

**Privacy Notice**

**For Staff**

Under data protection law, individuals have a right to be informed about how the nursery uses any personal data that we hold about them. We comply with this right by providing a privacy notice to explain how we collect, store and use personal data about individuals we employ.

We, Ashridge Day Nursery, are the ‘data controller’ for the purposes of data protection law.

The data protection officer is our Administration and Accounts Manager.

 **The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work at the nursery. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

* Contact details
* Date of birth, marital status and gender
* Emergency contact numbers
* Salary, annual leave, pension and benefits information
* Bank account details, payroll records, National Insurance number and tax status information
* 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
* Qualifications and employment records, including work history, job titles, working hours and training records
* Performance information
* Outcomes of any disciplinary and/or grievance procedures
* Absence data
* Copy of driving licence/passport
* Photographs
* Data about your use of the nursery’s information and communications system

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

* Information about an Employee’s race or ethnicity.
* Information about an Employee’s health, including any medical condition, accident, health and sickness records, including:
* where an Employee leaves employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision;
* details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
* where an Employee leaves employment and the reason for leaving is related to their health, information about that condition needed for pensions and permanent health insurance purposes.

**How your personal information is collected**

We collect personal information about Employees 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 when an Employee works for us.

**How we store this data**

Personal data is stored in line with our Data Protection Policy Policy. We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment. Once your employment with us has ended, we will retain this file and delete the information in it in accordance with minimum legal archiving requirements.

**How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

* Where we need to perform the contract we have entered into with you.
* Where we need to comply with a legal obligation.
* 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 information in the following situations, which are likely to be rare:

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

**Situations in which we will use Employee personal information**

* Making a decision about an Employee’s recruitment or appointment.
* Checking an Employee is legally entitled to work in the UK. Paying an Employee and, if an Employee is an Employee or deemed Employee for tax purposes, deducting tax and National Insurance contributions (NICs).
* Providing any Employee benefits to Employees.
* Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.
* Liaising with the trustees or managers of a pension arrangement operated by a group company, your pension provider and any other provider of employee benefits.
* Administering the contract we have entered into with an Employee.
* Conducting performance and/or salary reviews, managing performance and determining performance requirements.
* Assessing qualifications for a particular job or task, including decisions about promotions.
* Gathering evidence for possible grievance or disciplinary hearings.
* Making decisions about an Employee’s continued employment, engagement.
* Making arrangements for the termination of our working relationship.
* Education, training and development requirements.
* Dealing with legal disputes involving Employees, including accidents at work.
* Ascertaining an Employee’s 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.

**Do we need Employee consent?**

We do not need the consent of Employees if we use special categories of personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach Employees for their written consent to allow us to process certain particularly sensitive data. If we do so, we will provide Employees with full details of the information that we would like and the reason we need it, so that Employees can carefully consider whether they wish to consent. Employees should be aware that it is not a condition of their contract with the nursery that they agree to any request for consent from us.

**Data sharing**

We may have to share Employee data with third parties. We require third parties to respect the security of your data and to treat it in accordance with the law.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

 **Requesting access to your personal data**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

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

1. **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.
2. **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.
3. **Request erasure** of your personal information. This enables Employees 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.
4. **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.
5. **Request the restriction of processing** of your personal information. This enables Employees, as is appropriate, 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.
6. **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 Administration and Accounts Manager in writing.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the nursery’s Data Protection Officer in the first instance. Alternatively, you can contact the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

 **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer.

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| **This policy was adopted on** | **Signed on behalf of the nursery** | **Date for review** |
| *21st May 2018* | *C Harding* | *21st November 2018* |
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