

## **Unity Homes and Enterprise**

### **Privacy Statement – Job Applicants, Employees and Board Members**

#### **Introduction**

This Privacy Statement explains how Unity Homes and Enterprise handles and uses the personal information we collect from job applicants, employees and board members.

Keeping your personal information safe and secure is important to us. This statement should help you understand what kind of personal information we may hold about you, why we need and process this information and the legal basis for the processing ('processing' can include just keeping your data).

This statement applies to personal data held by Unity Housing Association Limited and Unity Property Services Limited, who are each known as Data Controllers.

If you are successful in a job application and become an employee or become a board member of Unity Homes and Enterprise, this statement will also apply to you.

#### **How we collect your information**

We collect most of our information directly from you. This happens when you first make an application for a job through the recruitment process either directly or sometimes from an employment agency.

We also receive information from other organisations where this is relevant to your application and employment with us. This includes:

- Former employers
- Personal referees
- Our occupational health provider
- Pre-employment medical records

#### **How we use your personal information and the legal basis for processing**

In a nutshell we collect personal information because it is needed by us to assess your application for employment and to administer your contract of employment if you are offered a post with us.

We also collect personal information if you are offered a position as a board member. We need this information to administer your agreement with us.

The legal basis for processing your personal data is that you have given us your consent. It will also be that we need to meet our contractual and legal obligations as an employer if you

are offered employment or a position on the board or it is in our legitimate interests. Legitimate interests means that using your information is necessary for us to be an effective business. The following are the main examples of how we use your personal information.

### To assess your application for employment and board membership

We process applications when you apply for employment with us or a position on the board. You will be asked to provide your name and contact details, information about your education and qualifications, former employees and work history. We will process special category information in order for us to meet your needs. This could include processing health information or information on your religion, ethnic origin and sexual orientation.

All the information we collect is necessary for us to:

- Assess your suitability for a job or a board member position
- Communicate with you in relation to your application
- Ensure we treat all applications equally on merit
- Ensure that any specific needs required by you are met by making reasonable adjustments through the recruitment process
- Ensure that if successful we do not place any vulnerable adults or children at risk
- At your request, if unsuccessful keep your information for similar roles in the future
- Ensure you have the right to work in the U.K.

When we make a provisional offer, we carry out some pre-employment checks including taking up references. To carry out these checks we share your name and a bit of information to help the third parties identify you.

If you previously lived or worked outside the EEA then our pre-employment checks will include carrying out checks in those countries. It is in our legitimate business interests to make sure that we offer the job to the most appropriate candidate.

Once your appointment is agreed we will use your personal data to prepare your employment contract or board member deed of agreement. These are steps preparatory to entering into a contract with you. We will also notify any recruitment agency involved in your recruitment that an offer has been made. Most of the information we hold at the recruitment stage has been provided by you directly, or on your behalf by an employment agency.

**Data retention** - We keep our recruitment records for the duration of the recruitment process and then for no longer than six months for unsuccessful candidates. The information of unsuccessful candidates will be securely destroyed. For successful candidates, the personal data in the recruitment file will be carried forward into the employee's or board members HR file.

Some job roles will involve a degree of publicity of personal information. For example we may need to publish your photograph or work contact details to make it easier for

customers to contact the right person. If this is the case we will make that clear at interview stage what information may be published.

### **To manage and administer your contract of employment or board member agreement**

Our HR records contain personal data relating to each one of our employees and board members. We use them for HR administration including payment of salaries and arranging employment benefits under the contract between us. To pay salaries we require bank account details, information about deductions from salary such as tax and national insurance or student loans and we keep records of other employment benefits enjoyed by our colleagues as well as a record of annual leave.

We also maintain records of training courses you've been on. Records may include performance management details, including comments made by your line manager or board member appraisals conducted by the Chair and consultants.

We hold details of people associated with you such as your next of kin or GP. We need this information to maintain up to date records around your welfare and health and safety. We respect the rights of data subjects by holding the minimum information required to meet our legitimate business requirements.

We also process employee and board member personal data on race and ethnicity, and religion to monitor and promote equal opportunities and diversity in the workplace which is a legal requirement and one of our business objectives.

We consider that our HR records include information you might reasonably expect a business to hold. This includes name and contact details, information to establish identity such as passport details, National Insurance number, tax reference and date of birth. This information is required to provide the staff benefits under the contract of employment and to meet our legal obligations.

While you're employed by us, we may require information about your health such as absence records, sick notes, occupational health reports and medical declaration forms.

