**GENERAL NOTES FOR USING THE TEMPLATE STAFF PRIVACY POLICY**

This privacy policy is intended to be provided to employees, volunteers and other staff members. The privacy policy should be given **at the point at which your organisation collects their personal data**. It reflects the position from 25 May 2018 and as such can be prepared now in readiness for dissemination on or shortly before 25 May 2018.

Ensuring that personal data is processed fairly, lawfully and transparently is the first data protection principle under data protection law. Processing personal data fairly involves:

* Using information in a way that individuals would reasonably expect; and
* Being transparent and ensuing that individuals know how their information will be used.

Providing a privacy policy to staff members is therefore a key element of ensuring your organisation (as a data controller) is processing personal data fairly.

In addition, data protection law requires the data controller to provide certain privacy information to individuals, such as, your organisation’s legal basis for processing individuals’ personal data, the period for which their personal data will be retained and the rights they have over their data.

This privacy policy is intended to be given to employees, volunteers and other staff members in order to provide this information, thereby ensuring that your organisation is complying with its obligations in relation to the fair, lawful and transparent processing of personal data. For current staff members this will need to be provided to them separately, for new staff members engaged on or after 25 May 2018, this could be appended to their contract of employment.

In order for this privacy policy to be effective in this way, it must **accurately reflect** the way in which your organisation uses personal data. It is important therefore that you consider the **particular needs and circumstances of your organisation and tailor the privacy policy accordingly**. If you fail to do this there is a risk that the privacy policy will not provide the individual with accurate information about how and why you are using their personal data, which could mean that you are not processing their data fairly, lawfully and transparently, in breach of data protection law.

Before completing this privacy policy, you should therefore consider:

* What personal data your organisation is collecting about employees, volunteers and other staff members?
* Will this include special category data (which is prohibited unless a specific exemption applies)?
* How it is collected?
* Why is it collected i.e. why it is necessary?
* How it will be used?
* What is your organisation’s legal basis for processing the personal data? (e.g. consent, performance of a contract or the legitimate interests of your organisation)
* Who will it be shared with?
* How long the personal data will be kept?

The privacy notice includes a number of options and examples for you to use which are highlighted in red but you **must** consider whether any **other information** needs to be provided based upon the way your particular organisation used personal data. This front sheet should be deleted before the Privacy Policy is provided to any individual and all areas in red need to be considered by you and amended appropriately.

**[NAME OF ORGANISATION]**

**Staff Privacy Policy**

This Privacy Policy applies to all employees, volunteers, workers, [secondees/work experience/placement students/consultants].

Your privacy is extremely important to us so we want you to know exactly what kind of information we obtain about you and how we use it.

We’ve set out all the details below.

Please take the time to read and understand this policy.

1 What information do we hold about you?

As an employee, a volunteer, worke*r [or a secondee/work experience*/placement student/consultant] at **[NAME OF ORGANISATION]** we will ask you to provide certain personal information relating to you at the outset of you commencing work for us and during the course of your employment/engagement.

This information will include:

* your name, address and contact details
* your date of birth
* your gender
* your family details
* your education and qualifications
* your skills, experience and membership of professional bodies
* your National Insurance number and tax code
* your emergency contact details
* your bank details
* your pension details
* evidence of ability to work in the UK
* [anything else? Please amend/add to the above as appropriate]

We will also collect additional information during the course of your employment/engagement with us, such as:

* information provided from your previous employer(s) and other referees
* your employment history
* your working terms and conditions (e.g. pay, hours of work, holidays, benefits)
* details of any other offices or appointments or business interests you hold
* any accidents connected with work
* any training undertaken
* any disciplinary, grievance or other issues relating to your employment
* your attendance record and leave taken (e.g. holiday, sickness absence, family leave)
* performance reviews
* any other personal information you share with us, including lifestyle and social circumstances
* any reasonable adjustment(s) made to your role or your work under the Equality Act 2010
* [anything else? Please amend/add to the above as appropriate]

We also keep certain special category personal data in relation to you which might be relevant to your employment, such as your:

* racial or ethnic origins
* political opinions
* religious or philosophical beliefs
* membership of a trade union
* physical or mental health (including details of any disability)
* sexual orientation
* details of any known disability
* commission or alleged commission of any offence

2 What will we use your information for and what are our legal bases for doing so?

We use the personal information we hold about you for a number of different purposes, which we list below. Under data protection law we need to have a valid legal basis for using your personal information, we also set out below the legal bases which we will be relying upon.

We use the personal information we hold about you for the following reasons:

* to comply with and enforce our contract with you and inform you of any changes
* to pay you and provide you with any benefits you are entitled to
* to deal with any disciplinary and grievance issues which may arise relating to you or in respect of which you may be able to provide relevant information
* to record your absences from work and your leave
* to review and manage your performance and development
* for general employment or contract administration purposes

In each of these cases the legal basis that we will be relying upon to process your personal information will be because it is necessary for the performance of the contract between us.

