

VICTIMS FIRST NORTHUMBRIA ("VFN")

STAFF PRIVACY NOTICE ("NOTICE")

SUMMARY OF THE NOTICE

- A. The Notice on the following pages applies to all of our current and former employees, workers and volunteers.
- B. We aim to ensure that any personal information that we receive or collect about you is used fairly and lawfully by us and is only processed by us in accordance with data protection law.
- C. The purpose of the Notice is to ensure that we are transparent with you and that you trust us with your personal data. The Notice therefore deals with the following questions:
 - 1. What does this Notice cover? (Page 2)
 - 2. Who is responsible for the personal information that we collect? (Page 2)
 - 3. What personal information do we hold about you? (Pages 2-3)
 - 4. How do we use the personal information of third parties? (Page 3)
 - 5. Why do we use your personal information and on what legal basis? (Pages 4-6)
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 - 7. Who may we disclose your personal information to? (Pages 6-7)
 - 8. How secure is the personal information that we collect about you? (Page 7)
 - 9. How long will we keep your personal information? (Page 7)
 - 10. What are your rights in relation to your personal information? (Pages 7-9)
 - 11. When can we make changes to this notice and how will we inform you of those? (Page 9)
- D. Once you have received a copy of this Notice, please read the Notice carefully then sign and date the declaration on page 9 to confirm receipt and return that to Personal Assistant to The Chief Executive Officer within 7 days of commencing your employment/engagement with us.

1. WHAT DOES THIS NOTICE COVER?

1.1 The purpose of this Notice is to make you aware of:

1.1.1 **who** is responsible for the personal information that we collect about you;

1.1.2 **what** personal information we collect;

1.1.3 **how** we will use such personal information;

1.1.4 **who** we may disclose it to; and

1.1.5 **your rights and choices** in relation to your personal information.

1.2 This Notice applies to:

1.2.1 current and former employees;

1.2.2 current and former workers;

1.2.3 current and former volunteers;

together our "staff".

1.3 This Notice does not form part of any contract of employment or other contract to provide services.

1.4 In this Notice references to:

1.4.1 **we, us** or **our** means **Victims First Northumbria** (company number 09480380 and charity number 1164578) based in Northumbria.

1.4.2 **personal information** is information that is about you and which identifies you.

2. WHO IS RESPONSIBLE FOR THE PERSONAL INFORMATION THAT WE COLLECT?

2.1 For the purpose of data protection law we are the controller in respect of the personal information that we collect and use about you during and after your working relationship with us.

2.2 If you have any comments or questions regarding this Notice or the way we use your personal information, please contact The Service Manager at Victims First Northumbria.

3. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

3.1 In connection with your application to work for us, we will collect, process and use various categories of personal information about you, including:

3.1.1 information received as part of our recruitment process (including information that you provided at interview, copies of your right to work documentation, DBS certificates, DBS risk assessments, references and other information included in a CV, cover letter or application form);

3.1.2 national insurance number;

3.1.3 financial information (including information contained in your P45; your bank account details; payroll records and tax status information; salary; benefits information; overtime hours claimed; miles travelled and cost to claim back; postcodes or case number of reason for travel; reasons and cost of subsistence being claimed; and dates that expenses were incurred);

- 3.1.4 your start and end date for your employment/services provided;
 - 3.1.5 employment records (including job title, job role description, location of employment or workplace, work history, and normal working hours);
 - 3.1.6 family rights information (including your marital status, adoption, maternity and paternity information, and flexible working requests);
 - 3.1.7 performance information (including supervision, training, appraisals, grievances, disciplinaries and complaints);
 - 3.1.8 pension records (including pension provider);
 - 3.1.9 health information (including your national health number; GP, clinical supervision and occupational health medical reports; sickness absence data and reasons for absence; fit notes and return to work documents);
 - 3.1.10 driving information (including copy driving licence; MOT information; your car's make, model and registration number; and business insurance details);
 - 3.1.11 declarations and waivers made by you (including in relation to conflicts of interests, criminal convictions/suitability for your role, and agreement to abide by relevant VFN and Northumbria Police rules and codes of conduct); and
 - 3.1.12 photographs of you.
- 3.2 We may receive personal information about you from third party sources:
- 3.2.1 recruitment information may be obtained from, for example, your referees;
 - 3.2.2 health/medical information may be obtained from your GP, occupational health physicians and other health professionals; and
 - 3.2.3 financial information may be obtained from HMRC.
- 3.3 Some of the information that we may collect is, under data protection law, deemed to be more sensitive and therefore requires more protection than other types of personal data. Those special categories of data include information concerning your:
- 3.3.1 health (including any medical condition, health and sickness records and details of reasonable adjustments requested/made);
 - 3.3.2 criminal convictions and offence/rehabilitation of offenders (see section 6 below); and
 - 3.3.3 equal opportunities information (including details about your race or ethnicity, religious beliefs and sexual orientation).

