



## **OPENNESS & CONFIDENTIALITY POLICY**

### **1.0 INTRODUCTION**

- 1.1 Almond Housing Association Limited (AHA Ltd) recognises that we have a responsibility to be as open as possible about our actions, and accountable for our decisions.
- 1.2 AHA Ltd has a duty to ensure that personal and other sensitive information is kept confidential, and in particular that we comply with the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) or any other law relating to data protection, the processing of personal data and privacy, including guidance issued by the UK Information Commissioner's Office or ICO.
- 1.3 This duty relates to AHA Ltd's dealings with applicants, tenants, factored owners, employees and other members of the public, to the Scottish Housing Regulator, to other relevant local and national authorities or agencies, and to commercial contacts.
- 1.4 This policy describes how AHA Ltd will seek to ensure openness and accountability in our activities while maintaining the confidentiality of personal and sensitive details, including commercially confidential information.
- 1.5 This policy is supported by detailed procedures covering access by employees to specific categories of information, the use of the CCTV system, and subject access requests by tenants, employees and other members of the public. This policy should be read in conjunction with the Records Management policy and procedure, and the IT System Security, Email & Internet Access policy and procedure.
- 1.6 AHA Ltd takes compliance with this policy very seriously. Failure to comply will put employees, Board members, tenants and AHA Ltd at risk. The importance of this policy means that failure to comply with any requirement may lead to disciplinary action against an employee, which may result in dismissal, or in the case of Board members, action under the Board Code of Conduct.

### **2.0 RESPONSIBILITIES**

#### **2.1 Board of Management**

- To ensure that AHA Ltd has approved a policy on openness and confidentiality that complies with current regulations, guidance and good practice.
- To ensure a Privacy Notice (or Fair Processing Notice) which complies with current regulations, is in place and that this is publicised as required.
- To monitor implementation of the policy and where appropriate deal with any matters arising from the policy which require a Board decision.

## 2.2 Management

- **Chief Executive:** Overall responsibility for ensuring that all employees comply with data legislation by implementing the policy and supporting procedures.
- **Director of Finance and Business Support:** Responsible for ensuring that all subject access requests and other requests from individuals exercising their data rights are dealt with promptly and in accordance with current ICO guidance and our internal procedures.
- **Directors:** Responsible for ensuring that their staff comply with this policy and supporting procedures and, in particular, that their staff are aware of the importance of being open and accountable.

## 2.3 Data Protection Officer

- Responsible for ensuring compliance with data legislation, in particular:
  - regularly reviewing the ways AHA Ltd communicates with tenants etc, ensuring printed material and information on the website is up to date, and developing more effective ways of communicating
  - ensuring staff are aware of the principles and requirements of data legislation, and understand their responsibilities when they receive a subject access request or any other request exercising data rights
  - following specific incidents or general reviews, identifying any action required and ensuring any agreed action is implemented.
- Acting as AHA Ltd's representative in dealings with the ICO.

## 2.4 Employees

- To ensure that they comply with this policy and the supporting procedures and, in particular, that they comply with the requirements of data legislation at all times when processing personal information.

## 3.0 OPENNESS

3.1 AHA Ltd's aim is to conduct our affairs openly and make information publicly available unless there are justifiable reasons for withholding it. AHA Ltd will use a variety of methods to achieve this aim and will regularly review and revise how we communicate in the light of changes and developments in technology (eg increasing use of the internet, social media).

3.2 AHA Ltd will make information available in a variety of ways, including:

**Annual Report:** The Annual Report will include information on our recent activities, performance and future plans. AHA Ltd will circulate the report widely and make it available on request.

**Social Housing Charter:** AHA Ltd will publish and make available to all tenants an annual report on our performance in relation to the Charter's standards and outcomes.

**Annual General Meeting:** AHA Ltd's AGM will be used as an opportunity to provide information on our activities and performance to our members and others attending.

**Tenant Information:** AHA Ltd will, from time to time, produce information covering key services and how to access them, clearly setting out the tenant's rights and responsibilities and our responsibilities as landlord.

