



Notice 1: Employee Privacy Notice

Employees: How your information will be used

Introduction

1. As your employer, the ateb Group (including Mill Bay Homes and West Wales Care & Repair) to be known as “the Group” needs to keep and process information about you for normal employment purposes. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left.
2. This notice also applies to you if you work with us as a Board Member, a volunteer or you are on work experience/day release.
3. We are committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (EU 2016/679) (“**GDPR**”) and the related UK legislation, including the Data Protection Act 2018 (“**DPA**”).
4. Your data will only be processed if we have a lawful ground to do so. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue the legitimate interests of the Group and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.
5. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Data protection principles

6. We will comply with data protection law, which says that the personal information we hold about you must be:
 - (a) Used lawfully, fairly and in a transparent way.
 - (b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

- (c) Relevant to the purposes we have told you about and limited only to those purposes.
- (d) Accurate and kept up to date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept securely.

Types of information we may hold about you

7. The sort of information we hold includes:
 - a. your application form and references
 - b. documentation relating to you, for example interview notes, training certificates and qualifications, medical certificates, accident forms, ID documents e.g. passport
 - c. your contract of employment and any amendments to it
 - d. correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary, reports from Occupational Health regarding wellbeing
 - e. information needed for payroll, benefits and expenses purposes
 - f. contact and emergency contact details
 - g. records of holiday, sickness and other absences
 - h. information needed for equal opportunities monitoring
 - i. records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records
 - j. Information relating to the use of your work computer/phone/tablet/ or any other device provided to you
 - k. records of any equipment or company vehicle provided to you
 - l. photographs of you taken during work/events associated with work
 - m. CCTV images of you which may be captured on our CCTV system
 - n. recordings of external phone calls (making and receiving)
 - o. your location and driving history which is located on the Fleetmatics system which will be fitted to our company vans
 - p. your location and voice recordings which are captured via our Skyguard lone working devices

8. We monitor computer, telephone/mobile telephone and tablet use, as detailed in our Computer Usage Procedure available on the HR Yammer page or by contacting HR. We also keep records of your hours of work by way of our clocking on and off system, as detailed in the Flexible Working Procedure together with your location/driving history if you have been provided with a company vehicle fitted with the Fleetmatics system, and/or your location if you have been provided with a Skyguard lone working device.

9. You will inevitably be referred to in many company documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the company. For information on the procedures and rules which you and your colleagues must follow in relation to the processing of each other's personal data, and the personal data of any other individuals, you should refer to the Data Protection Policy which is available on the intranet or in paper format from the Data Protection Officer.

10. Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees or Occupational Health.

How we will use information about you

11. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
 - a. Where we need to perform the contract we have entered into with you.
 - b. Where we need to comply with a legal obligation.
 - c. 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.
 - d. Less commonly, where we need to protect your interests or someone else's interests or where processing is needed in the public interest.
12. The situations in which we will process your personal information on the above grounds, and the nature of our legitimate interests in doing so, are listed below.
 - a. Making a decision about your recruitment or appointment.
 - b. Determining the terms on which you work for us.
 - c. Checking you are legally entitled to work in the UK.
 - d. Paying you and, if you are employee/deemed employee for tax purposes, deducting tax and NI contributions.
 - e. Providing other employment benefits to you e.g. health insurance or life assurance.
 - f. Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties and liaising with the trustees or managers of any such pension arrangement or other provider of employee benefits.
 - g. Administering the contract we have entered into with you.
 - h. Compliance with Welsh Government regulator requirements
 - i. Monitoring equal opportunities
 - j. Ensuring your health, safety and wellbeing whilst at work
 - k. Providing operational and management information
 - l. Establishing, exercising or defending legal claims
 - m. Protecting the vital interest of you i.e. providing personal or sensitive personal data to emergency services in the event of an accident at work
 - n. Safeguarding of vulnerable tenants
 - o. Prevention and detection of fraud or crime
 - p. Promotion of our services and activities
 - q. Business management and planning, including accounting and auditing.
 - r. Conducting performance reviews and managing performance.
 - s. Making decisions about salary reviews and compensation.
 - t. Assessing qualifications for a particular job or task, including promotions.
 - u. Gathering evidence for disciplinary or grievance hearings.
 - v. Making decisions about your continued employment or engagement.
 - w. Making arrangements for the termination of our working relationship.
 - x. Education, training and development requirements.
 - y. Ascertaining your fitness to work.
 - z. Managing sickness absence.

- aa. Ensuring compliance with our IT policies.
- bb. Ensuring network and information security, including preventing unauthorised access to our computer and IT systems.

13. In the case of each of the situations listed in paragraph 12 above, we have determined that one or more of the grounds for processing at paragraph 11 apply. In some cases, some of the grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

14. 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 explain the legal basis which allows us to do so.

15. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Use of sensitive information

16. Special categories of particularly sensitive information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process these special categories of sensitive information in the following circumstances:

- a. In limited circumstances, with your explicit written consent.
- b. Where we need to carry out our legal obligations or exercise rights in connection with employment.
- c. Where it is needed in the public interest, such as for equal opportunities monitoring.
- d. 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.

17. In compliance with our obligations to you as an employer, we may use the following sensitive information in the following ways:

- a. We may use information relating to leaves of absence, which may include sickness absence or family-related leaves, to comply with employment and other laws.
- b. We may use information relating to your physical and mental health, which could non-exhaustively include GP and/or Occupational Health reports and notes, notes of return to work interviews and details of disability status, in order to comply with our health and safety and occupational health obligations

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– to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate, to monitor and manage sickness absence, to administer and manage statutory and company sick pay, maternity pay, private health insurance details if applicable, and life insurance relating to our workplace pension scheme if you are a member.

- c. We may use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

18. We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us and it is your right to refuse consent.

Information about criminal convictions

19. We envisage that in some cases, we may hold information about criminal convictions. We will only collect this type of information if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, this information will be collected as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

20. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's) and you are not capable of giving your consent, or where you have already made the information public.

Automated decision-making

21. Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. This is only permitted in limited circumstances. We do not envisage that any decisions will be taken about you using automated means; however, if this position changes, we will notify you of this in writing and let you know what your rights are in this area.

Data sharing

22. Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so, where we need to administer the working relationship with you, or where we have another legitimate interest in doing so.

23. We may during the course of your employment with us disclose information about you, in order for us to comply with our legitimate interests detailed in point 2, to the following service providers:
- a. Social Housing Pension Scheme – part of The Pensions Trust
 - b. Counsellors used by the Group; however we will seek your explicit consent to disclose this information
 - c. Pembrokeshire County Council's Occupational Health Department who provide our occupational health and surveillance services
 - d. Welsh Government in order to comply with Schedule 1 (Housing Regulation) should you apply for housing with us and the Board approves your application
 - e. MHM Wales who undertake our Disclosure and Barring Clearances
 - f. 3D MarComms (Harbour) who host our on-line recruitment portal
 - g. Simply Health who operate your health and dental plan
 - h. Fleetmatics PLC (a Verizon company) who host our vehicle tracking system
 - i. Skyguard who operate our lone working devices.
 - j. AXA Healthcare who administer our health insurance
24. We may transfer information about you to other group companies for purposes connected with your employment or the management of the company's business.
25. All of our third-party service providers and other entities in the Group are required to take appropriate security measures to protect your personal information in line with our policies and data protection law. 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.
26. We may in future share your personal information with other third parties than those listed above, for example: if we switch providers; if we engage a new provider to provide a new service for us; or if we are contemplating a possible sale or restructure of the business. In the latter situation we will, so far as possible, share anonymized data with the other parties before any transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.
27. We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC and disclosures to shareholders.
28. In limited and necessary circumstances, your information may be transferred outside of the EEA or to an international organisation to comply with our legal or contractual requirements.

Data security

29. We have in place safeguards including door security systems for authorised access and internal firewall systems for external access into our housing systems to ensure the security of your data. A copy of the safeguards can be obtained from [here](#).

30. Your personal data will be stored for a maximum period of 6 years after the end of your employment; however, we do operate different retention periods depending on the type of data we hold. Full details can be found in the Data Protection Policy by visiting our website www.atebgroup.co.uk or visiting the HR page on [Yammer](#).
31. If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information.

Your rights

32. Under the GDPR and the DPA you have a number of rights with regard to your personal data. You have the right to:
- Request from us access** to your personal data (commonly known as a “data subject access request”. This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - Request correction** of your personal information. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
 - Object to processing** of your personal information where we are only relying on our own legitimate interests (or those of a third party) as our basis for doing so, and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object if we process your personal information for direct marketing purposes.
 - Request the restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
 - Request the transfer** of your personal information to another party.
33. If you wish to exercise or find out more about any of these rights, including if you wish to make a subject access request, you should contact our Data Protection Officer using the contact details set out at the end of this document. You will not have to pay a fee to access your personal information or to exercise any of the other rights. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively we may refuse to comply with the request in such circumstances. We may also need to request specific information from you to help us confirm your identity and ensure your right to access the information. This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.
34. **Right to withdraw consent:** In the limited circumstances where you may have provided consent for the collection, processing and transfer of your data for specific purposes, you have the right to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer

process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

35. You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the GDPR or DPA 2018 with regard to your personal data.

Identity and contact details of controller and data protection officer

36. Ateb Group Limited is the controller and processor (please see point 9 for additional data processors) of data for the purposes of the DPA 18 and GDPR.
37. If you have any concerns as to how your data is processed you can contact:

Julie John
Governance & Communications
mydata@atebgroup.co.uk

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.