4. HOW DO WE USE THE PERSONAL INFORMATION OF THIRD PARTIES?

- 4.1 In the course of your dealings with us you may provide us with personal information relating to third parties. This includes details of your next of kin, emergency contact(s) and your GP.
- 4.2 We will use this personal information in accordance with this Notice. If you are providing personal information to us relating to a third party, you must have the permission of the third party to share such personal information with us and you must make the information in this Notice available to the relevant third party.

5. WHY DO WE USE YOUR PERSONAL INFORMATION AND ON WHAT LEGAL BASIS?

5.1 Your personal information may be used by us and our staff, and disclosed by us to third parties for the purposes, and on the legal basis, set out below.

Purpose	Legal Basis
Making a decision about your recruitment or appointment and determining the terms on which you work for us.	<ul style="list-style-type: none"> This processing is necessary for the performance of our contractual obligations between you and us. This processing is necessary for our legitimate business interests i.e. our interest in recruiting the workforce we need to deliver our services to our beneficiaries.
Assessing qualifications for a particular job, including decisions about promotions.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests i.e. ensuring that promotions or decisions about work allocation are taken on merit and in ensuring that our staff have the skills and qualifications necessary to deliver their roles.
Assessing your fitness to work.	<ul style="list-style-type: none"> Depending on the circumstances, we process your personal information to carry out our legal obligations or with your explicit consent.
Administering contract(s) that we have entered into with you.	<ul style="list-style-type: none"> This processing is necessary for the performance of our contractual obligations owed to you.
To communicate with you about your employment or engagement.	<ul style="list-style-type: none"> The legal basis will fall into one of the following categories depending on the communication and the purpose for which it sent: <ul style="list-style-type: none"> our legitimate business interests i.e. to help us manage our relationship with you; and/or performance of a contract between you and us.
Checking you are legally entitled to work in the UK.	<ul style="list-style-type: none"> This processing is necessary for us to comply with our legal obligations.
Paying you and, if you are an employee, deducting tax and National Insurance contributions.	<ul style="list-style-type: none"> This processing is necessary for the performance of our contractual obligations owed to you. This processing is necessary for us to comply with our legal obligations.
Conducting your performance reviews, managing performance and determining performance requirements.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests i.e. ensuring high standards of behaviour and performance across our business.
Providing education, training and career development requirements.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests i.e. ensuring our staff have the skills and qualifications to perform their roles.
Making decisions about salary reviews and compensation.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests i.e. ensuring our staff are rewarded/reimbursed appropriately for their work.

Purpose	Legal Basis
Liaising with your pension provider.	<ul style="list-style-type: none"> • This processing is necessary for the performance of our contractual obligations owed to you. • This processing is necessary for us to comply with our legal obligations.
Monitoring attendance (including sickness absence).	<ul style="list-style-type: none"> • This processing is necessary for us to comply with our legal obligations. • This processing is necessary for our legitimate business interests i.e. ensuring high levels of attendance and ensuring adequate support is required for employees who are absent from work. • Where this involves the processing of sensitive personal information such as health/medical information, we process such information in order to carry out our employment legal obligations or with your explicit consent, depending on the circumstances.
For grievance, disciplinary or dispute resolution hearings.	<ul style="list-style-type: none"> • This processing is necessary for our legitimate business interests i.e. ensuring high standards of behaviour and performance across our business. • NB where a potential dismissal is for performance or disciplinary reasons, we will rely on our legitimate interest of ensuring high standards of behaviour and performance across our business. • Our staff have a legitimate interest in disciplinary and grievance matters and disputes involving colleagues being handled and resolved in accordance with our procedures.
Making decisions about your continued employment or engagement with us.	<ul style="list-style-type: none"> • This processing is necessary for the performance of our contractual obligations to you. • This processing is necessary for us to comply with our legal obligations. • This processing is necessary for our legitimate business interests.
To monitor your use of our information and communication systems to ensure compliance with relevant IT policies (including those of Northumbria Police) and the standards of conduct expected of our staff.	<ul style="list-style-type: none"> • This processing is necessary for our legitimate business interests i.e. ensuring that our resources are used for the purposes for which they are provided to staff and not used for unlawful purposes, or purposes which do not meet the standards of behaviour we expect of our staff. • We also have a legitimate interest in ensuring that personal use of such resources is kept within reasonable levels.
Dealing with legal disputes involving you, or other members of staff.	<ul style="list-style-type: none"> • This processing is necessary for us to comply with our legal obligations.

Purpose	Legal Basis
Complying with our legal or regulatory obligations (including in connection with a court order and our safeguarding obligations)	<ul style="list-style-type: none"> • This processing is necessary for us to comply with our legal obligations.
To prevent fraud.	<ul style="list-style-type: none"> • This processing is necessary for our legitimate business interests i.e. ensuring high levels of probity in our staff.
For contacting next of kin in an emergency situation.	<ul style="list-style-type: none"> • The processing is necessary in order to protect your vital interests
To enforce or apply the agreements concerning you (including agreements between you and us).	<ul style="list-style-type: none"> • Depending on the circumstances: <ul style="list-style-type: none"> - the processing is carried out for our legitimate business interests in order to conduct and manage our business; or - in connection with legal proceedings (i.e. the establishment, exercise or defence of legal claims).