**Newsletters:** AHA Ltd will aim to produce four tenant newsletters each year including information on current activities, recent Board decisions, new or revised policies and encouraging comments and suggestions on our work.

**Policies:** AHA Ltd will make available key policies relevant to applicants, tenants, members, factored owners and others involved in or interested in our activities. This will be done through AHA Ltd's Publication Scheme which is available on our website. Any policies that are not part of the Publication Scheme will be available in hard copy from our office.

**Leaflets:** A comprehensive range of information leaflets, in particular relating to housing management and maintenance procedures, or to AHA Ltd's complaints procedure, is available on request or via the AHA Ltd website.

**Website:** The AHA Ltd website will also provide information about our services and activities and how to access them.

**Other media:** AHA Ltd will continue to develop the use of social media such as Facebook, LinkedIn and Twitter, to circulate details of current activities and useful information to help tenants to manage their tenancies more effectively.

3.3 AHA Ltd will aim to produce all written information in clear, plain English. In accordance with our Equality and Diversity policy, AHA Ltd will also arrange for relevant documents to be provided in other languages as required, and in other formats, such as large print, Braille and audio.

3.4 AHA Ltd will seek to involve applicants, tenants and any other relevant groups or individuals in our activities and decision-making in the following ways:

**Tenant participation:** Through the Tenant Participation Strategy AHA Ltd will seek to maximise the involvement of our tenants in relevant areas of decision-making, including the annual review of rents and aspects of our planned maintenance investment programme.

**Consultation:** AHA Ltd will maintain a register of individuals who are willing to be consulted on specific issues, policy reviews, satisfaction surveys etc.

**Focus groups:** AHA Ltd will establish and support focus groups comprising tenants and others as appropriate to scrutinise in detail specific issues or areas of our activities and to contribute to decisions on policies or procedures, as part of our compliance with the Scottish Housing Regulator's expectations under the Social Housing Charter.

**Surveys:** The results of regular and one-off surveys will be used to guide AHA Ltd's decision-making process.

## 4.0 DATA PROTECTION

### Collecting and processing personal information

4.1 Personal data will only be collected and processed where AHA Ltd is satisfied that it is fair and lawful to do so, and where it is satisfied it has a legal basis for using any personal data. Examples of such instances are:

- information required to assess an application for housing; and
- information required as part of an application for employment.

### Fair Processing Notice

- 4.2 As an organisation which processes personal data, AHA Ltd is required to produce, publicise and issue a Fair Processing Notice which details the personal data processed by us and the basis for that processing.

The Fair Processing Notice (*Appendix 1*) has been produced for all applicants, tenants, factored owners, Association members, Board members, and members of the public who may have cause to interact with the Association from time to time.

The Employee Fair Processing Notice (*Appendix 2*) has been produced for all AHA Ltd employees.

### **Sensitive Personal Data**

- 4.3 AHA Ltd may collect and use sensitive (special category) personal data in a number of circumstances, as set out in our Fair Processing Notices.  
This may include information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, an individual's genetic data, biometric data (where it uniquely identifies them), or information about their health, sex life or sexual orientation or criminal offences/convictions, known as sensitive (special category) personal data.
- 4.4 The DPO is responsible for monitoring AHA Ltd's use of sensitive (special category) personal data. Employees should consult with the DPO before gathering or using this type of data to ensure the correct compliance steps are taken or have been taken.

### **Data Protection Procedures**

- 4.5 As part of the accountability principle under data legislation, AHA Ltd is required to:
- keep records of the processing we carry out
  - integrate privacy measures and security controls into our processing activities ('data protection by design and default')
  - carry out a data protection impact assessment if our use of personal data is likely to result in high risk for the rights and freedoms of individuals (for example, any new exercise involving large-scale systematic monitoring of individuals)
  - ensure our systems have appropriate functionality to allow us to fulfil a request made by individuals (for example, for access to their data – see below).
- 4.6 The DPO should be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are followed.

