

**GDPR PRIVACY NOTICE FOR EMPLOYEES, STUDENTS,
VOLUNTEERS, COMMITTEE MEMBERS AND CONTRACTORS**



INTRODUCTION

We at Oasis Childcare Centre are a data controller for the purposes of the General Data Protection Regulations (GDPR). This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, students, volunteers, committee members and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at anytime.

In this privacy notice, we set out how we collect and use your personal data before, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR). It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using your information.

Oasis Childcare Centre (“we” or “us”) take the privacy and security of your personal data very seriously. We will comply with the data protection law, which states that the information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Stored securely.

Our Date Protection Officer (DPO) is Briony Sedgeman.

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues. Please see our Complaints Policy.

DATA PROTECTION PRINCIPLES

We will comply with data protection law including the 6 principles of GDPR which are:

1. To process your personal data lawfully, fairly and in a transparent way.
2. To collect your personal data only for valid purposes that we have advised you about and to not use your personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so).
3. To only process your personal data to the extent necessary for the purposes we have advised you about.
4. To keep your personal data accurate and kept up to date.
5. To keep your personal data only as long as necessary for the purposes we have told you about.
6. To keep your personal data secure.

PERSONAL DATA THAT WE PROCESS

Personal data means any information about an individual from which that person can be identified. It does not include anonymous

data where the identity has been removed.

There are “special categories” of more sensitive personal data, which require a higher level of protection such as your ethnicity and whether you are a member of a trade union.

Please refer to the Data Retention Checklist included in our Data Protection Policy for details about how long we will hold your information.

We will collect, store, and use the following categories of personal data about you:

- Personal contact details such as name, title, addresses, telephone numbers and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, qualifications, training records and professional memberships).
- Details of your existing and previous salary.
- Performance and supervision information.
- Disciplinary and grievance information.
- Absence/attendance information (such as number of absences and reasons)
- CCTV footage.
- Information about your use of our information and communications systems.
- Photographs for ID purposes

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

HOW WE COLLECT YOUR PERSONAL DATA

We collect personal data about you through the recruitment process, either directly from you 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.

When you start your employment with us, you will directly provide us with certain personal data such as your bank account details and next of kin information.

We may collect further personal data about you in the course of your employment.

HOW WE USE YOUR PERSONAL DATA

We will only process your personal data if we have a lawful ground for processing such data. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the employment contract between us or any other contract between us.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal data in the following situations, but these are not likely:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

PURPOSES FOR WHICH WE PROCESS YOUR PERSONAL DATA

We will process your personal data for the following purposes:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Completing DBS Checks (please also see Policy for Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information).
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing certain benefits to you.
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Ascertaining your fitness to work.

- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.

If you decide not to provide us with certain personal data that we have requested, we may not be able to perform contracts between us (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).

We may from time to time use your personal data without your knowledge or consent where this is required or permitted by law.

HOW WE USE SENSITIVE DATA

“Special categories” of sensitive personal data require higher levels of protection than non-sensitive data. In order to process such sensitive data we need to have further justification. We may process special categories of personal data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

Occasionally, we may process sensitive personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We will use your sensitive personal data in the following ways:

- In relation to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- In relation to your physical or 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.
- In relation to your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- In relation to your trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

CRIMINAL CONVICTIONS

We may only process data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations.

Rarely, we may use your personal data relating to criminal convictions where necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

TRANSFERS TO THIRD PARTIES

With your permission, we may have to share your personal data with third parties, including third-party service providers, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. We routinely share this information with the following third parties*:

- The local authority
- Our payroll provider
- Our Pensions Administrators
- Our IT Support Provider

**Please note that this is a working document and will be regularly updated. For updated list of third parties we work with, please see the Privacy Statement for Parents/Carers on our website.*

With your permission we may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

We require third parties to respect the security of your data and to treat it in accordance with the law. They must act only in accordance with our instructions and they agree to keep your personal data confidential and secure.

All parents/carers, staff, committee, students, volunteers and other relevant professionals/contractors should note that in the event of a safeguarding concern being raised, information about children, families and/or professionals may be shared with the relevant agencies without prior consent.

TRANSFERS OUTSIDE OF THE EEA

We may be required to transfer your personal information outside the EEA. If we do, you can expect a similar degree of protection in respect of your personal information.

Where we transfer your personal data to countries where there is no adequacy decision by the European Commission in respect of that country, we will put in place certain measures to ensure that your personal data does receive an adequate level of protection, such as contractual clauses that have been approved by the European Commission.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. Please see our Data Protection Policy (including Data Breach Procedure and Data Retention Checklist).

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. Please see our Data Protection Policy (including Data Breach Procedure and Data Retention Checklist) for details of retention periods for different aspects of your personal information.

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 from 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.

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.

Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

We will hold your personnel file for a period of 6 years from the date on which your employment with Oasis Childcare Centre ended.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal data we hold about you is accurate and up to date. Please keep us informed if your personal information changes.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Centre Manager in writing.

You will not have to pay a fee to access your personal data or to exercise any of the other rights under data protection laws. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email us at admin@oasischildcare.org.uk or write to FAO Briony Sedgeman, Oasis Childcare Centre, Lower-Quarter Ludgvan, Penzance, TR20 8EX. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

DATA PROTECTION OFFICER

Our appointed Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Briony Sedgeman (DPO) on 01736 741528 or email admin@oasischildcare.org.uk.