

Newton Rigg Ltd Employee Data Privacy Notice



Trustee Owner	Alan Bowe
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Review date:	1/3/25
Related documents	Financial Control Policy Staff Code of Conduct

Approval History

Version	Reviewed by	Amendment History	Approved by	Date
1.0	Jane Sullivan	First draft	Alan Bowe	01/03/22
1.1	Katharine Jane	Updated for charity status	Jane Sullivan	18/7/22
1.2	Andrew Counsell	Reviewed – no update needed	Katharine Jane	11/3/24

Purpose

Newton Rigg Ltd is committed to protecting personal information. This privacy notice sets out how we collect, use, store and destroy your personal information (this means any information that identifies or could identify you).

We are required to do this under the General Data Protection Regulation (GDPR), which replaced the Data Protection Act 1998.

Newton Rigg Ltd's privacy notice may change, so please remember to check back from time to time for updated changes. Where we have made any changes to this GDPR statement, we will make this clear on our website.

This notice provides employees with information about how their personal data will be used during their employment with the organisation.

Newton Rigg Ltd collects and processes personal data relating its employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Information the organisation collects

Newton Rigg Ltd collects and processes a range of information about employees.

This includes:

- name, address and contact details, including email address and telephone number, date of birth and gender;
- terms and conditions of employment; • details of qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of bank accounts and national insurance number;

- information about marital status, next of kin, dependants and emergency contacts;
- information about nationality and entitlement to work in the UK;
- information about criminal record;
- details of work schedule (days of work and working hours) and attendance at work;
- details of periods of leave, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures, including any warnings issued and related correspondence;
- assessments of performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including disability for which the organisation needs to make reasonable adjustments; and
- equal opportunities monitoring information including information about ethnic origin, sexual orientation and religion or belief.

Newton Rigg Ltd may collect this information in a variety of ways. For example, data might be collected through application forms, CV, obtained from passports or other identity documents, from forms completed during employment (such as benefit nomination forms), from correspondence or through interviews, meetings or other assessments.

In some cases, Newton Rigg Ltd may collect personal data from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including personnel files, HR management systems and in other IT systems (including the email system).

Why Newton Rigg Ltd processes personal data

Newton Rigg Ltd needs to process data to enter into an employment contract with employees and to meet its obligations under such contracts. In some cases, we need to process data to ensure that it is complying with its legal obligations, e.g. to check an employee's entitlement to work in the UK.

Newton Rigg Ltd has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows it to

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;

- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current/former employees or for mortgage applications; and
- respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where Newton Rigg Ltd processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment.

Who has access to data

Personal information may be shared internally, including with members of the recruitment team (including payroll), line managers, managers in the business area in which an employee works and IT staff, (if access to the data is necessary for performance of the role).

Newton Rigg Ltd shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. Newton Rigg Ltd may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

Newton Rigg Ltd also shares your data with third parties that process data on its behalf

Name of company/organisation	The service they perform
Barclays Bank	Banking
Microsoft	IT hosting and email
Armstrong Watson	Accounting and payroll

Newton Rigg Ltd will not transfer your data to countries outside the European Economic Area.

How Newton Rigg Ltd protects data

Newton Rigg Ltd takes the security of personal data seriously. It has internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties

Where Newton Rigg Ltd engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisation measures to ensure the security of data.

How long Newton Rigg Ltd keeps data

Newton Rigg Ltd will hold personal data for the duration of an employee's employment. The periods for which data is held after the end of employment are given in Appendix A.

Employee rights

As a data subject, employees have a number of rights:

- access and obtain a copy of your data on request;
- require Newton Rigg Ltd to change incorrect or incomplete data;
- require Newton Rigg Ltd to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where Newton Rigg Ltd is relying on its legitimate interests as the legal ground for processing.

Employees may exercise these rights by contacting the data controller. If they believe that Newton Rigg Ltd has not complied with data protection rights, they can complain to the Information Commissioner.

Employee obligations

In connection with their own personal data all employees have a duty to; check that any information that they provide to the Farm in connection with their employment is accurate and up to date; inform the Farm of any changes or errors in information which they have provided eg change of address (the Farm cannot be held accountable for errors arising from changes about which it has not been informed).

All personal data should be accessible to only those who need to use it. It should be stored in a secure environment, be password protected if computerised and only kept on portable storage media where absolutely necessary. All portable storage media containing personal data must be kept in a secure place.

Employees have obligations under their employment contract to provide the organisation with data. In particular, they are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith.

They may also have to provide the organisation with data in order to exercise their statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that they are unable to exercise your statutory rights.

