

# **Lochaber Housing Association Group**

## **Privacy Notice - Personnel**

The LHA Group of Companies are as follows:

Lochaber Housing Association (LHA) – ICO Registered number – Z9955654

Lochaber Care & Repair (LCR) – ICO Registered number – ZAA078489

Lochaber Housing Association Property Services C.I.C.(LHAPS) – ICO Registered number – ZA078484

LHA Corporate Services are responsible for handling your personal details and processing payroll.

The purpose of this employee privacy notice is to explain to you the reasons which we will hold and use your personal data and explain your rights under the current data protection laws.

As your employer we will collect and process personal data relating to you to manage our contract with you. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you.

This notice does not form part of your contract of employment or engagement with us. It applies to all our employees, workers, apprenticeships and consultants, regardless of length of service, and may be amended at any time. If any amendments are required in the future, we will notify you as is appropriate.

### **What we need**

The Lochaber Housing Association Group, (LHA Group) will be a "controller" of the personal information that you provide to us before and during your employment with us in a range of ways, including in:

- Recruitment application forms
- Contracts of employment
- References
- Induction
- Employee HR files
- Payroll & pension details
- Employee information form

Through your employment with the LHA Group, we may ask you for and collect the following personal information:

- Contact details – name, address, email address, date of birth, National Insurance number, etc.
- Payment details – bank account number and sort code
- Next of kin details
- Conflicts of interest and disclosures under our Entitlements, Payments and Benefits Policy
- A signed mandate confirming your right to drive, driving licence and if an essential car user – business insurance documentation
- Evidence of qualifications and training certification
- Photographic ID
- Previous Employment History
- Disclosure or PVG information
- Performance Management and 1-2 1 information
- Equality information – disability and or support needs
- Absence Management information – including fit notes
- Medical information where required, including sickness absence records
- Occupational health reports
- Health Monitoring information

- Health information – including pregnancy
- Evidence of right to work in the United Kingdom
- Information on grievances raised by or involving you and conduct issues involving you
- Details of any appraisals, performance reviews and performance management/improvement plans (if any)
- Your image in photographic and video form where you are in the vicinity of one of our CCTV or vehicle Dashcams; and
- Your image and voice recording in photographic and video form, for example but not limited to video conferencing facilities or when in the vicinity of one of our Body Worn Cameras.

We will also collect personal information about you from our IT support provider (Tecnica). Tecnica will provide us with the following personal information (which is not routinely monitored):

- Web browsing history
- Email exchanges, but only if we have a reason to monitor this information
- Chat messages, for example via Teams, and 3CX, but only if we have a reason to monitor this information; and
- Your voice recorded in telephone calls made to or from one of our contact numbers.

### **Why we need your personal information – contractual purposes**

We need to collect your personal information so that we can manage the business and meet our obligations as an employer under your contract of employment. We will use your personal information for:

- Recruitment and selection
- The administration of your contract of employment
- The payment of salaries
- Pensions and associated benefits
- The management of performance
- 1-2-1, training and development
- Membership of professional bodies

If you do not provide us with all of the personal information that we need to collect this may affect our ability to manage your employment under your contract of employment.

### **Why we need your personal information – legal obligations**

We are under a legal obligation to process certain personal information relating to our employees, for the purposes of complying with our obligations under:

- Protection of Vulnerable Groups (Scotland) Act 2007 to check that our employees are able to undertake regulated work with children and vulnerable adults
- Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary
- Employment Rights Act 1996
- Health and Safety at Work etc. Act 1974
- HMRC requirements regarding tax reporting, national insurance contributions, etc.
- Other employment protection and health and safety legislation and statutory codes of practice for employers, such as those issued by ACAS

### **Why we need your personal information - public interest purposes**

We also process your personal information where it is necessary for the performance of a task carried out in the public interest or exercise of official authority vested in LHA to:

- ensure public health and safety in relation to our properties;
- publicity purposes in either our newsletter or our website, or wider release;
- to communicate with you remotely, including via video conference facilities (such as Microsoft Teams or Zoom); and

- for training and monitoring of telephone calls (not all telephone calls will be recorded).

