

UK-EMPPol01

Staff data protection policy

MD Window Cleaning Ltd



Effective from: August 2022

Staff data protection policy

This policy is addressed to all members of staff, whether employees or contractors. It is valid in any circumstances where it can reasonably be applied.

This policy is not flexible. It forms part of our contract of employment or for services with you.

Introduction

1. Protecting the information we hold about you is very important to us. We have a legal obligation to protect your information. We also recognise the potential distress it might cause to you should certain information become known to others.
2. In the context of the law and this policy, “process” means collect, store, transfer, use or otherwise act on information.
3. If you have any concerns about this policy or how we process your data, or if you come across a breach of data, you should contact Matthew Dodd at matt@mdwc.ltd.
4. Data protection is the responsibility of all staff members at all times.
5. It is very easy to disclose information inappropriately, for example: personal information about a colleague to another colleague in another department, or about the operation or performance of the business to a friend in social circumstances.
6. If you do so, you are in breach of this policy and of your contract. When discussing issues about work, please consider whether the person or people with whom you are discussing them, and the surroundings in which you do so are appropriate to the sensitivity of the information.
7. Our policy complies with the Data Protection Act 2018 (“Act”).
8. The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now, by requesting that you read the information provided at www.knowyourprivacyrights.org

Data we process about staff

The data we process about our staff members includes:

- the information you provided when you applied to work for us, such as that on your curriculum vitae and references we requested about you
- notes made at interviews before you worked for us, and in performance reviews
- financial information that allows us to pay you and any employment related taxes
- records of disciplinary action
- the communication you have with other people through our systems, including by e-mail, text message and telephone
- actions and behaviour while at work, or at any time when you represent our business
- information deemed to be “special category” information, such as your race and ethnic origin, information about your health and medical history, information about your membership of any trade union, and information about your political, religious or philosophical beliefs.

Most of your personal data that we process will have been provided to us by you. However, with your consent, or if it is necessary in order to employ you, we may have obtained your personal data from a third party source.

Data protection law

The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

If the basis changes then if required by law we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

1. Information we process because we have a contractual obligation with you

Your contract with us requires us to process your personal information.

We use your information in order to perform our obligations under that contract, for example:

- 1.1. to verify your identity for employment purposes
- 1.2. to verify your identity for security purposes
- 1.3. to pay your salary or fee
- 1.4. to provide you with benefits such as a pension

We shall continue to process this information until the contract between us ends or is terminated except as set out in this policy.

2. Information we process with your consent

Only when you have given us explicit permission to do so, do we process your personal information under the basis of consent.

For example, you might have agreed that we may pass your name and contact information to businesses that want to provide a special offer to our staff.

We continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

You may withdraw your consent at any time by telling us. However, if you do so, you may not be able to use that additional service further.

3. Information we process for the purposes of legitimate interests

We may process information on the basis there is a legitimate interest, either to you or to us, of doing so.

Where we process your information on this basis, we do after having given careful consideration to:

- whether the same objective could be achieved through other means
- whether processing (or not processing) might cause you harm
- whether you would expect us to process your data, and whether you would, in the round, consider it reasonable to do so

For example, we may process your data on this basis for the purposes of:

- record-keeping for the proper and necessary administration of our business
- responding to communication from you to which we believe you would expect a response
- protecting and asserting the legal rights of any party
- insuring against or obtaining professional advice that is required to manage business risk
- protecting your interests where we believe we have a duty to do so

4. Information we process because we have a legal obligation

Sometimes, we must process your information in order to comply with a statutory obligation.

For example, we may be required to give information to legal authorities if they so request or if they have the proper authorisation such as a search warrant or court order.

We are also obligated by the law to follow the disciplinary procedures and comply with employment law.

Access to your own information

5. Access to your personal information

- 5.1. At any time during your employment or after you may request to see or to update personal information that we hold about you.

- 5.2. To request a copy of any information please ask.
- 5.3. After receiving the request, we will tell you when we expect to provide you with the information.
- 5.4. Sometimes, there may be a legitimate reason why we cannot provide you with that data. For example, it may be sensitive personal information to someone else, who has not consented for you to see it. If we refuse your request, we will tell you why.

6. Removal of your information

If you wish us to remove personal information and / or sensitive personal information, you may request that we do so.

You should also tell the reason why you want to remove it.

There may be a reason why we cannot remove it, such as our need to comply with the law.

Other matters

7. Retention period for personal data

Except as otherwise mentioned in this policy, we keep your personal information only for as long as:

- 7.1. the term of your contract;
- 7.2. to comply with other law, including for the period demanded by our tax authorities;
- 7.3. to support a claim or defence in an employment tribunal or a court.

8. Review of the policy

Our policy is reviewed regularly and updated as necessary.

Signed: Matthew Dodd, Company Director

Date: 18th August 2022