

# ST STEPHEN'S & ST EANSWYTHE'S

## Candidate and Employee Privacy Notice

### Your personal data — what is it?

"Personal data" is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be by the information alone or in conjunction with any other information. The processing of personal data is governed by the *Data Protection Bill/Act 2017*, the *General Data Protection Regulation 2016/679 (GDPR)* and other legislation relating to personal data and rights such as the *Human Rights Act 1998*.

### Who are we?

This Privacy Notice is provided by the PCC of St Stephen's Tonbridge which is the data controller for your data.

### What data do the PCC of St Stephen's Tonbridge process?

We will process some or all of the following where necessary to perform our duties:

- Names, titles, photographs;
- Contact details such as telephone numbers, addresses and email addresses;
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- Details of your bank account and national insurance number;
- Information about your nationality and entitlement to work in the UK;
- Information about your criminal record;
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and the reasons for the leave;
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- Assessments of your performance, including appraisal, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments.

We collect this information in a variety of ways. For example through application forms, CVs or

resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

We seek information from third parties with your consent only.

Data is stored in a range of different places, including in your personnel file, in our HR management systems and in other IT systems (including in our email system).

### Why do we process your personal data?

Processing employee data allows us to :

- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency) and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct with in the workplace;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain medical advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave) to allow effective workforce management, to ensure that it complies with duties in relation to leave entitlement and to ensure that employees are receiving the pay and other benefits to which they are entitled;
- To ensure effective general HR administration; To provide references on request for current or former employees;
- To respond to and defend against legal claims, and;
- To maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as to use in relation to employees with disabilities and for health and safety purposes).

## What is the legal basis for processing your personal data?

We need to process your data to conduct our recruitment processes, or to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pension entitlements.

In some cases we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check employees' entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship.

## Sharing your personal data?

Your personal data will be treated as strictly confidential. It will only be shared where it is necessary for the performance of the data controller's tasks. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- Internally, including with the HR and recruitment teams, those involved with payroll, the HR Resource Support Group, your line manager, other managers and an IT support volunteer if access to the data is necessary for the performance of this role;
- With third parties in order to obtain pre-employment references and where relevant to obtain criminal records checks from the Disclosure and Barring Service;
- With third parties that process data on its behalf, in connection with payroll, provision of benefits and IT support. These include 12Pay, The People's Pension and Fluid-IT.

## Protecting your Data?

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees and volunteers in the performance of their duties. These controls are set out in our Security Policy.

Where third parties are engaged to process personal data of its behalf, this is done on the basis of written instructions, under a duty of confidentiality and with the obligation to implement appropriate technical and organisational measures to ensure the security of data.

## How long do we keep your personal data?

Your personal data will be held for the duration of the recruitment process and where applicable your employment. The periods for which your data is held after this time will depend on our legal obligations. In general we will endeavour to keep data only for as long as we need it. Details on retention periods are set out in our data retention Policy.

## Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

### *The right to access information we hold on you*

- At any point you can contact us to request the information we hold on you as well as why we have that information, who has access to the information and where we obtained the information from. Once we have received your request we will respond within one month. There are no fees or charges for the first request but additional requests for the same data may be subject to an administrative fee.

### *The right to correct and update the information we hold on you*

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

### *The right to have your information erased*

- If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold. When we receive your request we will confirm whether the data has been deleted or the reason why it cannot be deleted (for example because we need it for our legitimate interests or regulatory purpose(s)).

### *The right to object to processing of your data*

- You have the right to request that we stop processing your data where the grounds for this processing is based on our legitimate interests. Upon receiving the request we will contact you and let you know if we are able to comply. Even after you exercise your right to object, we may continue to hold your data to comply with your other rights or to bring or defend legal claims.

### *The right to data portability*

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

### *The right to object to the processing of personal data where applicable.*

*The right to lodge a complaint with the Information Commissioner.*

### **What if you do not provide personal data?**

As a candidate we will be unable to process an application for employment without the necessary personal data.

As an employee you have some obligations under your employment contract to provide the organisation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith.

You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### **Automated Decision Making**

We do not make employment decisions based solely on automated decision-making.

### **Transfer of Data Abroad**

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data may be accessed from overseas.

### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

### **Contact Details**

Please contact us if you have any questions about this Privacy Notice or the information we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller  
St Stephen's Church Office  
35 Waterloo Road  
Tonbridge  
Kent TN9 2SW  
office@ststephenstonbridge.org

### **St Stephen's & St Eanswythe's**

t. 01732 771977  
e. office@ststephenstonbridge.org  
w. www.ststephenstonbridge.org  
Charity No: 1132563

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at:

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

