

## **ATRIUM HOMES** **Privacy Notice**

### **(How we use employee and job applicant personal data)**

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 process your personal data.

The purpose of this employee privacy notice is to explain to you the reasons which we may hold and use your personal data and explain your rights under the current data protection laws.

As your employer we may collect and process personal data relating to you to manage our contract, including pre-contractual negotiations, with you. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you.

This notice does not form part of your contract of employment or engagement with us. It applies to all our employees, workers, volunteers, apprenticeships and consultants (which includes applicants), regardless of length of service, and may be amended at any time. If any amendments are required in the future, we will notify you as is appropriate.

Atrium Homes (“we” or “us”) is committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and take the issue of security and data protection very seriously. We comply with all relevant data protection laws, including the UK General Data Protection Regulation, the Data Protection Act 2018 and the Privacy and Electronic Communications Regulations.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z5916972 and we are the data controller of any personal data that you provide to us.

Our Data Protection Lead is the Chief Executive. Our Data Protection Officer (DPO) is RGDP LLP, who can be contacted by email as follows: [info@rgdp.co.uk](mailto:info@rgdp.co.uk).

Any questions relating to this notice and our privacy practices should be sent to the following address: [DPO@atrium-homes.co.uk](mailto:DPO@atrium-homes.co.uk) or [info@rgdp.co.uk](mailto:info@rgdp.co.uk).

### **If you do not wish to provide your personal data**

You have obligations under your employment contract to provide the organisation with the necessary data. In particular, 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 the Association 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 the payment details, have to be provided to enable the Association to enter into a contract of employment with you. If you do not provide other information, this will hinder the Association’s ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### **Where does your personal information come from?**

We may collect this information in several ways which include:

- Personal data which you have provided to us
- Recruitment processes including information obtained from agencies
- Your identification documents you have given us
- Background checks conditional for your engagement with us
- PVG/Disclosure/DVLA checks relating to criminal convictions/offences

- Former employers or other individuals whom you have given us permission to contact to provide us with a reference.
- Medical professionals provide us with appropriate health information in order that we can manage any health- related situations that may have an impact on your ability to work with us.
- Membership with professional bodies that confirm membership
- Qualifications/training bodies that provide us information relating to you
- Web browsing history and email exchange activity might be monitored for the purposes of maintaining the IT infrastructure
- HMRC

## What Information do we collect?

We control and process a range of information about you. In this privacy notice 'your personal information' means your personal data i.e. information about you from which you can be identified. Your 'personal information' does not include data where your identity has been removed (anonymous data). It is really important that your personal information that we hold and process is accurate and up to date. Please keep us informed if your personal information changes during your engagement with us.

This includes:

- Name
- Date of Birth
- Address
- Telephone Number
- Email address
- NI number
- Personal characteristics such as gender and ethnic group
- Qualifications
- References
- Medical information
- Absence information
- Next of kin
- Emergency contact information
- Marital status
- Dependants
- Nationality and entitlement to work in the UK
- Criminal convictions if relevant for your job
- Pension information
- Personal tax information
- Bank account information,
- The terms and conditions of your employment or engagement with us
- Details of your work pattern (days of work and working hours) and attendance at work
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence
- Assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence
- Information about medical or health conditions, including if you have a disability for which the organisation needs to make reasonable adjustments
- Equal opportunities monitoring information, including your ethnic origin, sexual orientation and religion or belief, and
- CCTV Imagery

The data we hold about you will be kept in your personnel file which is stored securely and access is restricted. The information will only be held for the periods outlined in our Retention Policy.

We collect and use the above information and personal data for:

- Administration of contracts of employment
- Payment of salaries
- Recruitment and selection
- Pensions and associated benefits, appraisal, training and development
- Membership of professional bodies

### **What are the lawful bases for us processing your personal data?**

We will only process your personal data on one or more of the following legal bases:

- contract
- consent
- our legitimate interests (including CCTV and telephone call recordings if applicable, business planning and resilience, publishing certain information on our website, the operation of our IT systems and next of kin details)
- vital interests
- the performance of a task carried out in the public interest and / or with official authority
- legal obligation

### **Processing Special Category Personal Data**

Special categories of information means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purposes of uniquely identifying you.

The "special categories" of sensitive personal information referred to above require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following situations:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our privacy policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our Privacy Policy.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

### **Our Obligations as your Employer**

We will use your special categories of personal information in the following ways:

- We will use information relating to leave of absence, which may include sickness absence or family related leave, to comply with employment and other laws.
- We will use 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.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

## **Who might my data be shared with, or seen by?**

We may disclose your personal data to any of our employees, officers, contractors, insurers, professional advisors, agents, suppliers or subcontractors, government agencies and regulators and healthcare providers insofar as reasonably necessary, and in accordance with data protection legislation.

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:

- With your consent;
- To the extent that we are required to do so by law;
- To complete a regulatory return;
- To manage your employment or potential employment with us;
- To process your monthly salary payments;
- To allow your pension provider to process pensions information and handle your pension;
- To protect the rights, property and safety of us, our customers, users of our websites and other persons;
- In connection with any ongoing or prospective legal proceedings;
- If we are investigating a complaint, information may be disclosed to solicitors, independent investigators such as auditors, the Scottish Housing Regulator and other regulatory body involved in any complaint, whether investigating the complaint or otherwise;
- To the purchaser (or prospective purchaser) of any business or asset that we are (or are contemplating) selling, and;
- If we enter into a joint venture with or is sold to or merged with another business entity, your information may be disclosed to our new business partners or owners.

## **Your rights**

You have the right at any time to request to exercise your data subjects' rights in relation to the following:

- the right to be informed
- the right to access
- the right to rectification
- the right to object to processing
- rights in relation to automated decision making and profiling
- the right to be forgotten
- the right to data portability
- the rights to restrict processing

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

## **Where do we keep your data?**

Your information will only be stored within the UK, except where international transfers are authorised by law.

## How do we keep your data safe?

When you give us information, we take steps to make sure that your personal information is kept secure and safe. This includes ensuring there is appropriate security for all locations that data is stored and we ensure that these measures are tested on a regular basis to ensure compliance.

## Data Retention

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 is provided in our Privacy policy within the staff handbook.

## Queries and Complaints

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: **DPO@atrium-homes.co.uk in the first instance** or **info@rgdp.co.uk**.

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

Telephone: 0303 123 1113

Online: [Make a complaint | ICO](#)

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.

V3: This Privacy Notice was last updated on 1 February 2024

## Acknowledgement of receiving and reading this notice

I \_\_\_\_\_ [print name] confirm that I have read and understood the contents of this Staff Privacy Notice.

**Signed**

**Date**