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 UK General Data Protection Regulations (‘the UK GDPR’), the Data Protection Act 2018, The Data Use and Access Act 2025 and any subsequent legislation or regulatory requirements in force from time to time, or any successor legislation.

How We Use Your Personal Data

We only collect and use personal information where we have a valid legal basis for doing so. The sections below explain what data we process, why we process it, and the legal basis that applies.

Consent

We process the following information when you give us your clear permission:

Photographs. Why: To enable us to improve collaborative working and connections across emh Group, including publication on internal systems where appropriate.

Contract

We process the following information when it is necessary to enter into or perform a contract with you:

Recruitment information, contact information, financial information and People Team information. Why: To assess applications, confirm your right to work, determine the terms on which you work for us, administer pay and benefits, enrol you in pension arrangements, manage employment records, and make decisions about the continuation or ending of the working relationship.

Legal Obligation

We process the following information when required to comply with the law:

Recruitment information, contact information and financial information. Why: To ensure you are legally entitled to work in the UK, comply with tax, National Insurance, pension auto-enrolment and employment law obligations, and meet regulatory, accounting and reporting requirements.

Legitimate Interests

We process the following information because it is necessary for our legitimate business purposes, and these interests are not overridden by your rights:

Technical information, CCTV recordings, photographs and People Team information. Why: To monitor use of our systems, maintain network and information security, support business management and planning, manage performance, training and development, protect our premises, visitors and communities, and improve collaborative working across emh Group.

We only hold information about you for as long as it is needed for the purpose(s) it was collected, or as required by law. Some examples of our retention periods include:

Personal data	Example retention period
Recruitment records for unsuccessful applicants	1 year after notification of outcome
DBS	3 years after employment ends
Right to work checks	3 years after employment ends
CCTV recordings	30 days, then deleted within one week thereafter

How We Use Your Special Category Personal Data

Special category personal data requires higher levels of protection. We will only process this information where the law allows us to do so and where appropriate safeguards are in place.

Social Protection Law Obligation

We process the following special category information where required to meet our responsibilities in employment, social security and social protection law:

Disability and health information, including medical conditions and sickness records. Why: To ascertain fitness for work, manage sickness absence, comply with health and safety duties, and make reasonable adjustments.

Substantial Public Interest

We may process the following information where there is a substantial public interest and a basis under the Data Protection Act 2018:

Ethnicity, religion, sexual orientation and trade union membership. Why: To support equal opportunity monitoring, reporting and service improvement where appropriate.

Criminal Offence Data

We may process information relating to criminal convictions and offences where the law permits this and appropriate safeguards are in place. This may include DBS checks or other relevant criminal records information where a role requires a high degree of trust or is legally eligible for checking. Why: To assess suitability for a role and protect vulnerable individuals, colleagues, customers and the organisation.

Example retention periods for special category and criminal offence data include 1 year after an unsuccessful application, or generally 6 years after employment ends where the information forms part of the employment record.

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 to protect 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?

Recipient/Category of organisation	Purpose of sharing
IT providers and system suppliers	To provide data processing services, maintain our systems, and support the delivery of workforce and recruitment services on our behalf.
Third party service providers, including payroll, pension, occupational health, benefits and recruitment providers	To administer pay, pensions, benefits, recruitment checks, occupational health support and other employment-related services.
Our regulators and professional bodies	To comply with legal and regulatory obligations, reporting requirements, and professional standards.
Government bodies and law enforcement agencies	To meet legal obligations, support safeguarding, prevent and detect crime, verify right to work, and comply with employment, tax and social security requirements.
Other companies within the emh Group	To provide consistent workforce support, administration and governance across the group where necessary.
Insurers, auditors, legal advisers and other professional advisers	To obtain advice, manage risk, handle claims, support audits, and deal with disputes or legal proceedings.
Third parties involved in a business transfer, sale, merger or restructure	If our business changes, personal data may be shared so the new organisation can continue to use it in line with this notice.

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. 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 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.

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, Risk and Assurance Team, Memorial House, Stenson Road, Coalville, 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.

Furthermore, under data protection law, you have rights including:

Your right of access

- You have the right to ask us for copies of your personal information.

Your right to rectification

- You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

- You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

- You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing

- You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability

- You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

Your right to withdraw consent

- If the lawful basis for processing is consent, you have the right to withdraw that consent at any time. Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent, and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain services to you.

Your right to object to direct marketing

- Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing,

which includes profiling to the extent that it is related to such direct marketing.

Profiling and automated decision making

- You also have the right to object to and not to be subject to a decision based solely on automated processing including profiling. We do not carry out automated processing or profiling. To exercise any of these rights, please contact the email below.

If we are processing your personal information based upon your consent, 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).

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We 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).

Under the Data Use and Access Act 2025, there has been the introduction of the **right to complain**, which means that you come to us prior to going to the ICO if you have any complaints or concerns. We will do our best to resolve this for you. However, 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

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

We have appointed a Data Protection Officer to oversee our compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, 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.

For existing colleagues, please see our Data Protection SharePoint for:

- **Data Protection policy**
- **People Team Data Protection policy**
- **Special Category Data policy**
- **Subject Access Request policy**
- **CCTV Policy**
- **Personal Data Breach**
- **Document Retention Policy**
- **Data Subject Rights Policy**
- **Data Deletion Policy**
- **Information Commissioner's website: www.ico.org.uk**