or provide you with a copy of the data we hold, and may object to processing activities.

Where we process Personal Data by automated means that has been provided by the Data Subject and do so on the basis of Consent or Contractual Necessity, the Data Subject has the right to require us to provide them with a copy of the data or transfer it to another Data Controller.

If we process Personal Data on the basis of Consent, the Data Subject may withdraw their Consent in respect of the particular processing activity.

It is our policy to fulfil any such request within the statutory period of one month unless there is a compelling legal or contractual obligation which prevents us from doing so.

To make any such request please contact our officer responsible for data protection whose contact details are Jeffrey Smith, jeffreysmith@eacotts.com, Eacotts, Grenville Court, Britwell Road, Burnham, Bucks, SL1 8DF 01628 665432

You also have the right to lodge a complaint with the UK's data regulator, the Information Commissioner's Office. Visit www.ico.org for more information.

Our contact information

Eacotts
Grenville Court
Britwell Road
Burnham
SL1 8DF
01628 665432
services@eacotts.com

Updates

Eacotts will update this privacy notice to reflect any changes in our practices and services, as and when they occur. Any changes to our privacy notice will be notified on our website, and we will revise the "last updated" date at the top of the webpage.

If Eacotts make any material changes in the way we collect, use, and share personal data, details of these changes will be made to the privacy notice on the website. Eacotts recommend that you visit our website regularly to inform yourself of any changes in this privacy notice.