### **Security of information**

- 4.7 Manual records will be kept secure, not accessible to unauthorised personnel, with access restricted to those employees who require the information to carry out their duties. Each employee who is permitted access to the files will be responsible for ensuring they are left secure when they have accessed the information required. Manual files containing personal or confidential information will not be left unattended on individual desks, but will either be returned to secure storage or locked in the user's desk. This applies to all employees, regardless of work location.
- 4.8 Members of the general public or visitors to the office will not be permitted access to secure areas, for example, all office areas beyond Reception, unless with the prior permission of a relevant manager. Visitors who are permitted access will be accompanied by an employee at all times.

- 4.9 Computer records will be stored in accordance with the policy on IT System Security, Email & Internet Access, with access being restricted to those employees who require the information to carry out their duties. The approval of levels of access, and of the allocation of passwords, will be as described in the policy and procedures on computer security. Computer screens will always be cleared and the user will log off before leaving their office. Screens will never be left with any personal or sensitive information displayed. This also applies to employees working at home.

AHA Ltd's offices will be locked whenever they are unattended and will be protected by an alarm system linked to a central control station.

### **Data Breaches**

- 4.10 AHA Ltd has specific obligations to report certain breaches of security involving personal data to the ICO within 72 hours. If any employee or Board member suspects a breach, they should contact the DPO immediately who will advise what action should be taken to comply with breach reporting requirements.
- 4.11 The DPO should be notified immediately of any breaches of security which lead or could lead to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data – for example loss of a laptop or paper file, or sending an email to the wrong recipient. This will allow AHA Ltd to:
- investigate the failure and take remedial steps if necessary and
  - make any applicable notifications within the mandatory legal timescales.

### **Data Subject Requests**

- 4.12 AHA Ltd recognises that those for whom we hold personal data have certain data subject rights which entitle them to access their data, object to our use of their data, or ask for their data to be deleted, amended or ported to them or a third party. We will respond to such requests with regard to timescales in accordance with the requirements of data legislation. For details of the process see the Data Protection & Access to Personal Information procedure.

### **Sharing of data**

- 4.14 In the absence of suitable agreements AHA Ltd will not generally pass on any personal data we hold to any other agency or individual without the permission of the data subject concerned. Exceptions to this general rule may be where the passing on of such information is required by law and permitted under data legislation, eg, where a Police investigation into criminal activity requires the divulging of information held by us and failure to provide such information significantly hinders the investigation. Such a request will be made by the Police in writing and may be accompanied by a Court Order. Any such request should be passed to the DPO immediately.
- 4.14 AHA Ltd will ensure that, where we are required to share personal or sensitive information with third parties, these third parties have committed to comply with all relevant data legislation. This may include entering into a Data Sharing Agreement where appropriate.
- 4.15 AHA Ltd will also ensure that any contract with a company providing a service which requires the processing of personal data held by us, such as payroll, includes a Data Protection Addendum which complies with data laws.

### **Training**

- 4.16 All employees will receive the necessary training in data legislation as this relates to their specific duties, and in the maintenance of the confidentiality and security of manual and computer information held by AHA Ltd.

The main training will be undertaken as part of the induction process for all new employees. Refresher training will be given to all employees at regular intervals as part of our ongoing learning and development programme.

## **5.0 CONFIDENTIALITY**

### **Reports to the Board & public events**

- 5.1 AHA Ltd will ensure that, apart from the exceptions below, all reports to the Board of Management relating to individual tenants, applicants or employees are anonymous, ie, that the individual's name does not appear in the report. Exceptions will be where identification is essential to the Board's consideration of the matter, such as when considering an appeal.
- 5.2 AHA Ltd will ensure that in publicising events such as an official opening or making any general information available to the media or other agencies, the anonymity of tenants, employees etc is maintained, unless permission is obtained in advance for names to be released or individuals to be identified.

### **Financial and other management information**

- 5.3 The principles described above will also apply as appropriate to all financial and general management information.

