



Privacy Notice for Workforce and Job Applicants

Who are we?

East Midlands Housing Group Limited ('emh Group') is a registered co-operative and community benefit society with registration number 30476R and operates as a non-asset owning parent company, with two largely ring fenced functional divisions: emh Housing and Regeneration Limited, trading under the name 'emh homes', which is a Registered Provider regulated by the Regulator of Social Housing (registration number 4775) and emh Care & Support Limited, whose regulated activities fall within the remit of the Care Quality Commission. Midlands Rural Housing & Village Development Association Limited and Sharpes Garden Services Limited, are non-registered providers which are also subsidiaries within emh Group (collectively referred to as "emh Group", "we", "us" or "our" for the purposes of this privacy notice).

For a list of the entities within the emh Group, please see: [meet the emh group Board | emh group - emh group](#)

This privacy notice may be supplemented by any number of privacy notices, and in which case, we strongly advise you to read this privacy notice alongside any supplemental privacy notice emh Group produces, these include:

[Privacy Notice for Board Members.](#)

Our Privacy Promise

We promise:

- ▶ To keep your data safe and secure
- ▶ Treat any data concerns you may have as priority

What is the purpose of this notice?

This privacy notice applies to current and former employees, workers, contractors and job applicants. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that you read and retain 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 that information and what your rights are under the UK data protection legislation.



This privacy notice aims to give you information about how we collect and process your personal information throughout your working relationship with us and/or when you apply to work for us. It makes you aware of how and why your personal information will be used, namely for the purposes of the performance of our contract with you as our employee, worker, contractor or job applicant, and how long it will usually be retained for. In these cases, we will be the “data controller” for the purposes of data protection laws.

This notice provides you with the information that must be provided under the retained EU Law version of the General Data Protection Regulation (EU) 2016/679 (‘the UK GDPR’), the Data Protection Act 2018 and any subsequent legislation or regulatory requirements in force from time to time, or any successor legislation..

What information do we collect about you?

What information we collect, why we collect it, the legal basis for doing so, and how long we keep it for:			
What	Why	Basis	Retention
<p>Recruitment information</p> <ul style="list-style-type: none">• Right to work documentation• References from previous employers• Other information included in a CV or cover letter or as part of the application process• Information you provide to us during an interview	<p>To enable us to make a decision about your recruitment or appointment.</p> <p>To ensure you are legally entitled to the work in the UK.</p>	<p>A</p> <p>C</p>	<p>For job applicants: 6 months after notification of not being successful</p> <p>For workforce: 6 years after employment ends, save for right to work checks which will be retained for 3 years after employment ends</p>



<p>Contact information</p> <ul style="list-style-type: none"> Name Date of birth Previous address IP (Internal Protocol) address Telephone numbers Email address Gender Next of kin and emergency contact details 	<p>To make a decision about your recruitment or appointment.</p> <p>To determine the terms on which you work for us.</p> <p>To administer the contract we have entered into with you.</p> <p>To ensure you are legally entitled to work in the UK.</p> <p>To pay you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions.</p> <p>To make decisions about your continued employment or engagement.</p> <p>To make arrangements for the termination of our working relationship</p>	<p>B C F</p>	<p>For job applicants: 6 months after notification of not being successful</p> <p>For workforce: 6 years after employment ends</p>
<p>Financial information</p> <ul style="list-style-type: none"> National insurance number Bank account details Payroll records Tax status information 	<p>To pay you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions.</p> <p>To provide benefits to you.</p> <p>To enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties.</p> <p>For business management and planning, including accounting and auditing.</p>	<p>B C</p>	<p>For workforce: 6 years after employment ends, save for bank details which will be destroyed immediately upon leaving employment</p>
<p>HR information</p> <ul style="list-style-type: none"> Salary Annual leave Pension and benefits entitlement Day rate, or other agreed rates of pay, in relation to 	<p>To administer the contract we have entered into with you.</p> <p>To enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties.</p> <p>To provide benefits to you.</p>	<p>B C F</p>	<p>For job applicants: 6 months after notification of not being successful</p>



<p>consultants and contractors</p> <ul style="list-style-type: none"> • Start date and leaving date • Employment records (including job titles, work history, working hours, holidays, training records and professional memberships). • Performance information • Disciplinary and grievance information 	<p>To conduct performance reviews, managing performance and determining performance requirements.</p> <p>To make decisions about your continued employment or engagement.</p> <p>To make arrangements for the termination of our working relationship.</p> <p>For education, training and development requirements.</p>		<p>For workforce: generally 6 years after employment ends</p>
<p>Technical information</p> <ul style="list-style-type: none"> • Information about your use of our IT systems 	<p>To monitor your use of our information and communication systems to ensure compliance with our data protection and security policies.</p> <p>To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.</p>	F	<p>For workforce: Up to 6 years but regularly reviewed</p>
<p>Photographs</p>	<p>To enable us to enables us to improve collaborative working and connections across emh Group.</p>	F	<p>For workforce: 6 Years after employment ends</p>
<p>Closed Circuit Television (CCTV)</p>	<p>Some of our locations and offices have CCTV and you may be recorded when you visit them. CCTV is used to provide security and protect both our visitors and communities. CCTV will be only be viewed when necessary (e.g. to detect or prevent crime) and footage is stored for set period of time after which it is recorded over. emh complies with the Information</p>	F	<p>CCTV recordings will be retained for 30 days and deleted within one week thereafter</p>