6. HOW DO WE HANDLE INFORMATION ABOUT CRIMINAL CONVICTIONS?

- 6.1 We envisage that we will process information about criminal convictions.
- 6.2 We are in some circumstances required, and in others entitled, to carry out criminal records checks in order to satisfy ourselves that there is nothing in your history (or that of the persons that you are linked to) which we believe makes you unsuitable for your employment/engagement with us.
- 6.3 If you require further details about how we handle information about criminal convictions, and the safeguards that we have in place when handling such information, please contact The Service Manager at VFN using the contact details in section 2.2 above.

7. WHO MAY WE DISCLOSE YOUR PERSONAL INFORMATION TO?

- 7.1 We may share your personal information with various third parties, including:
- 7.1.1 Our suppliers and sub-contractors for the performance of any contract we enter into with you and/or to ensure our compliance with data protection legislation, for example we engage third parties to provide payroll, pension, insurance and confidential waste disposal services.
 - 7.1.2 Professional advisers (including accountants and lawyers) that assist us in carrying out our business activities.
 - 7.1.3 Northumbria Police, the Employment Tribunal, the Courts, and other law enforcement and crime prevention agencies in connection with the prevention and detection of crime.
- 7.2 We may also disclose your personal information to other third parties, for example:
- 7.2.1 In the event that we sell or buy any business or assets we will disclose your personal information to the prospective seller or buyer of such business or assets.

- 7.2.2 If we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply the agreements concerning you (including agreements between you and us).
- 7.2.3 If we cease to carry out the services, or engage a sub-contractor to support with the delivery of the services, we will disclose your personal information to the replacement service provider(s), the relevant commissioner(s), and/or the sub-contractor(s) (as appropriate) to ensure a smooth transition/delivery of the services.

8. HOW SECURE IS THE PERSONAL INFORMATION THAT WE COLLECT ABOUT YOU?

- 8.1 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.
- 8.2 We limit access to your personal information to those employees, agents, volunteers, contractors and other trusted third parties who need-to-know or receive your personal information in order to help us fulfil our obligations to you and under data protection law. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
- 8.3 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.
- 8.4 We do not routinely transfer personal information outside the European Economic Area (**EEA**). An example of when we might do so is where we receive a reference request from an organisation outside the EEA. In those circumstances, however, we would only transfer your personal information with your prior consent. In general, whenever sending your personal information outside the EEA we will:
- (a) Ensure that we have a lawful basis for sending that information (otherwise we will not send it).
 - (b) Ensure that the level of information transferred is kept to a minimum.
 - (c) Require third party recipient(s) to respect the security of your personal information and to treat it in accordance with relevant data protection legislation.

9. HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?

- 9.1 Subject to section 9.3 your personal data will be stored for the duration of your employment or engagement with us and for a period of **seven years** from the date your employment or engagement with us ends. However, we will review this to ensure that the information we hold is relevant and up-to-date during this time.
- 9.2 In the future, if we intend to process your personal information for any new purpose we will first contact you to explain the reason for this.
- 9.3 The above retention periods may be extended in the event that legal or regulatory proceedings are brought regarding your employment or engagement with us. In those circumstances we may need to retain some relevant personal information for as long as is necessary for the purposes of such litigation.

10. WHAT ARE YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION?

- 10.1 You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table on the following page for a summary of those rights.

Your Right	Summary of that Right
Right of access	<p>You have the right to receive a copy of the personal information that we hold about you, subject to certain exemptions.</p> <p>Any access request is, subject to certain exemptions, free of charge.</p> <p>Please note that we may require further information in order to respond to your request (for instance, evidence of your identity and information to enable us to locate the specific personal information you require).</p>
Right to rectify	<p>You have the right to ask us to correct personal information that we hold about you where that information is incorrect or incomplete.</p>
Right to erasure	<p>You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which it was collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information (see further below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.</p>
Right to restrict the use of your personal information	<p>You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate, and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection.</p>
Right to data portability	<p>You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. However, please note that this right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.</p>
Right to object	<p>You have the right to object to the use of your personal information in certain circumstances. For example, where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party).</p>
Right to withdraw consent	<p>You have the right to withdraw your consent at any time where we rely on consent to use your personal information (however, please see section 5 above).</p>
Right to complain to the Information Commissioner's Office	<p>You have the right to complain to the Information Commissioner's Office, where you think we have not used your personal information in accordance with data protection law.</p>

10.2 If you wish to exercise any of the rights in the table on the previous page, please contact the Service Manager at VFN using the contact details in section 2.2 above.

11. WHEN CAN WE MAKE CHANGES TO THIS NOTICE AND HOW WILL WE INFORM YOU OF THOSE?

11.1 We may update this Notice at any time.

11.2 Any changes we make to this Notice in the future will be notified to you so far as practicable to do so.

11.3 The updated Notice will take effect as soon as it has been updated or otherwise communicated to you (whichever is earliest).

This Staff Privacy Notice was adopted in August 2018.

I.....(employee/worker/volunteer name), acknowledge that on(date) I received a copy of this Staff Privacy Notice and that I have read and understood it.

.....

Signature

.....

Date