The proceedings of the Board and any Sub-Committee or Working Group meetings will be regarded by all those present as being confidential, with the approved minutes of each meeting being the record of each discussion.

### **Use of information & breach of confidentiality**

- 5.4 All information held by AHA Ltd will only be used for the purposes for which it has been obtained. In particular, Board members and employees will not use any information obtained in the carrying out of their duties or responsibilities for personal gain, or pass any such information on to any other person who might use it in such a way.

Any breach of confidentiality by a Board member may result in that person having to resign from the Board. Any breach of confidentiality by an employee may result in disciplinary action.

### **Disposal of confidential information**

- 5.5 AHA Ltd will retain information including personal or sensitive data for the minimum periods as set out in the Records Management and Document Retention policy. When such information is no longer required, AHA Ltd will ensure that it is disposed of by one of the following methods:
1. For paper files, either by using a paper shredding machine or by placing papers into the confidential waste plastic bags which will be disposed of by an authorised commercial company in accordance with current arrangements.
  2. For computer files, by deleting them following authorisation by the relevant Manager in accordance with the Records Management and Document Retention procedure.

## **6.0 REVIEW**

- 6.1 The Chief Executive will ensure that this policy is reviewed by the Board of Management at least every two years.
- 6.2 The DPO will ensure that all employees are notified of any amendments approved.

<b>FIRST APPROVED IN</b>	<b>MAY 2001</b>
<b>CURRENT VERSION 6.0 APPROVED IN</b>	<b>AUGUST 2022</b>
<b>NEXT REVIEW DUE BY</b>	<b>AUGUST 2024</b>

## APPENDIX 1

**Almond Housing Association**  
**GDPR Fair Processing Notice:**  
**How we use your personal information**



This notice explains what information we collect, when we collect it and how we use it. In our activities we will process personal data about you (held on paper, electronically, or otherwise) and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

**Who we are**

We are Almond Housing Association Ltd, registered with the Scottish Housing Regulator No HAL 285, a registered Scottish Charity No SC031696, a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 2471R(S) and having their Registered Office at 44 Etive Walk, Craigshill, Livingston EH54 5AB.

We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the UK General Data Protection Regulation and the Data Protection Act 2018.

We are registered with the Information Commissioner's Office, registration number Z4868537, and are the data controller of personal data that you provide to us.

We have appointed a Data Protection Officer who sits within our Business Improvement team.

If you have any queries about this notice, how we use your personal information, or if you require a copy of this notice in an alternative format (such as large print, Braille or audio recording), you can write to us at our registered office address above, or on the following details:

Email: [enquiries@almondha.org.uk](mailto:enquiries@almondha.org.uk) Phone: 01506 439291

**What is the West Lothian Housing Register?**

Almond Housing Association, [Link Housing Association](#) and [West Lothian Council](#) work together to operate the West Lothian Housing Register. This means that you only need to fill in one housing application form to be listed for all three housing providers. The personal information you provide us with in your application form is shared between all three landlords.

Any questions relating to how our partners in the West Lothian Housing Register collect and process personal data should be sent to:

- Link Housing Association: [csc@linkhaltd.co.uk](mailto:csc@linkhaltd.co.uk)
- West Lothian Council: [customer.service@westlothian.gov.uk](mailto:customer.service@westlothian.gov.uk)



## **How we collect information from you and what information we collect**

We collect information about you in the following circumstances:

- when you apply for housing with us, become a tenant, request services/repairs, enter into a factoring agreement with ourselves howsoever arising or otherwise provide us with your personal details
- when you apply to become a member of the Association or a Board member
- from your use of our online or telephone services, whether to report any tenancy/factor-related issues, report a repair, make a complaint or otherwise
- when you take part in an online survey, provide us with your personal details on social media (Facebook and Twitter) or fill in our website contact form
- from your arrangements to make payment to us (such as bank details, payment card numbers, employment details, benefit entitlement and any other income and expenditure related information).