We will also use the personal information we hold about you for the following reasons:

* to comply with and demonstrate compliance with our legal obligations and best practice as an employer
* to comply with and demonstrate compliance with any regulatory requirements

In both of these cases the legal basis that we will be relying upon to process your personal information will be because it is necessary for us to do so to comply with our legal obligations.

We will also use the personal information we hold about you for the following reasons:

* to monitor compliance with any of our policies and procedures
* to provide references

In this case the legal basis that we will be relying upon to process your personal information will be because it is in our legitimate interests. Our specific legitimate interests are:

* to be a fair and reasonable employer in relation to your employment/engagement and our employment/engagement of others and be able to demonstrate this and/or
* to comply with and demonstrate compliance with our obligations as an employer and/or our policies and procedures relating to employees, volunteers, workers [secondees/work experience/placement students/and consultants]
* to enable us to respond to reference requests.
* [anything else? Please amend/add to the above as appropriate]

We use the special category personal data we hold about you for a number of different purposes, which we list below. Data protection law prohibits us from processing any special category personal data unless we can satisfy at least one of the conditions laid down by data protection law. We also set out below the specific conditions we rely upon when processing special category data.

We use the special category personal data we hold about you for the following purposes:

* to monitor equality and diversity.

In this case the condition we rely upon for processing the information is to monitor equality and diversity which is necessary for reasons of substantial public interest, namely for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people specified in relation to that category with a view to enabling such equality to be promoted or maintained

* to comply with and demonstrate compliance with employment law and best practice and any other applicable laws
* to comply and demonstrate compliance with any regulatory requirements
* to deal with any disciplinary and grievance issues which may arise relating to you or in respect of which you may be able to provide relevant information

In these cases the condition we rely upon for processing the information is because it is necessary for the purposes of carrying out the obligations and exercising specific rights in the field of employment law and/or the processing is necessary for the establishment, exercise or defence of legal claims and/or the processing is necessary for the assessment of your working capacity or medical diagnosis

* to record your absences from work
* to provide you with any health benefits you may be entitled to

In these cases the condition we rely upon for processing the information is because the processing is necessary for the establishment, exercise or defence of legal claims and/or the processing is necessary for the assessment of your working capacity or medical diagnosis.

* [anything else?]

We will not otherwise process your sensitive or special category information unless you have given us explicit consent to do so.

[We do not carry out any automated decision-making or profiling in relation to you.] **[CHECK IF THIS STATEMENT IS CORRECT]. [This would include automated processing of personal data to evaluate personal aspects, in particular to analyse or predict aspects concerning performance at work, economic situation, health, personal preferences, behaviour or location/movements.]**

Some of the personal data we request will be because we have a legal or contractual requirement to obtain and use the information or it is necessary for us to obtain the information to be able to enter into a contract with you. An example of this would be under the Immigration, Asylum and Nationality Act 2006 we are required to satisfy ourselves that you have the right to work in the UK. Failure to provide such information will prevent us from employing or engaging you.

### 3 Who do we share your information with?

Your personal data will be held by the [HR department] [your manager] [anyone else] **[delete amend as appropriate].** Your personal data will be shared internally with other individuals and/or departments where this is reasonably necessary for the processing purposes set out in section 2 above. For example, it will be necessary to share some of your personal information with [the Finance department] in order to pay you.

From time to time we will need to share your information with external people and organisations. We will only do so where we have a legitimate or legal basis for doing so and in compliance with our obligations under data protection laws.

Your information may be disclosed to:

