

Privacy Notice: Employees, Workers & Contractors

We provide individuals with privacy information at the time we collect their personal data from them.

If we obtain personal data from a source other than the individual it relates to, we provide them with privacy information within a reasonable period of obtaining the personal data and no later than one month.

If we plan to communicate with the individual, we provide this at the latest, when the first communication takes place. If we plan to disclose the data to someone else, we provide this information at the latest, when the data is disclosed.

Date Created:

Last Reviewed:

Privacy Notice

Humphrey and Brand Residential LLP (the “Data Controller”) cares about the privacy of our employees, workers and contractors. We only collect and use information in line with the General Data Protection Regulation, the Data Protection Act and any other applicable laws and regulations.

This Privacy Notice is to inform you about our processing activities and applies only to our suppliers and business contacts – including our contractors, representatives of our clients or third parties, former landlords of our tenants, and referees presented to us when making pre-tenancy checks.

What categories of Personal Data do we process?

We process the following kinds of information in relation those who we employ, or engage on a temporary basis to perform work for us:

- Personal contact details such as name, title, address, telephone numbers, and personal email addresses]
- Date of birth
- Gender
- Nationality
- Signature
- 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
- Copies of driving licence and passport
- Qualification certificates
- Reference details and their opinions about your performance in former roles
- Recruitment information (including copies of right to work documentation, 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, training records and professional memberships)
- Pay history
- Performance information including probation forms, appraisals and promotions
- Disciplinary and grievance information
- P45 documents
- Signed terms of employment or engagement

We may also collect, store and use the following “special categories” of sensitive personal information in line with our Processing Sensitive Data Policy:

- Information about your health, including disabilities for the purpose of making adjustments, medical conditions which may affect your role and health and sickness records
- Information about criminal convictions and offences

Why do we process this information?

We will use the types of personal information specified above in the following circumstances:

1. To perform the contract we have entered into with you.
2. To comply with our legal obligations.
3. Where it is necessary for our legitimate interests, and we have justified that our interests do not override your own interests and fundamental rights.

Situations in which we will use your personal information

We need the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- 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
- Administering your pay and tax deductions
- 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
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Managing sickness absence
- Complying with health and safety obligations
- Using unique access codes to enable secure usage of our IT systems.
- Equal opportunities monitoring
- To administer Statutory Sick Pay / Sick Pay / Maternity Pay and other employment rights
- To comply with our duty of care and to consider work related adjustments where required under the Equality Act 2010
- To ensure we comply with safeguarding duties regarding vulnerable adults and / or children
- Administering other aspects of your employment which may arise.
- Maintaining adequate records as evidence in the event of an audit, complaint or legal claim.

We may also draw upon any of the information we hold about you in the event of a legal claim.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information. We keep a record of our processing activities and can provide more information about our purposes and legal bases on request.

We will only use your personal information for the purposes we have specified to you. If we need to use your personal information for an unrelated purpose, we will notify you with a separate privacy notice.

Where did we collect this data from?

We generally collect your Personal Data from you directly, but in some circumstances we may collect data from other sources. These include:

- Employment agencies in the course of recruitment
- Information provided to us by your referees
- The Disclosure and Barring Service (DBS)

- Notes and opinions about your performance, and matters relating to appraisal, disciplinary and grievance.
- Data provided to us by our payroll, pensions and other financial processors.

We will also collect information in the categories above in the course of your employment throughout the period you work for us.

Are you under any obligation to provide the Personal Data?

Where we process Personal Data to comply with our legal obligations Data Subjects must provide this information.

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 employees / workers), or we may be prevented from achieving our legitimate interests as your employer.

Who do we share this information with?

We may share your personal information with some third-party organisations who process data on our strict instructions (Data Processors). Our processors provide the following kinds of services:

- Payroll and pension administration
- IT administration and support
- Outsourced HR
- Data protection consultancy
- Legal advisors
- Accountancy services

We take steps to ensure our processors maintain GDPR-compliant processes and put in place an adequate level of security to keep your data safe. We do not allow our third-party service providers to use your personal data for any other purpose. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

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 do not transfer your data outside the EU for any reason – if this ever changes we will notify you in writing.

Will the information be used for automated decision making or profiling?

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

How long do we keep this information?

We retain Personal Data in compliance with our Retention Policy and Schedule 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.

Our Retention Policy and Schedule are available from our Privacy Portal, [here <provide link>](#).

How do we keep this information secure?

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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.

What rights do you have?

Data Subjects are entitled to request that we erase, restrict, rectify or provide you with a copy of the data we hold, and may object to processing activities.

It is our policy to fulfil any such request within the statutory period of one month unless there is a compelling legal or contractual obligation which prevents us from doing so.

To make any such request please contact our officer responsible for data protection whose contact details are Laura Humphrey, Partner, laura@humphreyandbrand.co.uk.

You also have the right to lodge a complaint with the UK's data regulator, the Information Commissioner's Office. Visit www.ico.org for more information.

Our contact information

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