To meet our legal obligations we hold current driving licence details and information about traffic offences, and details of your right to work in the UK as applicable.

We are required to disclose information to organisations associated with employees including the Child Support Agency, HMRC, the Courts, the Home Office in connection with residence permits, solicitors and to the employee themselves. At your request, we will provide references.

We also share data with organisations we work with including our auditors, our payroll service provider, the financial adviser associated with our pension scheme and the pension provider. We share employees' data with other companies to administer childcare vouchers and to provide a lone worker security service to designated employees.

**Data retention** - We retain our HR files for the duration of employment or board membership and then for up to six years from termination before they are securely destroyed. We keep payroll records for seven years. After this time, we will keep a summary of dates employed and job title and dates of board membership indefinitely.

Most of the information we hold about our colleagues is provided by them and agencies associated with them such as HMRC, the Child Support Agency, Courts, previous employers and referees.

Some companies we work with will process data about our employees on our behalf to provide services for us. These can include our employment law advice provider, health and safety advisors, lone worker security response provider and salary processors. Improvement Development Growth Limited and The Centre for Assessment Limited may also process data for business quality assessment purposes. Any published information is anonymised.

### **To deal with former employees and former board members**

Although the contract of employment or deed of agreement for board members will end on the date you leave, we are legally obliged to keep HR administration records including payroll for a period of seven years from the end of the contract to meet HMRC requirements. For employees, pension records continue to be held pursuant to the contract of employment as the pension survives termination of the contract of employment until the pension is either in payment or is transferred at your request.

**Data retention** - When your employment or board membership ends, we will keep HR records for a period of up to six years and payroll for up to seven years. After this time, we will keep a summary of dates employed or the dates of board membership and job title indefinitely.

We are required to continue to disclose some information about leavers to organisations associated with you to inform them that you have left our employment or ceased to be a board member.

After you leave our employment we will provide references for employers, mortgagees and landlords only if requested by you. We will do this even if they are located outside of the EEA.

### **How will you keep my information safe?**

We will apply appropriate measures to ensure your personal information is secure. For example, we have systems in place so that access to personal information is restricted to authorised individuals on a strictly need-to-know basis.

When we need to share personal data with our HR service providers, we have contracts with them that sets out their responsibilities to keep your personal data safe and secure.

To help us ensure confidentiality of your personal information we will ask you (and any of your representatives) security questions to confirm your identity when you call us and as may be necessary when we call you. We will not discuss your personal information with anyone other than you, unless you have given us prior written authorisation to do so or where we have received a clear verbal instruction from you (as a one-off circumstance).

## **Transfers outside the UK**

Very occasionally, we may need to transfer your personal data outside the European Economic Area (EEA) to our HR service providers or agents. This could happen if we use a payroll service whose servers are situated outside of the European Union. If we do this we will ensure that we only contract with organisations that have appropriate measures in place to safeguard the security of your personal data. We do not currently use any third parties where your information will be transferred outside of the EEA.

## **Automated Decision Making**

We currently do not make any decisions relating to your application for employment or board membership or contract of employment in a solely automated fashion. i.e. without any human involvement. We will notify you if this position changes.

## **Your privacy rights**

You have the right to ask for a copy of the personal data we hold that relates to you.

If you can show that information we hold about you is incorrect or misleading you have the right to have it corrected.

You can also ask us to delete personal data relating to you in certain circumstances, where we do not require it to meet a legal obligation. You can also request restriction of processing so that your records are maintained beyond our usual retention period.

You have the right to object to processing on the grounds that it causes you damage or distress and the right to take away a copy of your personal data in electronic format in certain circumstances.

## **Further information and complaints**

If you are not satisfied with the way that we have dealt with your personal data or require further information or want to request a copy of the data we hold about you, you can contact our Data Protection Officer:

- In writing to - Unity Homes and Enterprise, 113-117 Chapeltown Road, Leeds, LS7 3HY

- By email to – [uha@uha.co.uk](mailto:uha@uha.co.uk)
- By phone to – 0113 200 7700

The Information Commissioner (ICO) is also a source of further information about your data protection rights. You have the right to complain to the ICO if you think that we have not handled your data correctly. You can contact the ICO on-line at [www.ico.org.uk](http://www.ico.org.uk) or write to The Information Commissioners' Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113.

## **Changes to this Privacy Statement**

We keep our Privacy Statement under regular review and will place any updates on the staff area of our website.

**Updated 8.10.18**