* **Her Majesty’s Revenue and Customs (HMRC)** in connection with your pay and benefits
* **Banks and other financial institutions [insert names where possible]** in connection with your pay and benefits
* **Pensions providers [insert names where possible]** for providing and administering your pension
* **Payroll provider** **[insert names where possible]** to enable us to pay you
* **Companies and businesses who provide or administer any benefits we offer.** For example, [if you are entitled to private health care we’ll share relevant information with the health care provider, or if you have opted for childcare vouchers we’ll share relevant information with the childcare voucher provider] **[PLEASE USE EXAMPLES THAT ARE RELEVANT TO YOUR ORGANISATION] [insert names where possible]**
* **Other people who help us** provide our website, in-house WIFI network, they include information technology experts who design and host our website **[insert names where possible]**
* **Our insurers and insurance brokers [insert names where possible]**  who provide us with comprehensive cover against the risks of running a business
* **Employment and recruitment agencies and outplacement organisations [insert names where possible]**
* **Professional bodies and regulators** such as [**PLEASE INSERT RELEVANT EXAMPLES]**
* **Our professional advisors** including our accountants when they need it to give us their professional advice **[insert names where possible]**.
* **Occupational Health and other medical professionals including social and welfare organisations** to provide us with medical opinions in relation to any medical condition, illness or disability you may have or develop during the course of your employment/engagement **[insert names where possible]**
* **The Police, local authorities, the courts** and any other government authorityif they ask us to do so (but only if us doing so is lawful).
* **Other people who make a subject access request**, where we are allowed to do so by law.
* **Complainants,** where this is necessary to respond to any complaints received
* **[Private investigators]**
* **[Debt collection and tracing agents]**
* **Where we are legally obliged to do so**, e.g. to comply with a court order
* **Prospective employers** in response to reference requests
* **Educational establishments, examination bodies, course providers** in relation to any training you undertake or have undertaken
* **Marketing service providers** who carry out marketing activities on our behalf e.g. [mailchimp and survey monkey] **[insert names where possible]** [**ARE THESE USED BY YOUR ORGANISATION?]**
* **Your family or representatives**
* **[OTHER SPORTS GOVERNING BODIES?? FOR WHAT PURPOSES?]**

4 International Transfer of Your Information

We do not transfer any of your personal data outside the European Economic Area. [**IS THIS CORRECT?]**

### 5 How Long Do We Keep Your Information For?

To make sure we meet our legal data protection and privacy obligations, we only hold on to your information for as long as we actually need it for the purposes we acquired it in the first place.

In most cases, this means we will keep your information for as long as you are employed or engaged by us and for a period of [7 years thereafter. The reason for keeping your personal data for this length of time is to comply with HMRC requirements and because of the fact that some claims can be brought up to 6 years after your employment/engagement ends.] [**AMEND TO REFLECT YOUR ORGANISATIONS’ PRACTICE.]**

[Please refer to our retention policy/schedule [link] for further details.] [**INCLUDE LINK IF YOU HAVE A RETENTION SCHEDULE].**

6 Individual rights

Data protection legislation provides individuals with a number of different rights in relation to their data. For example, you have the right to ask us whether we hold information about you and if so, for us to give you certain details about that information and/or the information itself. This right is commonly known as a “subject access request”. Certain exemptions and conditions apply to this right.

There are other rights which you also may be able to exercise, such as the right to have inaccurate personal data rectified, to object to the processing of personal data, to object to direct marketing, to the erasure of personal data or to have the processing of your personal data restricted as well as the right to have electronic data made portable. All these rights are subject to certain conditions and exemptions.

If you wish to exercise any of these rights or obtain further information about these rights please contact [insert name of person in organisation responsible for data protection].

7 Ability to withdraw consent

Where your personal data is processed on the basis of your consent or explicit consent, you have the right to withdraw your consent to the processing at any time. You can do this by emailing [ ]. Any withdrawal of consent will not affect the lawfulness of any processing of your personal data based on consent before the withdrawal is notified.

8 Accuracy

If any of your personal details change during your employment/engagement you should contact [name OR a member of the HR team] [**AMEND AS APPROPRIATE FOR YOUR ORGANISATION]** to notify them and provide them with the updated accurate information. [We will as a matter of course send an email out annually to remind everyone of the need to ensure that the personal data you have provided to us is accurate.] [**DOES YOUR ORGANISATION DO THIS?]**

### 9 Updates to this privacy policy

We review the ways we use your information regularly. In doing so, we may change what kind of information we collect, how we store it, who we share it with and how we act on it.

Consequently, we will need to change this privacy policy from time to time to keep it accurate and up-to-date.

We will keep this policy under regular review to ensure it is accurate and kept up to date. This policy was last updated on [date].

### 10 About Us

Our full name is [ ].

We are the data controller of the information you provide us with. The term “data controller” is a legal phrase used to describe the person or entity that controls the way information is used and processed.

### 11 Where to Go if You Want More Information About Your Privacy Rights

The Information Commissioner’s Office (ICO) regulates data protection and privacy matters in the UK. They make a lot of information accessible on their website and they ensure that the registered details of all data controllers such as ourselves are available publicly. You can access them here [http://www.ico.gov.uk/for\_the\_public.aspx](https://groceries.morrisons.com/webshop/redirectFromWebshop.do?REDIRECT_URL=http%3A%2F%2Fwww.ico.gov.uk%2Ffor_the_public.aspx&pageId=3e88bdad4d5fb4c3f03c9451d5c6605f&ad=503%7C1153842%7C%7C).

You can make a complaint to the ICO at any time about the way we use your information. However, we hope that you would consider raising any issue or complaint you have with us first. We will always do our very best to solve any problems you may have.

### 12 Contact us

You’re welcome to get in touch with us to discuss your information at any time.

Our contact details are here [ ].