

RURAL STIRLING HOUSING ASSOCIATION LIMITED

HOW WE USE YOUR PERSONAL INFORMATION (EMPLOYEES)

We, Rural Stirling HA, are the controller of the personal information that we hold about you, our employee. This means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information. This includes providing you with the details contained within this statement of how we hold and use your personal information, who we may share it with and your rights in relation to your personal information.

We have appointed a Data Protection Officer (DPO), Daradjeet Jagpal, who ensures that we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO by: e-mail at rshadpo@infolawsolutions.co.uk; telephone on 07397 806 981; or writing to: The Data Protection Officer, Rural Stirling Housing Association Limited, Stirling Road, Doune, Perthshire, FK16 6AA.

You can also contact us by: e-mail at enquiries@rsha.org.uk; telephone on 01786 841 101; or writing to: Rural Stirling Housing Association Limited, Stirling Road, Doune, Perthshire, FK16 6AA.

Your attention is particularly drawn to section 3 of this statement, which confirms that you consent to your personal information and sensitive personal information being held and used by us as described in section 2 of this statement.

1. What personal information do we hold and use about you?

As part of your employment contract with us, we hold and use the personal information that you provide to us and / or other personal information that we may obtain about you from you and from third parties on an ongoing basis. This includes your:

- name;
- contact information, including emergency contact / next of kin information;
- date of birth;
- gender;
- financial information, including salary, benefits, pension arrangements, banks account details, National Insurance and tax information;
- marital status and any dependents (including their names);
- nationality, immigration status and information from related documents, such as your passport or other immigration-related information;
- driving licence, vehicle insurance and MOT status (if applicable), if you need to drive a vehicle as part of your employment with us;
- recruitment information;
- sickness and absence records;
- health and safety related matters, including accident details and resulting injuries;
- sensitive personal information about your racial or ethnic origin, sexual orientation, your physical and / or mental health, religious or other similar beliefs and / or

political opinions (where you choose to share this with us), including pregnancy-related information and GP / medical requests and / or letters of health-related appointments;

- declaration of interests-related information to be disclosed by you annually or when there is a change of interest;
- criminal records information, including Disclosure Scotland and / or Protecting Vulnerable Groups scheme checks (if applicable to your employment with us);
- grievances and / or complaints raised by you or involving you and / or conduct or disciplinary issues involving you;
- appraisals;
- time and attendance records; and
- references that we provide to others (on your request);

If you do not provide us with the above personal information, we may not be able to continue to employ you or to provide you with the benefits described in section 2 of this statement. We may also be prevented from complying with the laws that apply to us, for example, to ensure your health and safety.

2. Why do we hold and use this personal information about you?

We use such personal information to:

- meet our responsibilities under the employment contract between us;
- pay your salary and benefits (including administering any childcare voucher payments) and deduct tax, National Insurance and pension contributions;
- comply with taxation, reporting and regulatory requirements;
- make decisions about salary reviews, promotions and your continued employment;
- process requests for flexible working and other staff benefits;
- record absences, including the reason(s) for such absences;
- administer sick pay entitlement;
- determine your fitness to work;
- administer and manage your membership of professional bodies;
- carry out right to work and other required statutory checks;
- deal with disciplinary and grievance matters;
- monitor and manage staff performance, conduct and attendance;
- protect your vital interests, for example, to notify your next of kin and / or obtain emergency medical assistance in the case of an accident involving you;
- deliver education and training;
- check driving licence and vehicle status and insurance arrangements;
- comply with our legal duties and obligations as your employer and to comply with employment law requirements and our equal opportunity monitoring obligations;
- protect our personal information and systems and ensure business continuity;
- undertake business management and planning, including accounting and auditing;
- check that you comply with restrictions on your activities that apply after your employment with us has terminated;
- provide you with a reference; and
- protect and defend our legal rights in the case of a dispute between us.

3. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information. Our legal reasons for holding and using your personal information include:

- compliance with the employment contract between us;
- compliance with the laws which apply to us as an employer;
- protection of your vital interests; and
- protection of our legitimate interests – in the highly unlikely event that we do not have another legal reason, we may consider that we have a legitimate interest in handling and using your personal information, for example, to maintain employment records. In those circumstances, we will always consider your legitimate interests in the protection of your personal information, and will balance those against our own legitimate interests in handling and using your personal information for the purposes described in section 2 of this statement.

In very limited circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and sensitive personal information (including your racial or ethnic origin, sexual orientation, your physical and / or mental health, religious or other similar beliefs and / or political opinions) and the personal information and sensitive personal information of other individuals (for example, your emergency contact / next of kin or dependents), you:

- consent to it being used by us as described in section 2 of this statement; and
- confirm that you have informed the other individuals if they are of 12 years old and above of the content of this statement and they have provided their consent to their personal information and sensitive personal information being used by us as described in section 2 of this statement.

You and the individuals have the right to withdraw your consent to us holding and using your and their personal information and sensitive personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and sensitive personal information for the purpose(s) set out in section 2 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

4. Who do we share your personal information with?

We may share your personal information with the following organisations for the purposes described in section 2 of this statement:

- HM Revenue and Customs, DWP and other government bodies;
- Home Office;
- Disclosure Scotland;
- our financial advisers, consultants, training providers and IT service providers;
- our solicitors;
- our pension providers;
- our insurers;

- your doctor and other medical professionals;
- occupational health professionals; and
- the Police (in the case of actual or suspected criminal activity).

5. Will my personal information be sent outside the UK?

Some of the organisations who we share your personal information with (listed in section 4 of this statement) may be based or may make use of data storage facilities that are located outside the UK. Their handling and use of your personal information will involve us and / or them transferring it outside the UK. When we and / or they do this, we will ensure similar protection is afforded to it by:

- only transferring it or permitting its transfer to countries that have been deemed to provide an adequate level of protection for personal information as a matter of data protection law; or
- using specific contracts with such organisations, which are approved for use in the UK, and which give your personal information the same protection it has in the UK.

Please contact our DPO for further information on the specific mechanism used by us when transferring your personal information outside the UK.

6. How long do we keep your personal information?

We will only keep your personal information for as long as we need to for the purposes described in section 2 of this statement, including to meet any legal, accounting, reporting or regulatory requirements. More information is contained in our data retention policy, which is available by contacting our DPO.

7. What rights do you have in relation to your personal information that we hold and use?

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information that we hold about you.
- Deletion of your personal information where there is no good reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).
- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it or to stop us from using your personal information altogether if we have committed a breach of data protection laws.
- The transfer of your personal information to another organisation, for example, the transfer of your training record to a future employer.

You can also object to us holding and using your personal information where our legal reason is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

8. Feedback and complaints

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/concerns/>

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

9. Updates to this statement

We may update this statement at any time, and we will provide you with an updated version when required to do so by law.

Last updated: July 2021