We collect the following information about you:

- name
- date of birth
- address
- telephone number (landline and mobile)
- email address
- National Insurance Number
- payment and bank details
- next of kin, and members of your household

When you apply for housing with us, we also collect the following information about you:

- any representative's details
- address history for the last three years
- gender
- marital status
- ethnic origin and language
- immigration status
- details of any disability
- household details, including details of any pregnancy
- details of any pets
- any criminal convictions data

We may receive the following information about you from third parties:

- Benefits information, including awards of Housing Benefit or Universal Credit.
- Payments made by you to us.
- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland.

- Reports as to the conduct or condition of your tenancy, including references from previous tenancies, and complaints of anti-social behaviour.
- Updated contact details if you have provided these to one of our contractors.

### **Why we need this information about you and how it will be used**

We need your information and will use your information:

- to undertake and perform our obligations and duties to you in accordance with the terms of our contract with you
- to enable us to supply you with the services and information which you have requested
- to enable us to respond to your repair request, housing application or any complaints
- to analyse the information we collect so that we can administer, support and improve and develop our business and the services we offer
- to send you details of any changes to our services which may affect you
- to send you correspondence, including the quarterly tenant newsletter
- to take payments from you, including for factoring accounts from factored owners
- to contact you for your views on our services.

### **What is our legal basis for using your personal information?**

We will only use your personal information where it is permitted by law and where:

- we need to use your personal information to perform our contract with you
- we need to use your personal information to comply with our legal or regulatory obligations as a housing association and registered charity
- you have given us your consent to use your personal information for a particular purpose (if consent is needed we will ask this from you separately)
- it is in our legitimate interests to process your personal information (such as our legitimate interests to identify improvements in our services to you, and our legitimate interests to obtain feedback on our services) and there is no disadvantage to you or risk to your personal information.

If you do not provide us with the personal information we request from you, we may not be able to offer you our services, or continue to administer any services that you have with us.

### **Sharing of your information**

The information you provide to us will be treated by us as confidential and will be processed only by our employees or third-party suppliers based within the UK.

We may disclose your information to other third parties for the purposes set out in this notice or for purposes approved by you, including the following:

- If we enter into a joint venture with or merge with another business entity, your information may be disclosed to our new business partners or owners
- If we instruct repair or maintenance works, your information may be disclosed to any contractor
- If we are investigating a complaint, information may be disclosed to Police Scotland, West Lothian Council departments, Scottish Fire & Rescue Service and others involved in any complaint, whether investigating the complaint or otherwise
- If we are updating tenancy details, your information may be disclosed to third parties (such as utility companies and West Lothian Council)
- If we are investigating payments made or otherwise, your information may be disclosed to payment processors, West Lothian Council and the Department of Work & Pensions
- If we are conducting a survey of our services, your information may be disclosed to third parties assisting in the compilation and analysis of the survey results
- If we make a referral for specialist support such as tenancy support, welfare benefits and fuel poverty services, your information will be disclosed to the relevant agency.

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

### **Transfers outside the UK**

We may transfer your information outside the UK if we sign you up for the Dolly Parton Imagination Library scheme. We are working in partnership with the US-based Dolly Parton Imagination Library to provide free books for tenants' children who are aged between 0-5. In order for the charity to be able to send you free books they use personal data (names and addresses and child details) provided by us.

Where information is transferred outside the UK, we ensure that there are adequate safeguards in place to protect your information in accordance with this notice, including:

- having a contractual agreement in place
- ensuring that the information we share is stored securely.

The data we share with the Dolly Parton Imagination Library is stored in the USA within a dedicated server with strict access limitation and which is password protected and encrypted.

### **Security**

We take the following measures to ensure any personal information you give us is kept secure:

- We work in secure offices with restricted access.
- We use password protected IT systems and software with restricted access.
- We make regular backups of files.
- We protect ourselves against viruses and malware.
- We have secure onsite and offsite storage systems for paper files.
- We have a secure website.

A copy of our Openness & Confidentiality policy is available on request.