### **Why we need your personal information – legitimate purposes**

We also process your personal information in pursuit of our legitimate interests to:

- ensure employment best practice.

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact the Data Protection Officer at 101 High Street, Fort William, PH33 6DG or emailing [DPOLHAGroup@lochaberhousing.org.uk](mailto:DPOLHAGroup@lochaberhousing.org.uk)

If we agree and comply with your objection, we can no longer process your personal information for the above purposes unless we can demonstrate legitimate grounds for the processing, which override your interests, rights and freedoms, or the processing is to establish, exercise or defend legal claims.

### **Why we need your personal information – special categories**

We are required to use your special categories of or sensitive personal information relating to your health, racial or ethnic origin, etc. where one of the lawful bases above applies and for the following purposes:

- employment law purposes to perform or exercise our obligations and rights imposed on us as your employer;
- health and social care purposes, including to assess the working capacity of our employees;
- to protect your vital interests where you cannot provide consent, including in emergencies;
- public health purposes, including protection against serious cross-border threats;
- to prevent or detect unlawful acts and/or fraud;
- to assist with regulatory investigations; and
- equality monitoring purposes as required by the Scottish Housing Regulator. We will process such personal information for equality monitoring purposes to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within the LHA Group.

### **Other uses of your personal information**

We may ask you if we can process your personal information for additional purposes. For example, publicity purposes in either our newsletter or our website, or wider release. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

### **Who we share your personal information with**

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Health & Safety Executive, HMRC, Virgin Bank, Pensions Trust, and Apprentice Skills Board for the purposes of tax or payroll and management of apprentice-ships.

We may also share personal information with our professional and legal advisors for the purposes of taking advice and in the event of legal claims, as well as our internal and external auditors, where required. These organisations will be “controllers” of your personal information upon receipt in most cases and you should refer to their privacy notices / policies for further details on how they will use your personal information.

The LHA Group employs third party suppliers to provide services, including IT, video conferencing applications (Microsoft Teams and Zoom), CCTV, Body Worn Camera and vehicle Dashcam services. These suppliers may process personal information on our behalf as “processors” and are subject to

written contractual conditions to only process that personal information under our instructions and protect it.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

### **How we protect your personal information**

Your personal information is stored in hard copy, on our electronic filing system and our servers based in the UK, and is accessed by our employees for the purposes set out above.

If we are required to transfer your personal information outwith the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information.

### **How long we keep your personal information**

We will only keep your personal information for as long as necessary to comply with our employment law obligations and to safeguard the LHA Group in the event of any claims, complaints, litigation, enquiries or investigations during or following the termination of your employment. Unless you ask us not to, we will review and possibly delete your personal information in line with the LHA Group data retention schedule.

Our data retention schedule sets out the periods for retaining and reviewing all information that we hold. A copy is available by contacting Corporate Services.

We will keep certain personal information of employees for longer in order to confirm your identity, when you were an employee of the LHA Group and for how long. We need to do this to comply with our employment law obligations or in the event of a claim against the LHA Group.

### **Your rights**

You can exercise any of the following rights by writing to the Data Protection Officer at 101 High Street, Fort William or emailing [dpolhagroup@lochaberhousing.org.uk](mailto:dpolhagroup@lochaberhousing.org.uk)

We have appointed Harper Macleod LLP as our Data Protection Officer who should be contacted using the contact details above.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of the personal information that we hold about you is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to object to and/or request that we restrict the processing of your personal information for specific purposes;
- if you wish us to delete the personal information that we hold about you, you may request that we do so; and
- if you would like to obtain the personal information that we hold about you to reuse it for your own purposes, you may request that we do so.

Any requests received by the LHA Group will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)

