

# Dalkeith CAB

## Privacy Policy for Paid Staff



### 1. Introduction

- 1.1 Under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, you have a right to be informed about the collection and use of your personal data. This notice sets out your rights and provides you with the information that you need to exercise those rights.
- 1.2 We will provide data privacy information to you at the time that we collect your personal data from you and within one month if we obtain personal data from other sources.
- 1.3 We will regularly review and where necessary update your data privacy information. If we start to use your information for a new purpose which you are/were not aware of, we will bring this to your attention before we begin processing it.
- 1.4 We will provide the information in a way that is concise, transparent, intelligible, easily accessible and uses clear and plain language.

### 2. The lawful basis for processing your personal data

- 2.1 As you employer, Dalkeith & District Citizens Advice Bureau (CAB) needs to keep and process information about you for normal employment purposes. The information that we hold and process will be used for our management and administration use only. We will keep and use it to enable us to run the bureau 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.
- 2.2 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 bureau (for example to prevent fraud, for administrative purposes or to report potential crimes) and protect our legal position in the event of legal proceedings.

### 3. Purpose of processing your personal data

- 3.1 Much of the information that we hold will have been provided by you, but some may come from other internal sources such as your line manager or, in some case, from external sources such as referees.

- 3.2** The sort of information we hold includes your application form and references, your contract of employment and any amendments to it, correspondence with or about you, information needed for payroll, benefits and expenses, contact and emergency contact details, records of holiday, sickness and other absence, information needed for equal opportunities monitoring, information needed for auditing under the National Standards for Information and Advice Providers, and records relating to your career history such as training records, appraisals, other performance measures and, where relevant and appropriate disciplinary and grievance records.
- 3.3** Where necessary, we may keep information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job may be appropriate. We also need this data to administer and manage statutory and company sick pay. If the data is also needed for any insurance related policies, please add a reference to this here.
- 3.4** Where we process special categories of sensitive personal data relating to your race, ethnic origin, political opinions, religion, trade union membership, genetics, biometric data, health, sex life or sexual orientation, we will only do so in order to allow us to meet our obligations under employment or occupation health law. If we need to use this data for any other reason, we will always obtain your explicit consent to those activities unless this is not required by law or the information is needed to protect your health in an emergency.
- 3.5** Where we are processing data based on your consent, you have the right to withdraw that consent at any time.
- 4. Retention periods for your personal data.** We will keep your records for the following periods:
- 4.1** Income tax and National Insurance records – not less than 3 years after the end of the financial year to which they relate.
- 4.2** Maternity pay records, calculations, certificates or other medical evidence - 3 years after the end of the tax year in which the maternity period ends.
- 4.3** Inland revenue and HMRC approvals – permanently.
- 4.4** Parental leave - 18 years from the birth of the child.
- 4.5** Pensioners' records - 12 years after benefit ceases.
- 4.6** Personnel files and training records – 7 years after employment ceases.
- 4.7** Redundancy details, calculations of payments, refunds, notifications to the Secretary of State - 6 years from the date of redundancy.

**4.8** Statutory sick pay records, calculations, certificates, self-certificates – a minimum of 3 months after the employment ceases.

## **5. Who your information will be shared with.**

**5.1** Data will be shared with the following agencies.

**5.1.1** Royal Bank of Scotland for the purposes of salary and expenses payments.

**5.1.2** HMRC for the purposes of Tax and National Insurance administration.

**5.1.3** NEST the purposes of pension administration.

**5.1.4** The auditors for the National Standards for Information and Advice Providers in order to provide proof of competence against those standards. Currently the organisation responsible for audit is the Scottish Legal Aid Board

**5.1.5** Citizens Advice Scotland for the purposes of audit, complaints handling and support with HR issues (in order to comply with SACAB membership conditions)

**5.2** Other than for the purposes outlined above, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you.

## **6. Your rights in relation to the processing of your personal information**

**6.1** Under the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA) 2018, you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or erasure of your personal data; the right to restrict processing or to object to processing; and (in some circumstances) the right to data portability.

**6.2** If you have provided consent for the processing of your data, you have the right (in certain circumstances) to withdraw that consent at any time, which will not affect the lawfulness of the processing before your consent is withdrawn.

**6.3** You have the right to make a complaint to the Information Commissioners Office if you believe that we have not complied with the requirements of the GDPR or the DPA.

## **7. Identity and contact details of the data controller and the data protection officer**

**7.1** Dalkeith & District Citizens Advice Bureau is the controller and processor of data for the purposes of the GDPR and the DPA 2018.

**7.2** If you have any concerns about how your data is processed you can the CAB Manager at the address at the bottom of the first page of this document.