## How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as is required by law (we may be legally required to hold some types of information for a certain period), or as set out in any relevant contract we have with you.

Generally, we will hold your information for up to 5 years after the end of your contract with us.

After the relevant retention period has expired, the information will be securely destroyed or otherwise put beyond use.

Further details about our information retention and deletion policies is available on request.

## Your rights

You have various rights in respect of the personal data we hold about you – these are set out in more detail below.

- **Right to object:** You can object to our processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. Please contact us as noted above, providing details of your objection.
- **Access to your personal data:** You can request access to a copy of your personal data that we hold. You can make a request for access free of charge. Please make all requests for access in writing, and provide us with evidence of your identity.
- **Consent:** Where you have given us your consent to use your personal data, you can withdraw your consent at any time.
- **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- **Erase:** You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
- **Portability:** You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- **Restriction:** You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it

If you would like to exercise any of the above rights please email us at:

[enquiries@almondha.org.uk](mailto:enquiries@almondha.org.uk)

You also have the right to complain to the Information Commissioner's Office regarding our use of your information. The Information Commissioner's Office - Scotland contact details are:

Queen Elizabeth House

Sibbald Walk

Edinburgh

EH8 8FT

[www.ico.org.uk](http://www.ico.org.uk)

[Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

0303 123 1115

The accuracy of your information is important to us - please help us keep our records up to date by letting us know of any changes to your email address, phone number or any other contact details.

## **Almond Housing Association GDPR Fair Processing Notice: How we use employee information**

This notice explains what information we collect, when we collect it and how we use it. In our activities we will process personal data about you (held on paper, electronically, or otherwise) and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

Almond Housing Association Ltd is committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and adheres to the United Kingdom General Data Protection Regulation and the Data Protection Act 2018.

We are registered with the Office of the Information Commissioner, registration number Z4868537, and we are the data controller of any personal data that you provide to us. We have appointed a Data Protection Officer who sits within our Business Improvement team. Any questions relating to this notice and our privacy practices should be sent to: [enquiries@almondha.org.uk](mailto:enquiries@almondha.org.uk)

### **What information we collect**

In the course of our working relationship with you, we will collect, store and use the following categories of personal information about you:

- Name
- Date of birth
- Address, telephone number and mobile number
- E-mail address
- National Insurance number
- Bank and Credit Union details
- Personal characteristics such as gender and ethnic group
- Qualifications, references and employment history
- Absence information
- Driving licence and car insurance
- Health, medical details and disabilities
- Emergency contacts (name, relation to yourself and contact number)
- Pension contribution details
- Employee benefits payment details
- Business travel details

Some kinds of personal data are given special protection by law – these are called special category personal data. We will sometimes collect, store and use the following types of special category personal data about you:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- trade union membership
- information about your health, including any medical conditions, health and sickness records
- information about criminal convictions and offences (we are registered with Disclosure Scotland and you may need to apply for a criminal record check from [Disclosure Scotland](#) when applying for work with us).

## **How we gather your personal data**

We will obtain your personal data in different ways:

- directly from you, for example, when you fill out an application
- during the application and recruitment process, from an employment/recruitment agency or background check provider, your former employer and Disclosure Scotland
- during your employment, from monitoring emails, internet and telephone usage and when we use CCTV.

## **How we use your personal data**

To summarise, we process your personal data for the following key purposes:

- primarily, so that we can fulfil our contractual obligations and legal obligations to you (for example, to pay you and provide benefits to you) and to exercise our legal rights
- to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests, or where necessary to protect the interests of you or others (for example, monitoring misuse of our IT systems)
- for complying with laws and regulations, such as health and safety legislation.

Special protection is given to certain kinds of personal data that is particularly sensitive. This is information about your health status, racial or ethnic origin, political views, religious or similar beliefs, sex life or sexual orientation, genetic or biometric identifiers, trade union membership or criminal convictions or offences.

We use this personal data primarily to comply with our legal obligations (including in respect of health and safety), for equal opportunity monitoring, to manage sickness and administer your benefits.

