

EMMAUS MOSSLEY

**Privacy Statement:
Employees & Job Applicants**



PURPOSE OF THIS PRIVACY STATEMENT

During the course of business activities, Emmaus Mossley (“Emmaus”) will process personal data (which may be held on paper, electronically or otherwise) about individuals who apply to work and/or be a part of Emmaus as well as employees, workers and contractors. We recognise the need to treat it in an appropriate and lawful manner, in accordance with the UK GDPR as defined in the Data Protection Act 2018. The purpose of this statement is to make employees, workers, applicants, and contractors aware of how we will collect, process, use and store personal data.

This statement does not form part of any employee’s contract of employment and we may amend it at any time.

It is important that you read this privacy statement together with any other fair processing information we may provide on specific occasions so that you are fully aware of how and why we are using your data.

Controller

Emmaus Mossley is the controller and is responsible for your personal data (collectively referred to as “Emmaus”, “we”, “us” or “our” in this privacy statement).

If you have any questions about this privacy statement, including any requests to exercise your legal rights, please contact us using the details set out below.

Contact Details

If you have any questions about this privacy statement or our privacy practices, please contact us in the following ways:

Full name of legal entity: Emmaus Mossley

Email address: info@emmausmossley.org.uk

Postal address: Emmaus Mossley, Longlands Mill, Queen Street, Mossley, OL5 9AH

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the United Kingdom (UK) supervisory authority for data protection issues (www.ico.org.uk). However, we would appreciate the chance to deal with your concerns before you approach the ICO so please kindly contact us in the first instance.

We may change this Privacy Statement from time to time. Any updates will be available via our website.

THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about you from which you can be identified. It does not include data where your identity has been removed (anonymous data). In connection with your application, employment and/or work with us, we may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, home addresses, telephone numbers and personal e-mail addresses.
- Financial information such as bank details, salary and compensation packages.
- Recruitment information such as copies of your right to work documentation, academic transcripts, references, CV and cover letter including employment history and qualifications.
- Other information such as gender, date of birth, marital status, and a copy of your driving licence or any other identification documentation (e.g. passport, birth certificate or biometric residence permit) as reasonably required.
- Other information relating to any performance reviews, disciplinary proceedings and/or holiday entitlement.

We may also collect, store and use the following types of special category personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, disability, medical conditions and sickness records, including injury, parental leave, or other health related absences from work.
- Information about your criminal record (where applicable and legally permitted).

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

HOW IS YOUR PERSONAL DATA COLLECTED?

We collect personal information about applicants, employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

HOW WE USE YOUR PERSONAL DATA

Emmaus Mossley will only process your personal data in compliance with applicable data protection laws, and where we have a lawful basis to do so. Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract we have entered into with you;
- where the processing is necessary in order to comply with our legal obligations;
- where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

Emmaus Mossley will process your personal data in the following situations:

- administering remuneration, payroll, salary review, share plan administration and management of your pension;
- appraisals, promotions, internal recruitment, disciplinary and grievance procedures, performance reviews and determination of performance requirements;
- general human resource purposes such as checking your legality to work in the UK and ascertaining your fitness to work, absence management, offering benefits (e.g. life assurance, workplace pension and childcare vouchers) and monitoring equal opportunity;
- business management, including accounting and auditing;
- where necessary to comply with regulatory and legal obligations or the protection of employee interests;
- education, training and development requirements;
- to monitor your use of our information and communication systems to ensure compliance with our policies and ensure network and information security;
- conducting data analytics studies to review and better understand recruitment and candidate processes;
- dealing with legal disputes involving you, or other employees, including accidents at work.

Emmaus Mossley will process “**special category**” personal data in limited circumstances and where a further condition is also met. We may process special category personal data in the following circumstances:

- in limited circumstances, with your explicit written consent;
- where we need to carry out our legal obligations or exercise rights in connection with employment;
- where it is necessary in the public interest.

The situations where we may process your special category personal data are listed below.

- We will use information about your physical and mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits such as maternity pay, statutory sick pay and pensions.
- If you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, we will use information about your health to reach a decision about your entitlements.
- If we reasonably believe that you or another person are at risk of harm and the processing is necessary to protect you or them from physical, mental or emotional harm or to protect physical, mental or emotional well-being.
- We will use information about your race or nationality or ethnic origin, religious, philosophical or moral beliefs, sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We envisage that we will process information about criminal convictions.

We will only use information relating to criminal convictions where the law allows us to do so. We will only collect information about criminal convictions if it is appropriate given the nature of your role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. In particular if your role requires a high degree of trust and integrity since it involves dealing with confidential and sensitive information for example, sensitive client data, or if you are working with vulnerable adults we would require you to seek a basic disclosure of your criminal records history. We are allowed to use your personal information in this way under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, which includes 'any office or employment which is concerned with the provision of care services to vulnerable adults'.

Information about criminal convictions and offences is only considered after the shortlisting process if the candidate is invited to interview. The recruiting manager will determine whether this is likely to impact your ability to carry out the role or pose any potential risk to the organisation.

We have in place appropriate policy documents and safeguards, which we are required by law to maintain when processing such data.

DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with third parties, in the following circumstances:

- Internal Third Parties which include affiliate companies of Emmaus acting as joint controllers or processors who are based in the UK or Europe.
- External Third Parties which include service providers, including but not limited to advisers, payroll and pension providers, insurance companies, childcare voucher scheme providers and IT and communications providers acting as processors based within the EU and UK.
- Professional advisers including lawyers, bankers, auditors and insurers based in the EU and United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities who require reporting of processing activities in certain circumstances, including the Charity Commission where required.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.
- Where it is required by law.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers or partners to use your personal data for their own purposes and only permit them to process your personal data for specified purposes in accordance with our instructions.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected or actual personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so. Please see our internal Data Protection Policy for further details on your obligations as an employee, worker or contractor.

DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm for unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Once you are no longer an employee, worker or contractor of Emmaus we will retain and securely destroy your personal data in accordance with applicable law and regulations.

Candidate information will be securely stored for six (6) months from the closing date for the role after which time it will be deleted.

Staff files will be securely stored for the duration of your employment and for six years after your employment is ends.

In some circumstances you can ask us to delete your data, see your legal rights below for further information. In some circumstances, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

Your legal rights include:

- **Request access to your personal data** (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request to rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may

demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in certain circumstances.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

Automated decision making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We do not currently envisage that any decisions will be taken about you using automated means.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

KEEPING OUR RECORDS UP TO DATE

It is your responsibility to inform us of any changes to your personal details.

We may change this Privacy Policy from time to time. Any updates will be available via our website.

If you have any questions, comments or suggestions, please let us know by contacting us via any of the methods mentioned above.