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Privacy Notice to Staff

What is the purpose of this document?

You have legal rights about the way your personal data is handled by us, The Ditchley Foundation. We are committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us. It applies to all employees, workers and contractors. 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.

During your employment or engagement by us, we collect, store and process personal data about you. To comply with the law and to maintain confidence in our business, we acknowledge the importance of correct and lawful treatment of this data.

It is important that you read this notice, along with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you. This gives you information about how and why we are using such information. All people working in or with our business are obliged to comply with this policy when processing personal data.

Our Role

We are a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. Data protection legislation requires to give you the information contained in this privacy notice.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited to those purposes only.
- Accurate and kept up to date.
- Kept only for such time as is necessary for the purposes we have told you about.
- Kept securely.

DITCHLEY

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are "special categories" of more sensitive personal data that require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence if applicable.
- 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).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Compensation history.
- Performance information.
- Disciplinary and grievance information.
- CCTV footage and other information obtained through electronic means such as swipecard records.
- Information about your use of our information and communications systems.
- Photographs.

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

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

How is your personal information collected?

Usually we collect personal information about employees, workers and contactors 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 during work-related activities throughout the period of you working for us.

How we will use information about you

We will use your personal information only 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 that applies to our working relationship.
- 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 your personal information

We need all the categories of information in the list above (see *The kind of information we hold about you*) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information for our legitimate interests or those of third parties, provided that your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:

- Making a decision about your recruitment or 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 or we are under a legal obligation, deducting tax and National Insurance contributions.
- Liaising with your pension provider.
- Administering the contract that applies to our working relationship with you.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- 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 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.

Some of the above grounds for processing will overlap and there may be several grounds that justify our use of your personal information.

If you fail to provide personal information

If you do not provide certain information when we ask for it, we may not be able to perform the contract that applies to our working relationship with you (such as paying you or providing a benefit), or we may not be able to comply with our legal obligations (such as to ensure the health and safety of our workers).

Change of purpose

We will only use your personal information for the purposes that we have collected it for, unless we need to use it for another reason and that reason is reasonable and compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis that allows us to do so.

We may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or allowed by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the situations below:

- In limited circumstances, with your clear written consent.
- Where we need to carry out our legal obligations and in line with our data protection policy or other policy that applies to such information.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy or other policy that applies to such information.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Very occasionally, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family-related leave and related pay, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need your consent?

We do not need your consent if we use special categories of your 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 you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will give you full details of the information that we would like and the reason we need it, so that you can consider carefully whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy or other policy that applies to such information.

Very occasionally, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public

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.

Automated decision-making

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

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- 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 based on 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.

Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the group.

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

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services and HR administration.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group 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.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measure to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection specifically we have asked all third party service providers to sign a data processing agreement with us. If you require further information about this protective measure, you can request it from a Director.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it 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 third 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.

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.

Data retention

How long will you use my information for?

We will only retain your 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. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from a Director. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of The Ditchley Foundation we will retain and securely destroy your personal information in accordance with our data retention policy.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

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.

Your rights in relation to personal information

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

- 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.

- 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.
- Request that your personal information is erased. This allows you 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 stop processing personal information where we are relying on a legitimate interest and there is something about your situation that makes you want to object to processing on this ground.
- Request the restriction of processing of your personal information. This enables you 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.
- 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 a Director in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact a Director. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Director, Bursar or House Manager.

I, _____ (employee), acknowledge that on _____
(date), I received a copy of The Ditchley Foundations Privacy Notice for employees, workers and contractors and that I have read and understood it.

Signature: _____

Name: _____