More detail about how we use your personal data, as well as the categories of personal data involved, is set out in the Appendix.

## **If You Fail to Provide Personal Data**

In some cases, if you fail to provide information when requested, we may not be able to perform the contract we have entered into with you fully (such as paying you or providing benefits), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our staff). This could have consequences in terms of your continued employment with us.

## Monitoring

It is necessary for us monitor our staff in various ways to ensure safety and security and protect our staff. We monitor our staff in the following ways:

- staff may be captured by CCTV systems, and we may use CCTV footage for security and disciplinary purposes
- looking at use of email or website visits to check that staff are not using our equipment and IT systems for improper or inappropriate purposes
- monitoring excessive use of company telephones for personal reasons
- monitoring when a member of staff has entered or tried to enter into a fob access area and at what time
- monitoring usage of company vehicles
- equality monitoring
- ethnicity
- sickness absence
- time and attendance

Where we process personal data obtained through such monitoring we only carry out these activities to the extent it is necessary and proportionate and it is permitted by law (please see the Appendix for more information).

If you have any concerns in relation to monitoring, please speak to the DPO.

## Our Legal Basis for Using your Personal Data

We only use your personal data where it is permitted by the laws that protect your privacy rights. To find out more about the legal bases we rely on to use your personal data, please see the Appendix.

We do not need your consent to use your personal data where the law otherwise allows us to use it. In limited circumstances, we may approach you for your consent to allow us to process certain personal data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can consider whether you wish to consent. You may withdraw your consent at any time.

## Sharing your personal data with others

We will disclose to and share information about you with third parties for the purposes set out in this notice, or for purposes approved by you, including the following:

- To process your monthly salary payments
- To allow your pension provider to process pensions information and handle your pension
- To allow your electronic payslips to be produced and issued to you
- If we enter into a joint venture with, merge with or are sold to another business entity, your information may be disclosed to our new business partners or owners.



## Location of your personal data

Your information will only be stored within the UK and EEA. We will update this notice and let you know if this changes.

## Security

We take the following measures to ensure any personal information you give us is kept secure:

- We work in secure offices with restricted access.
- We use password protected IT systems and software with restricted access.
- We make regular backups of files.
- We protect ourselves against viruses and malware.
- We have secure onsite and offsite storage systems for paper files.

A paper copy of our Openness & Confidentiality policy is available on request.

## How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information).

Generally, we keep your employment records for 5 years after you stop working with us. In some circumstances, we will hold personal data for longer where necessary for active or potential legal proceedings, or to resolve or defend claims.

If you are an unsuccessful job applicant we will keep your personal data for 6 months.

A paper copy of our document retention policy is available on request.

## Your rights

You have various rights in respect of the personal data we hold about you – these are set out in more detail below.

- **Right to object:** You can object to our processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. Please contact us as noted above, providing details of your objection.
- **Access to your personal data:** You can request access to a copy of your personal data that we hold, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. Please make all requests for access in writing, and provide us with evidence of your identity.
- **Consent:** Most of the time, we won't need your consent to use your personal data as we will be using it only to fulfil our obligations and exercise our rights as an employer and as necessary

for our legitimate business interests. Where you have given us your consent to use your personal data, you can withdraw your consent at any time.

- **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- **Erase:** You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
- **Portability:** You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- **Restriction:** You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.

If you would like to find out more about how we use your personal data or want to see a copy of information about you that we hold or wish to exercise any of your above rights, please contact: [enquiries@almondha.org.uk](mailto:enquiries@almondha.org.uk)

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are:

The Information Commissioner's Office - Scotland

Queen Elizabeth House

Sibbald Walk

Edinburgh

EH8 8FT

[www.ico.org.uk](http://www.ico.org.uk)

[Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

0303 123 1115

The accuracy of your information is important to us – please help us keep our records updated by informing us of any changes to your personal and contact details.

We reserve the right to change this notice at any time. Where appropriate, we shall notify you of those changes.