Types of Legal Basis (Personal Data)					
A – Consent	B – Contract	C – Legal obligation	D – Vital interests	E – Public task	F – Legitimate interest

Particularly sensitive information we may collect about you

What information we collect, why we collect it, the legal basis for doing so, and how long we keep it for:			
What	Why	Basis	Retention
Disability/ health information, including any medical condition and sickness records	<p>To ascertain your fitness to work.</p> <p>To manage sickness absence.</p> <p>To comply with health and safety obligations.</p> <p>To make reasonable adjustments.</p>	B	<p>For job applicants: 6 months after notification of not being successful</p> <p>For workforce: 6 years after employment ends</p>
Ethnicity	To ensure meaningful equal opportunity monitoring and reporting.	F	<p>For job applicants: 6 months after notification of not being successful</p> <p>For workforce: 6 years after employment ends</p>
Religion	To ensure meaningful equal opportunity monitoring and reporting.	F	<p>For job applicants: 6 months after notification of not being successful</p> <p>For workforce: 6 years after employment ends</p>
Sexual orientation	To ensure meaningful equal opportunity monitoring and reporting.	F	For job applicants: 6 months after notification of not being successful



			For workforce: 6 years after employment ends
Political opinions	To ensure meaningful equal opportunity monitoring and reporting.	F	For job applicants: 6 months after notification of not being successful For workforce: 6 years after employment ends
Trade Union membership	To ensure meaningful equal opportunity monitoring and reporting.	F	For job applicants: 6 months after notification of not being successful For workforce: 6 years after employment ends

Types of Legal Basis (Special Category Data)					
A – Consent	B – Social protection law obligation	C – Vital interests	D – In the public domain	E – For legal claims	F – Public interest

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This is usually where that processing is necessary to carry out our obligations and provided we do so in line with our **Data Protection Policy** and **Special Category Data Policy**.

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- ▶ The role is one which is listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) and so is eligible for a standard or enhanced check from the Disclosure and Barring Service; or
- ▶ The role requires a high degree of trust and integrity since it involves dealing with vulnerable individuals and children and so we would require a basic disclosure of your criminal records history.



We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

How do we use your personal information?

As your employer, emh Group needs to keep and process information about you for normal employment purposes. The information we hold and process will be used for the management and administrative of your contract with us, during your employment. We will keep and use the information to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately.

The information you provide will be used whilst you are working for us and at the time when your employment ends and after you have left. We will only use your personal information when the law allows us to. Mostly commonly, we do this to enable us to comply with the employment contract and with any legal requirements, pursue the legitimate interests of emh and protect to our legal position in the event of legal proceedings. We may also use your information where we need to protect your vital interests or if it is the public interest to do so. If you do not provide this information, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

emh Group are legally obligated to process your data in accordance with the law. For example we may process your data to prevent fraud, reporting potential crimes and to aid in the detection and prevention of crime. We will process your data securely should any of the above arise.

We will use your information to perform checks required to do your job, for example we may need to conduct a criminal records check as part of the employment process. We will only use information relating to criminal convictions where the law allows us to do so and in accordance with our data protection policy.

You may be referred to in company documents and records that are produced by you and/or your colleagues during the course of your employment and whilst doing business on behalf of the company.

To promote interdepartmental working and efficient working practices across emh Group, we will publish your photographs on the intranet (ibrowse), this enables us to improve collaborative working and connections. We will use the photo taken on joining; you can change this picture at any time, if you would like support with this please contact the Communications team. These photographs are for internal use only and a legitimate business use in line with current data protection legislations.

We may also use your personal information for any of the reasons listed below:

- ▶ Making a decision about your appointment;



- ▶ Determining the terms on which you work for us;
- ▶ Checking you are legally entitled to work in the UK;
- ▶ Paying you and, if you are an employee, deducting tax and National Insurance contributions;
- ▶ Providing the following benefits to you: [Health Plan, Childcare Vouchers, Charity Days, Workplace Bikes, emh benefits and wider wallet];
- ▶ 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;
- ▶ 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 any 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;
- ▶ Assist in the running of our business; and
- ▶ Comply with legal or regulatory requirements.



