

EMPLOYEE PRIVACY NOTICE

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Data Controller: North Lancs Training Group

Person responsible for Data protection: Gareth Lindsay (Managing Director)
gareth.lindsay@nltg.co.uk

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

What information does NLTG collect?

NLTG collects and processes a range of information about you. This includes

- your name, address and contact details, including email address and telephone number;
- your date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with NLTG;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave etc and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which NLTG needs to make reasonable adjustments; and
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

NLTG may collect this information in a variety of ways. For example, data may be collected through application forms or CVs; Disclosure and Barring Service (DBS) Checks; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as personnel records form and health questionnaires); from correspondence with you; or through interviews, meetings or other assessments.

NLTG will also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law in line with the company's Safeguarding, Recruitment and DBS Policy. Consent will be sought prior and it is a condition of your employment that you consent with such a request.

Data will be stored in a range of different places, including in your personnel file which is stored in a secure location and in NLTG's HR management systems, in addition to other internal IT Systems.

Why does NLTG process personal data?

NLTG needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension and payroll arrangements etc.

In some cases, NLTG needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to work with children / vulnerable adults, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, NLTG has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows NLTG to:

- have fair and reliable 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 (on consent), to ensure that it complies with duties in relation to individuals with disabilities, meets its obligations under health and safety law, and ensures 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 NLTG 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 or former employees; and
- respond to and defend against legal claims.

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

Where NLTG 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. Data that NLTG uses for these purposes is collected anonymously. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Your information may be shared internally, including with HR, Accounts (including payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

NLTG shares your data with third parties in order to obtain pre-employment references from other employers and to obtain necessary criminal records checks from the Disclosure and Barring Service. NLTG may also share your data with third parties in the context of a sale of some or all of its business in line with TUPE (Transfer of Undertaking (Protection of Employee) regulations. In those circumstances the data will be subject to confidentiality arrangements.

NLTG may also be required to share your data with third parties that process data on its behalf to which you will be informed in advance and consent sought if necessary. Such third parties include for example Occupational Health Services and General Practitioners.

NLTG will not transfer your data to countries outside the European Economic Area (EAA).

How does NLTG protect data?

NLTG takes the security of your data seriously. NLTG has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by NLTG employees in the performance of their duties. Further details are contained in the company's Data Protection Policy and IT Policies.

Where NLTG 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 organisational measures to ensure the security of data. A copy of their GDPR Policy will also be requested and reviewed prior to engagement, which will be stored on Sharepoint within the GDPR Section.

For how long does NLTG keep data?

NLTG will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are dependent on the nature of data held which is detailed below.

On an annual basis, NLTG will remove all non necessary data held on an employee who left the business more than six months previously. Information includes all non-necessary information such as personal contact details, contact numbers, bank details, NI Numbers etc. All other information such as Health, Payroll, Appraisals etc will be held for up to a 3 year period for the purposes of payroll audits, personal injury claims etc.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require NLTG to change incorrect or incomplete data;
- require NLTG 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 NLTG is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please complete the Subject Access Request Form available on Sharepoint and email to **Gareth Lindsay, Managing Director**.

If you believe that NLTG has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You have some obligations under your employment contract to provide NLTG with data. In particular, you 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. You may also have to provide NLTG with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable NLTG to enter into a contract of employment with you. If you do not provide other information, this will hinder NLTG's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.