Certain information, such as contact details, proof of the right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment. Not providing other information, will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

In the course of their employment employees may have access to personal information of other employees, customers and other contacts. Employees must follow the procedures on dealing with personal information to ensure that a breach of the GDPR, this policy and other related legislation does not occur. Personal Data should only be used in accordance with our Data Protection policy. Use of data for anything which is not necessary for the performance of the job will be subject to disciplinary proceedings.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Monitoring

Newton Rigg Ltd reserves the right to monitor email communications, internet usage and telephone calls to ensure responsible usage or where it feels that the business tools provided are being used for purposes other than business use. As such you should be aware that communications in the work environment may not remain private.

Appendix A - Information retention schedule

Type of record	Retained for:	Why retained
Employee information including timesheets, review meetings, PDPs	7 years from the termination of employment	The purpose for which Newton Rigg Ltd holds any information about Employees after the end of employment is for use solely in relation to residual employment related matters including, but not limited to; the provision of job references, processing applications for re-employment, matters relating to retirement benefits the fulfilment of contractual or statutory obligations. A minimum of 6 years post termination is required as directed by Limitation Act 1980
Pre-employment vetting information	2 years post termination	As directed by Home Office, documents are added to staff personal file. As per Keeping Children Safe in Education 2022 re single central record.
Volunteer, Trainee Teacher and Contractor records	6 years post termination	As per Keeping Children Safe in Education 2022, enhanced DBS may be requested if regulated activity is being undertaken or is working unsupervised.
Disciplinary proceedings	Oral- date + 6mths Written level 1- date +6mths Written level 2- date + 12mths Final- date + 18mths	If case not found, then details will be removed from personal file.
Complaints and compliments	+5 years	Records will be kept for 5 years beyond the resolution of the complaint and reviewed for further retention in cases of contentious disputes. After this period aggregated summaries that do not identify individuals will be retained, and where appropriate this will be undertaken at an earlier time if possible.
Job candidate information	6 months	The records of unsuccessful job applicants will be kept for 6 months. This allows for revisit if the recruitment is unsuccessful and also for challenge of the recruitment process. See Safer Recruitment Policy.

Finance records	7 years	Statutory guidelines
Volunteers, students and service users	2 years from date of last contact	This will allow for references to be provided (if applicable) and for funding reporting.
Volunteer applicant information	1 year	The information about people who have applied to volunteer but have not been placed will be kept for 1 year to allow placement when possible.
Allegations made against staff	10 years from date of allegation Indefinite for allegations of sexual abuse	As per Keeping Children Safe in Education 2022: Referral to DBS if person resigns or has settlement agreement. Details of malicious allegations will be cleared from records. Records kept of allegation, follow up and resolution, action taken (copy given to accused). All records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Indefinite for sexual abuse.
Student admissions, attendance, behaviour, exclusion	2 years after end date	Admissions data is used extensively. Longer period of storage is recommended for appeals processes. After this period aggregated summaries that do not identify individuals will be retained. Formative assessment data is used whilst the student is enrolled at the school, but once the child leaves it has little value and is deleted or taken away by the student. Summative attainment is retained as indicated (or in accordance with awarding body requirements) to aid in trend analysis. After this period aggregated summaries that do not identify individuals will be retained. Attendance data is required in order to inform commissioners of attendance patterns. This information will be passed to the relevant onward commissioners at the time of the person leaving. Once all bills are settled, then aggregated summaries which do not identify individuals will be maintained to enable trend analysis to be undertaken. Behaviour: This is relevant to manage students whilst they are enrolled. After this period aggregated summaries that do not identify individuals will be retained. Exclusion: This is relevant to ensure data is passed to the commissioners. After this period aggregated summaries that do not identify individuals will be retained.
Safeguarding (Child protection File)	5years +	All data on the safeguarding file potentially forms part of an important story that may be needed retrospectively for many years. The elements of a students file (name, address) that are needed to identify them with certainty are needed to be retained along with those records.
Health and Safety policy and risk assessments	Life of policy/ RA + 3 years	

Records of accidents/incidents/ RIDDOR	Date + 12 years	Extended period required to allow for longer onset of ill health post-accident. In line with Limitations Act 1980 (can action 3 years after death). Will be reviewed on case by case basis.
Health surveillance records	40 years	As recommended by HSE. HS records kept separate to medical records. Kept for 40 years from last entry date to manage long periods between exposure and onset of ill-health. Unlikely to be needed for this business.
Fire precaution logbook	6 years	
Insurance certificates	+ 10 years after closure	
Asset management	6 years	
Annual accounts	6 years	
Invoices/debts/ loans/grants/receipts/ bank statements	6 years	