



## **Employee Privacy Notice**

### **Introduction**

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

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR). It applies to all employees, workers (except non-executive Board members), agency workers and contractors.

We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

Further information on any of the matters covered in this privacy notice can be obtained either from the People team or the Governance & Legal team.

### **As an employee, what information do we hold about you and why?**

The sort of information we hold includes:

- Personal contact and emergency contact details (email addresses, postal address, phone numbers) and other personal data, e.g., next of kin details which can be accessed in Cascade.
- your application form, references, qualification certificates and outcomes of right to work and disclosure and barring service checks.
- your contract of employment and any amendments to it;
- records of your appraisal and learning and development
- records of your employee survey feedback,
- correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage organisation confirming your salary;
- information needed for payroll, benefits and expenses purposes, including maternity/paternity records, pensions, salary, bank account details, tax status information, National Insurance number, driving licence and car insurance details;
- records of holiday, sickness and other absence.
- information needed for equal opportunities monitoring; and
- records relating to your career at Livin, such as start date, clocking times, usage of our IT systems, training records, check-ins, performance information and, where appropriate, disciplinary and grievance records.
- Socio-economic status
- Caring responsibilities

We may also hold the following types of special category data:

- Information about your race, health, ethnicity, religion/belief, sexual orientation, and trade union membership where you have provided this to us;
- Information about your health, including any medical conditions and health and sickness records, including:



- Details of absence from work due to illness, medical conditions, and parental leave;
- Details of conditions requiring health and safety adjustments, and records of the adjustments made, including the reasons for ill health retirements;
- Information relating to Livin's Occupational Health provision, including referrals to and outcomes from occupational health assessments, take-up of benefits offered (e.g., flu jab)
- health records including vaccinations, relevant health vulnerabilities and associated risk assessments
- Information about criminal convictions and offences

### **How is your personal information collected?**

Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or external sources, such as referees, the disclosure and barring service, or our Occupational Health provider.

This notice does not form part of any contract of employment or other contract to provide service, however, you are contractually obliged to provide most of the above information, and Livin may be unable to fulfil aspects of your contract of employment without this. In other cases, particularly equal opportunities data, we will only collect information if you consent to provide us with this data.

If you do not provide us with information which is relevant to your contract of employment, for example information about a disability that would allow us to make reasonable adjustments for your condition, then we may be unable to fully comply with our legal obligations towards you.

You will, of course, inevitably be referred to in many organisational documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the organisation. Livin's 'Confidentiality, Privacy and Data Protection' policy is available on the internet as part of Livin's Governance Pack which describes how we manage this.

### **How we will use information about you**

As your employer, Livin needs to keep and process information about you in order to fulfil our obligations to you as employer (e.g. to pay your salary, to ensure your health and safety) and to enable you to fulfil your obligations under your contract of employment (e.g. allocating you appropriate tasks). In addition, we monitor computer and telephone/mobile telephone use, as detailed in our IT policies, available on the intranet. We also keep records of your hours of work through our time and attendance system.

Where necessary, we will keep information relating to your health, which could include reasons for absence, reports from Occupational Health, and copies of any



GP reports and notes which you have provided to us. 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 might be appropriate. We will also need this data to administer and manage statutory and organisation sick pay and other employee benefits.

Our legal basis for the above types of processing is that the processing is necessary for entering into or fulfilling a contract with you.

We will only collect information about special category characteristics, i.e. protected characteristics, trade union membership, from you directly, and will only process this either with your explicit consent (for example, if you request a referral to Occupational Health for assistance with a disability); to protect your health in an emergency; or where there is a legal requirement for us to process data, for example to monitor our compliance with the Equality Act 2010.

Other than as set out below, 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, for instance to our external payroll provider, pension or health insurance schemes, or to register you as a contact with a supplier or where you are required to explicitly consent.

We do not currently use automated decision-making processes on employee data and will only do so in the future where, following a full equality and privacy impact assessment, where permissible by law and where there is a clear and objective business justification

### **Who will your information be shared with?**

We may share your personal information with other agencies or organisations where appropriate, such as but not limited to: Government agencies, National Housing Federation and departments (including HMRC), occupational health providers, subcontractors providing HR services to Livin, employees of Mears Plc through the Livin Works arrangement, and with other bodies for the prevention and detection of fraud.

When we share information, we do our best to ensure it is kept secure and used properly. We may transfer your personal information outside the European Union but only where we are satisfied that appropriate safeguards are in place. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We do not share your personal information with third parties, unless it is for a legitimate business reason, as required by law or other legal processes including your consent, or with a secure contractor who carries out data processing operations on our behalf. We never sell your personal information.



## **How long will we keep your information?**

We will keep your information for as long as is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Information about the period for which we retain data is included in Livin's Document Retention Schedule which is available on the intranet.

If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose.

## **Your rights - how can you find out what information we hold about you**

If you want to see your personal records, you may submit an informal request to view these to Livin's People team. You can also access many of your own records directly through Cascade.

Under data protection legislation, you are entitled to be:

- told whether any personal data is being processed;
- given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- given a copy of the information comprising the data; and given details of the source of the data (where this is available).

This is called your "Right of Access". If you wish to make a formal request for this information, this must be submitted to the Legal and Governance Manager. Details of how to submit a Right of Access request are set out in Livin's Confidentiality, Information Security and Data Protection policy.

If someone is requesting this information on your behalf, you will need to provide written confirmation to evidence your consent for us to release this. If you find information that is wrong, you should tell us and we may correct it or put a note on the file.

Under the General Data Protection Regulations (2018) you have a number of additional rights with regard to your personal data. These rights are set out in Livin's 'Confidentiality, Privacy and Data Protection' policy.

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. This will not affect the lawfulness of the processing before your consent was withdrawn.

You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the General Data Protection Regulations (2018) with regard to your personal data.



## **Identity and contact details of controller and Data Protection Officer**

Livin is the controller and processor of data for the purposes of the General Data Protection Regulations (2018).

If you have any concerns as to how your data is processed you should first contact Livin's Solicitor, Kelly Bushby, either informally or in writing. [dpo@livin.co.uk](mailto:dpo@livin.co.uk)