

EMPLOYEE AND APPLICANT PRIVACY NOTICE

Purpose of this Privacy Notice	This Privacy Notice tells you what to expect us to do with your personal information when you work for us or apply for a job with us.
Our Contact Details	Positive Futures 2b Park Drive, Bangor, County Down, BT20 4JZ 028 9147 5720 dataprotection@positive-futures.net
What information we collect and use and why	We collect or use the following personal information as part of staff recruitment, administration and management • Contact Details (e.g. name, address, telephone number, personal email address) • Date of Birth • National Insurance Number • Gender • Copies of passport or other photo ID • Copies of proof of address documents (e.g. bank statements or bills) • Marital Status • Next of kin or emergency contact details • Employment history (e.g. job application, employment references or secondary employment) • Eligibility to work information • Details of any criminal convictions (e.g. Access NI) • Performance Records (e.g. reviews, disciplinary records, complaints) • Training history and development needs We also collect the following special category information for staff recruitment, administration and management • Health Information Our lawful bases for collecting or using personal information as part of staff recruitment, administration and management are:

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- Consent
- Contract
- Legal Obligation
- Legitimate Interest

Positive Futures has a legitimate interest in processing personal information it collects in order to recruit, manage and develop suitable staff.

We collect or use the following information as part of managing **salaries and pensions**

- Job Role and employment contract (e.g. start and leave dates, salary changes to employment contract or working patterns)
- Timesheets
- Expenses, overtime or other payments claimed
- Details of absence (e.g. annual leave, sickness absence, special leave)
- Maternity, paternity, shared parental and adoption leave
- Pension details
- Bank account details
- Payroll records
- Tax status

Our lawful bases for collecting or using personal information as part of managing salaries and pensions are:

- Legal obligation
- Legitimate interest

Positive Futures has a legitimate interest in processing information to manage salaries and pensions to ensure that our staff receive the correct salary, pay the correct contributions and receive benefits related to specific absences

We collect or use the following personal information for managing **staff health and wellbeing**:

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	• Occupational health referrals and reports • Sickness absence forms or fit notes (e.g. statement of fitness to work from GP/hospital) • Accident at work records • Access needs or reasonable adjustments We also collect the following special category information for managing staff health and wellbeing: • Health information Our lawful bases for collecting or using personal information as part of managing staff health and wellbeing is: • Legal obligation • Legitimate interest Positive Futures has a legitimate interest in processing information to manage staff health and wellbeing to ensure that staff are fit enough to be employed in their role and to allow us to make reasonable adjustments where needed to support them.
Where we get your personal information from	We collect your personal information from the following places: • From employees directly • Employment Agencies • Referees (external or internal) • Security clearance providers • Occupational Health and other health providers • Pension administrators or government departments (e.g. HMRC and DWP) • Staff benefit providers
How long we keep information	We will hold records that contain your information for no longer than is necessary, as per the retention periods specified in our Records Retention and Disposal Schedule
Who we share information with	At the application stage your information is shared with the HR Department, recruitment

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	panel and the relevant line manager for the position to which you are applying. If you are employed by us your data will be shared internally with other support departments We may be required to share your information with other members of staff or external agencies for the purpose of fulfilling our legal, regulatory and contractual obligation or for the defence of or response to litigation We may be required to provide upon request employment references. We have a duty to the recipient to provide information that is true, accurate, fair and non-discriminatory. Positive Futures use data processors who are responsible for processing your information on its behalf such as our HR system providers, archiving facility and pension providers.
Automated Decision Making	We do not make decisions about employees or applicants based solely on automated processing. As part of our recruitment process, we use pre-screening questions to assess whether applicants meet essential criteria (for example, holding a required driving licence). Where responses indicate that essential criteria are not met, applications may not progress. All decisions are subject to human review and can be reconsidered where appropriate.
Data protection rights	Under data protection law, you have rights including: • Right of access – you have the right to ask us for copies of your personal data • Right to rectification – you have the right to ask us to rectify personal data you think is inaccurate. You also have the right to

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ask us to complete information you think is incomplete

- **Right to erasure** – you have the right to ask us to erase your personal data in certain circumstances
- **Right to restrict processing** – you have the right to ask us to restrict the processing of your personal data in certain circumstances
- **Right to object to processing** – you have the right to object to the processing of your personal data in certain circumstances
- **Right to data portability** – you have the right to ask that we transfer the personal data you gave us to another organisation or to you in certain circumstances
- **Right to withdraw consent** – when we use consent as our lawful basis you have the right to withdraw your consent

Please note: We rely on your consent to be able to share your information with the Regulation and Quality Improvement Authority (RQIA) for their audit purposes. Arrangements under Article 43 (1) under Article 40 or 41 of Health & Personal Social Services (Quality, Improvement and Regulation NI) Order 2003 state that your personal records can be shared in the following circumstances:

- the information is disclosed in a form which the identity of the individual cannot be ascertained
- the individual consents to the information being disclosed
- the individual cannot be traced despite taking all reasonable steps.

In order for us to comply with the law, there are certain circumstances where we will have to share your personal information with RQIA

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	without your consent. Article 43 (2) of Health & Personal Social Services (Quality, Improvement and Regulation NI) Order 2003 RQIA states that your personal records can be shared: • It is not practicable to disclose the information to RQIA in a form which does not identify you; • RQIA considers it is necessary due to a serious risk to health and safety; • RQIA considers that it is necessary to do so having regard to risk and urgency of the exercise of their regulatory functions. You don't usually need to pay a fee to exercise your rights. If you make a request, we have one calendar month to respond to you. To make a data protection request please contact us using the contact details at the top of this privacy notice
Transfers of personal data to any third countries or international organisations	We store and process personal data within the European Economic Area (EEA). We use external service providers, including cloud-based systems such as Microsoft 365. In limited cases personal data may be accessed from outside the EEA (for example for support purposes). Where this occurs, appropriate safeguards are in place to protect your data in line with data protection law.
How to complain	If you have any concerns about the use of your personal information you can make a complaint to us using the contact details at the top of this privacy notice. We will investigate your complaint and respond within a reasonable timeframe in line with data protection law. If you are not satisfied with our response or remain unhappy with how we have used your

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information you can also complain to the Information Commissioner's Office (ICO)

The ICO's address:

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

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

You have the right to complain to the ICO at any time, however they will usually expect you to have raised your concern with us first.