

CROYDON CHURCHES HOUSING ASSOCIATION

AND

CCHA DEVELOPMENTS LIMITED

Employee Data Privacy Notice

How we use your personal information

Identity and contact details of Controller

Croydon Churches Housing Association Limited and ccha Developments Limited (“the Group”, “we”, “us”) is a controller of personal information for the purposes of the General Data Protection Regulation (‘GDPR’)¹. Our contact details for data protection purposes are as follows:

The Company Secretary
ccha
6th Floor, Norfolk House
Wellesley Road
Croydon CR0 1LH

The individual responsible for overseeing data protection compliance of the Group is the Company Secretary. They are contactable using the above contact details.

Purpose of this privacy notice

ccha is committed to protecting the privacy and security of your personal information.

This privacy notice tells you:

- What information we process and why
- The lawful basis for processing
- How long we will retain it
- How it will be kept safe, and
- What your rights are

It applies to all job applicants, employees, agency workers, contractors, consultants and volunteers and work placements during your work for us and after it.

¹ By this we mean the Regulation as supplemented and amended by the Data Protection Act 2018

Why do we collect and store personal information?

The Group needs to collect, process and store personal information about you in order to operate as an employer, and to comply with employment law and practice.

Legal basis for processing

We often have two main legal bases for processing personal data. Firstly, where it is necessary for the purposes of the legitimate interests pursued by the Group or by a third party to process your information. We can do that so long as we do not interfere with your fundamental rights or freedoms.

Secondly, because we have your consent (i.e. agreement) to us processing your personal information.

You are signposted to our Data Privacy Notice when you apply to us for employment, and later when offered a contract of employment. The consent form sets out the organisations and type of organisations we often have to share your personal information with. Under the GDPR, consent is a legal basis for processing personal information.

The other reasons we can rely upon to process your personal information under GDPR is as follows:

- Where we are under a legal obligation or an obligation under a contract to process/disclose the information.
- Where we need to protect the vital interests (i.e. the health and safety) of you or another person.
- Some personal information is treated as more sensitive (for example information about health, sexuality, ethnic background and others – see footnote below for a full list²). The legal basis for processing these special categories of personal information is more limited. To lawfully process special categories of personal data, we must identify a lawful basis for the processing and meet a separate condition for the processing. The basis we can use these are:
 - With your consent;
 - Where we need to protect the vital interests (i.e. the health and safety) of you or another person;
 - Where you have already made your personal information public;

² Special categories of personal data is defined within the GDPR and covers racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation

- Where we or another person needs to bring or defend legal claims; and/or
- Substantial public interest grounds.

To process personal data about criminal convictions or offences, we must have both a lawful basis for the processing and either legal authority or official authority for the processing.

Information we may hold about you and how we use it

The information we hold on our records concerns our relationship with you.

If you apply for a job, a work placement or to be a volunteer we will process the following personal information about you:

- Contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- National Insurance number
- Recruitment information (including copies of right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)

We may also process sensitive ('special category') information relating to:

- Racial or ethnic origin
- Sexual orientation
- Religious or philosophical beliefs or political opinions
- Trade union membership
- Health
- Criminal convictions or pending prosecutions
- Disability

For employees, agency workers, contractors, consultants, volunteers and work placements, we may also in addition to the above process the following categories of personal information about you:

- Marital status and dependants
- 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
- Start date and end date of employment
- Location of employment or workplace
- Copy of driving licence, insurance and MOT certificate
- Recruitment information (including copies of right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Compensation history
- Performance information
- Disciplinary and grievance information
- Recorded meetings, phone conversations, emails, letters, etc
- CCTV footage and other information obtained through electronic means
- Information about your use of our information and communications systems
- Photographs

This list is not exhaustive as we hold records of most contacts we have with you, or about you, and we process this information so we can fulfill employment obligations. Generally, the information we hold will have been provided by you, but we may also hold information provided by third parties where this is relevant to your circumstances e.g. health professionals, or tax authorities.

We will only ask for personal information that is appropriate to enable us to fulfill employment obligations and improve your working environment. In some cases, you can refuse to provide your details if you deem a request to be inappropriate. However, you should note that this may impact our ability to provide some services to you if you refuse to provide information that stops us from doing so.

How we manage your personal information

We process your personal information in accordance with the principles of GDPR.

We will treat your personal information fairly and lawfully and we will ensure that information is:

- Processed for limited purposes;
- Kept up-to-date, accurate, relevant and not excessive;
- Not kept longer than is necessary;
- Kept secure.

Access to personal information is restricted to authorised individuals on a strictly need to know basis.

We are committed to keeping your personal details up to date, and we encourage you to inform us about any changes needed to ensure your details are accurate.