The information we hold about you will have been provided by yourself during and after the recruitment process, we also collect information about you from internal sources, such as your manager, and in some cases, external sources, such as referees and government agencies like the Disclosure and Barring Service.

Should we need to process your personal data for a purpose other than that which it was collected for, we will provide you with information on that purpose and any other relevant information.

When do we share your information?

We will not normally share your information without your consent unless the law allows or requires us to do so. Where it is legally required or necessary in accordance with UK data protection law, we may share employee information with:

- ▶ Other companies within the emh Group;
- ▶ Our regulators;
- ▶ Government bodies and law enforcement agencies;
- ▶ Other members of emh group;
- ▶ Suppliers and service providers, in connection with services performed on our behalf. For example, our IT provider, Occupational Health provider, payroll provider and pension administration;
- ▶ Financial organisations;
- ▶ Our auditors;
- ▶ Survey and research organisations;
- ▶ Trade unions and associations;
- ▶ Our Insurers;
- ▶ Professional advisers and consultants;
- ▶ Professional bodies;
- ▶ Employment and recruitment agencies;
- ▶ Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

This list is not exhaustive as there are other circumstances where we may also be required to share information, for example:



- ▶ To meet our legal obligations.
- ▶ In connection with legal proceedings (or where we are instructed to do so by Court order).

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you one month to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

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.

We do not envisage that any decisions will be taken about you using automated means. However, we will notify you in writing if this position changes.

How do we keep your 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 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.

Our arrangements with third party service providers are governed by contractual provisions with us and they only have access to personal information to perform the described purposes and may not use it for other purposes.



All personal information you provide to us is stored on our secure servers within the UK and European Economic Area ('EEA'). However there may be occasions where your information may need to be stored in or sent to companies, service providers, agents, subcontractors and regulatory authorities in countries outside of the UK and EEA which may not have the same level of security and protection as we have under UK legislation. If we have to do this, we will make sure that suitable security measures are in place subject to the requirements of the UK GDPR.

How long do we keep your information for?

We will only retain 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. For further information about the relevant retention periods applicable to visitors to our website, please see the **What information do we collect about you?** section above.

The criteria used for determining how long your data will be stored for is detailed in the HR Data Protection Policy. This can be found on i-browse and hardcopies can be requested from the HR Department.

Access to and correction of the information we hold about you

You can find out if we hold any personal information about you by making a 'subject access request' under the UK GDPR. If we do hold information about you, we will:

- ▶ Give you a description of it
- ▶ Tell you why we are holding it
- ▶ Tell you who it has been disclosed to; and
- ▶ If we are able to, let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to other organisations in certain circumstances.

You can access your personal information we hold by writing to us at this address:

emh, Governance and Assurance Team, Memorial House, Stenson Road, Coalville, and Leicestershire, LE67 4JP.

Or by emailing us at dataprotection@emh.co.uk.

You have the right to question any information we have about you that you think is wrong or incomplete. Please contact us if you want to do this. If you do, we will take reasonable steps to check its accuracy and correct it.



If any of your personal information changes, such as a contact number or email address, please let us know right away so we can update our records.

Your rights

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information, though please note, there are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities or to make a voluntary referral to an external agency), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (see How to contact us below).

If you want to exercise any of these rights, please contact us using the details in the (**How to contact us**) section below.

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention in the first instance if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see **How to contact us** below).

Alternatively if you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Further information and guidance please visit <https://ico.org.uk/concerns/>.

How to contact us

Please contact us if you have any questions about this privacy notice or the information we hold about you. You can do so via one of the contact details below;

- **Email:** dataprotection@emh.co.uk



- **Post:** Governance & Assurance, Memorial House, Stenson Road, Coalville, Leicestershire, LE67 4JP.
- **Telephone:** 01530276000

We have appointed a Data Protection Advisor to oversee our compliance with this privacy policy. If you have any questions about this privacy policy or how we handle your personal information, please contact our Data Protection Advisor using the details above.

We have also appointed a Data Protection Officer who is registered with the Information Commissioner's Office. Our Data Protection Officer is our Head of Governance and Assurance. Please contact our Data Protection Officer using the details above.

Privacy Notice updates

Our Privacy Notice will be regularly reviewed, and it may change at any time in the future, we encourage you to check this Privacy Notice regularly.

Also please see:

- **Data Protection policy on i-browse**
- **HR Data Protection policy on i-browse**
- **Special Category Data policy on i-browse**
- **Subject Access Request policy on i-browse**
- **CCTV Policy on i-browse**
- **Encryption Policy on i-browse**
- **Personal Data Breach on i-browse**
- **Document Retention Policy on i-browse**
- **Data Subject Rights Procedure on i-browse**
- **Data Deletion Procedure on i-browse**
- **Information Commissioner's website: www.ico.org.uk**