## APPENDIX

### EXAMPLES OF EMPLOYEE PERSONAL DATA PROCESSING

No.	Purpose for Processing	Categories of Personal Data	Legal Basis for Processing
1.	For the administration of your employment	Full name, date of birth, job title, residential address, email address, telephone number, any other personal information provided by you, National Insurance number, bank account information, trade union membership. Employee code, marital status, start date, contracted hours, contracted dates, normal hours worked per week, tax code, pay period, dream account number. Division, location, trade union, appraisals, passport number, expiry date, driving licence, work permit expiry date, visa type, visa expiry date.	Performance of a contract and in performance of our obligations and exercise of our rights as your employer
2.	The recruitment and selection process	Full name, date of birth, residential address, email address, telephone number, National Insurance number, CV, employment history, background checks and driving licence checks (as may be required for the role applied for).	Pursuance of our legitimate interests.
3.	Checking you are legally entitled to work in the UK	Full name, date of birth, passport number. Birth certificate, residence permit, visa	Compliance with legal obligations.
4.	Paying you and deducting tax and National Insurance contributions	Full name, date of birth, National Insurance number, salary and benefits information, bank account information.	Performance of a contract.

No.	Purpose for Processing	Categories of Personal Data	Legal Basis for Processing
5.	Conducting performance reviews, managing performance and determining performance requirements	Full name, job details and performance information.	Pursuance of our legitimate interests to ensure staff are performing well, to help us address any performance issue for compliance with our obligations under our employment contract with you.
6.	Making decisions about salary reviews and compensation	Full name, job details, salary information and performance information	Pursuance of our legitimate interests and to comply with our employment contract with you.
7.	Recording health and safety incidents	Full name, health information (as is relevant to the specific incident, such as injury sustained or any underlying health conditions).	Pursuance of our legitimate interests, in compliance with legal obligations, and as necessary to exercise our rights as your employer.
8.	Occupational health services	Full name, date of birth, residential address, job title, email address, telephone number, health information (including any medical condition, health and sickness records).	As necessary for the purposes of preventive or occupational medicine, sometimes sharing of occupational health services will require your consent.
9.	Pensions and benefits administration	Full name, date of birth, residential address, national insurance number, pension scheme details. Some benefits may require us to process health information, although in many cases employees will provide this directly to the benefit provider and not to us.	To comply with our legal obligations as an employer, to perform our contract with you which obliges us to provide you with certain benefits.
10.	Disciplinary matters, staff disputes, employment tribunals	Full name, job details, performance information and information about the disciplinary matter	To exercise our rights as an employer and possibly in the pursuit or defence of legal claims.

No.	Purpose for Processing	Categories of Personal Data	Legal Basis for Processing
11.	Staff training and development	Full name.	To perform our obligations as an employer to ensure staff are adequately trained, to comply with legal obligations (such as health and safety regulations which require certain roles to have training in safety management areas) and sometimes in pursuance of our legitimate interests.
12.	Recording of CCTV footage	Photographs and images captured by our CCTV system.	To comply with legal obligations to which we are subjected to, for the prevention and detection of crime, and for public safety.
13.	Monitoring use of company devices and IT systems	Information contained in emails and stored on company devices	It is in our legitimate interests to ensure that devices issued by us are used appropriately; it is also necessary for our legitimate interests in ensuring information security.
14.	Vetting, including background checks, identity checks and driving licence checks	Full name, date of birth, residential address history (including current address), email address, telephone number, national insurance number, references, details of any criminal convictions and offences.	To comply with legal obligations and as necessary to exercise our rights as an employer.
15.	Health assessments for fitness to work	Full name, health information (including any medical condition, health and sickness records).	To comply with legal obligations, and as necessary to exercise our rights as an employer
16.	Assessing our performance against equality objectives as set out by the Equality Act 2010	Information about your race or ethnicity, religious beliefs, sexual orientation, political opinions and trade union membership.	To comply with legal obligations to monitor and measure equal opportunities.