To help us to ensure confidentiality of your personal information we may ask security questions to confirm a person's identity. We will not discuss your personal information with anyone other than you, unless you have given us prior written authorisation to do so.

Periods for which we will store your personal information

We will only hold your records during the period of our relationship with you and for a set period afterwards to allow us to meet our legal obligations including resolving any follow up issues between us.

Sharing your personal information

Normally, only ccha Group staff will be able to see and process your personal information. However, there may be times when we will share relevant information with third parties for the purposes as outlined, or where we are legally required to do so. When sharing personal information, we will comply with all aspects of the GDPR. Special categories of personal data about health, sexual life, race, religion and criminal activity for example is subject to particularly stringent security and confidentiality measures.

Where necessary or required, we may share information as follows:

- to comply with the law (e.g. the Police, HM Revenue & Customs, Department for Work & Pensions) or a court order
- where there is a clear health or safety risk to an individual or members of the public, evidence of fraud against the Group, other irregular behaviour or a matter the Group is investigating
- in connection with court proceedings or employment tribunal hearings
- where the Group has entered into a formal protocol with the police or a government department
- providing the name, address and contact number for agents providing services on the Group's behalf such as third parties which provide an essential service such as payroll, occupational health, health benefits etc.
- providing information anonymously for bona fide statistical or research purposes, provided it is not possible to identify the individuals to whom the information relates
- information required by the Regulator of Social Housing when monitoring the Group's activities in its capacity as the regulator of housing associations.
- to protect the vital interests of an individual (in a life or death situation)

Your rights under the GDPR

You have a number of rights under the GDPR which are explained below:

Access to personal information

Under the GDPR, you have a right to ask us what personal information we hold about you, and to request a copy of your information. This is known as a 'subject access request' (SAR).

Rectification

If you need us to correct any mistakes contained in the information we hold about you, you can let us know by contacting the Senior HR Officer.

Erasure ('Right to be Forgotten')

You have the right to ask us to delete personal information we hold about you. You can do this where:

- the information is no longer necessary in relation to the purpose for which we originally collected/processed it
- where you withdraw consent
- where you object to the processing and there is no overriding legitimate interest for us continuing the processing
- where we unlawfully processed the information
- the personal information has to be erased in order to comply with a legal obligation

We can refuse to erase your personal information where the personal information is processed for the following reasons:

- to exercise the right of freedom of expression and information;
- to enable functions designed to protect the public to be achieved e.g. government or regulatory functions
- to comply with a legal obligation or for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;
- archiving purposes in the public interest, scientific research historical research or statistical purposes;
- the exercise or defense of legal claims; or
- where we have an overriding legitimate interest for continuing with the processing

Restriction on processing

You have the right to require us to stop processing your personal information. When processing is restricted, we are allowed to store the information, but not do anything with it. You can do this where:

- You challenge the accuracy of the information (we must restrict processing until we have verified its accuracy)
- You challenge whether we have a legitimate interest in using the information
- If the processing is a breach of the GDPR or otherwise unlawful
- If we no longer need the personal data but you need the information to establish, exercise or defend a legal claim.

If we have disclosed your personal information to third parties, we must inform them about the restriction on processing, unless it is impossible or involves disproportionate effort to do so.

We must inform you when we decide to remove the restriction giving the reasons why.

Objection to processing

You have the right to object to processing where we say it is in our legitimate business interests. We must stop using the information unless we can show there is a compelling legitimate reason for the processing, which override your interests and rights or the processing is necessary for us or someone else to bring or defend legal claims.

Withdrawal of consent

You have the right to withdraw your consent to us processing your information at any time. If the basis on which we are using your personal information is your consent, then we must stop using the information. We can refuse if we can rely on another reason to process the information such as our legitimate interests.

Right to data portability

The right to data portability allows us to obtain and reuse your personal data across different services. It allows us to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way. The right only applies to personal data you have provided to us where the reason we are relying on to use the information is either your consent or for the performance of a contract. It also only applies when processing is carried out by us using automated means.

Changes to this privacy notice

We keep our privacy notice under regular review and will place any updates on our website; you will be notified of any major changes to this notice.

Further information

For further information on how to request your personal information and how and why we process your information, you can contact us using the details below:

The Company Secretary
ccha
6th Floor, Norfolk House
Wellesley Road
Croydon CR0 1LH

The Information Commissioner (ICO) is also a source of further information about your data protection rights. The ICO is an independent official body, and one of their primary functions is to administer the provisions of the GDPR.

You have the right to complain to the ICO if you think we have breached the GDPR. You can contact the ICO at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

0303 123 1113 <http://www.ico.org.uk/>

Version History	
Version Code	3.0
Version Issued	June 2021
Version Replaced	2.0
Lead Officer	Company Secretary
Date of Issue	May 2018
Review Date	May 2022 Reviewed and approved with no changes 2022