



Privacy Notice: Employees

This Privacy Notice tells you how we will use and store the information you give us when you apply to work or are employed at The Hamlet.

The Hamlet collects and processes personal data relating to its employees to manage the employment relationship. The Hamlet is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does The Hamlet collect?

The Hamlet collects and processes a range of information about employees. This includes:

- Their name, address and contact details, including email address and telephone number, date of birth and gender.
- The terms and conditions of their employment.
- Details of their qualifications, skills, experience and employment history, including start and end dates, with previous employers and with The Hamlet.
- Information about their remuneration, including entitlement to benefits such as pensions or insurance cover.
- Details of their bank account and National Insurance number.
- Information about their marital status, next of kin, dependants, and emergency contacts.
- Information about their nationality and entitlement to work in the UK.
- Information about their criminal record.
- Details of their schedule (days of work and working hours) and attendance at work.
- Details of periods of leave taken by them, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave.
- Details of any disciplinary or grievance procedures in which they have been involved, including any warnings issued to them and related correspondence.
- Assessments of their performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence.
- information about medical or health conditions, including whether they have a disability for which The Hamlet needs to make reasonable adjustments.
- Equal opportunities monitoring information including information about their ethnic origin, sexual orientation and religion or belief. (This is collected at recruitment stage and is anonymous.)

The Hamlet may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from the employee's passport or other identity documents such as driving license; from forms completed by them at the start of or during employment (such as benefit nomination forms); from correspondence with them; or through interviews, meetings or other assessments.

In some cases, The Hamlet may collect personal data about employees or applicants from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in the employee's personnel file, in The Hamlet's HR management systems and in other IT systems (including The Hamlet's email system).

Why does The Hamlet process personal data?

The Hamlet needs to process data in order to enter into an employment contract / agreement with the employee and to meet its obligations under employment contracts / agreements. For example, it needs to process the employee's data to provide them with an employment contract, to pay them in accordance with their employment contract and to administer benefit, pension and insurance entitlements.

In some cases, The Hamlet needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, The Hamlet has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows The Hamlet to:

- Run recruitment and promotion processes.
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights.
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective

workforce management, to ensure that The Hamlet complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled.

- Ensure effective general HR and business administration.
- Provide references on request for current or former employees; and
- Respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where The Hamlet processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that The Hamlet uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Employee information may be shared internally, including with members of the HR and recruitment team (including payroll), their line manager, managers in the service / business area in which they work and IT staff if access to the data is necessary for performance of their roles.

The Hamlet shares employee data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. The Hamlet may also share employee data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Hamlet also shares employee data with third parties that process data on its behalf, in connection with payroll, pension providers, absence management system, HR consultants, Access Care Planning and associated programs, Charity Log data base, the provision of benefits and the provision of occupational health services.

The Hamlet will not transfer employee data to countries outside the European Economic Area.

How does The Hamlet protect data?

The Hamlet takes the security of data seriously. The Hamlet has internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by its employees in the performance of their duties.

More information can be found in the staff handbook and policies available on the staff portal on The Hamlet's website. Access to HR systems is restricted to Senior Managers and the Chief Executive and HR Administrator.

Where The Hamlet engages third parties to process personal data on its 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 data.

In our Data Retention Policy

For how long does The Hamlet keep data?

The Hamlet will hold employee personal data for the duration of their employment. The periods for which data is held after the end of employment are set out in our [Data Retention Policy](#).

Rights

As a data subject, employees have a number of rights. They can:

- Access and obtain a copy of their data on request.
- Require The Hamlet to change incorrect or incomplete data.
- Require The Hamlet to delete or stop processing their data, for example where the data is no longer necessary for the purposes of processing; and
- Object to the processing of their data where The Hamlet is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact admin@thehamletcharity.org.uk or phone 01603 766566 and ask to speak to the HR Administrator.

If you believe that The Hamlet has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

Employees have some obligations under their employment contract to provide The Hamlet with data. In particular, they 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. Employees may also have to provide The Hamlet with data in order to exercise their statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that the employee is unable to exercise their statutory rights.

Certain information, such as contact details, an employee's right to work in the UK and payment details, have to be provided to enable The Hamlet to enter a contract of employment with them. If they do not provide other information, this will hinder The Hamlet's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based solely on automated decision-making.