

Privacy Notice for Employees of SBHA

What we need

Scottish Borders Housing Association (SBHA) will be a "controller" of the personal information that you provide to us in completing SBHA's Job Application Form, and any subsequent data provided to, or produced by, SBHA in the course of your employment with SBHA, unless otherwise stated in this privacy notice.

When you apply for a job with SBHA, and during the course of your employment, we will ask you for the following personal information:

- contact details – name, address, phone number, email address, National Insurance number, date of birth;
- details of past employment and qualifications – place of work/study, role/course description, dates, reference details;
- emergency contact details – their name, address and phone number for health and safety reasons;
- declarations of interest – as set out in SBHA's Entitlement's, Payments and Benefits Policy
- equality information – age, marital status, gender, sexuality, ethnicity, religion, disability;
- criminal convictions – including a Disclosure Scotland check, and a full PVG where relevant for your role;
- health information– this may include a pre-employment health questionnaire, and any return to work sickness forms (with accompanying information where required, including letter/reports from medical professionals) completed in the course of your employment;
- evidence of your right to work in the UK – which could include a copy of a passport;
- evidence of your right to drive – copy of drivers licence, vehicle registration, vehicle MOT details, vehicle ownership details, copy of vehicle insurance certificate;
- payroll details – bank account number, sort code, salary, pay slips;
- the date of birth of any children for whom you have taken parental leave; and
- other information that may result from your employment with SBHA – including sickness records, disciplinary records and personal development reviews.

Why we need your personal information – contractual purposes

We need to collect your personal information so that we can assess your application for, and administer any contract of, employment with SBHA. This may also involve confirming that the information provided in your application form is correct, and obtaining information from the references that you have provided which is relevant to your application.

We will also use your data to confirm your right to work in the UK, and, where relevant to your role, confirm your right to drive, including that your vehicle is properly insured and registered.

We will use your personal information to carry out SHBA's obligations under your contract of employment, and ensure that you are also complying with your responsibilities under this contract.

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to assess your application for employment with SBHA.

Why we need your personal information – legal obligations

We are under a legal obligation to process certain personal information relating to our employees for the purposes of complying with our obligations under:

- the Protection of Vulnerable Groups (Scotland) Act 2007 to check that our employees are able to undertake regulated work with children and vulnerable adults;
- the Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary;
- the Housing (Scotland) Act 2010, which requires us to report certain statistical data on our employees to the Scottish Housing Regulator;
- the Statistics of Trade Act 1947 Act, which requires us to provide certain statistical data on our employees to the Office for National Statistics; and
- the Maternity and Parental Leave etc Regulations 1999 (as amended by the Parental Leave (EU Directive) Regulations 2013) to ensure that entitlement to parental leave is tracked and passed on to any future employer(s) on request.

Why we need your personal information – legitimate purposes

We also process your personal information in pursuit of our legitimate interests to issue communications to you related to your job at SBHA, and keep you informed about SBHA in general. Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us by emailing us at HR@sbha.org.uk, or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT.

If we agree and comply with your objection, this may affect our ability to undertake the tasks above for the benefit of your application and/or employment with SBHA.

Why we need your personal information – equality monitoring requirements

We use your personal information relating to your age, marital status, gender, sexuality, ethnicity, religion and disability to help us identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within SBHA.

Other uses of your personal information

We may ask you if we can process your personal information for additional purposes. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

Who we share your personal information with

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Health & Safety Executive, when we are required under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), and HMRC for tax purposes. Depending on your role at

SBHA, we may also be required to send your details to the Gas Safe Register in accordance with the Gas Safety (Installation and Use) Regulations 1998.

If you are completing an apprenticeship, we will also be required to share your personal details with your apprenticeship's governing body for the purposes of registration with the relevant organisation.

We may also share your name (and work contact details) with third party training providers to allow you to access to training relevant to your role at SBHA.

We may also share personal information with our professional and legal advisors for the purposes of taking advice.

Depending on your role, some employees working for SBHA are required to have a basic Disclosure Scotland check carried out. Employees will be asked to provide their personal details directly to Disclosure Scotland, and provide SBHA with the outcome of the check. In these circumstances, Disclosure Scotland will become the "controller" of your personal data. Disclosure Scotland is an agency of the Scottish Government, operating under the Police Act 1997 and the PVG Scheme Act 2007, and they have their own Data Protection and Privacy Statement.

For certain roles, a full PVG Scheme Membership (from Disclosure Scotland) is required (where relevant, this will be advertised in the job description). If this applies to you, you will be asked to complete the PVG application form, which will be checked and signed by SBHA before being submitted on your behalf. Once this information has been received by Disclosure Scotland, they will become the "controller" of your personal data. Disclosure Scotland is an agency of the Scottish Government, operating under the Police Act 1997 and the PVG Scheme Act 2007, and they have their own Data Protection and Privacy Statement.

SBHA employs third party suppliers to provide services for our employees, specifically in relation to payroll, pensions, life insurance and occupational health services. These suppliers may process personal information on our behalf as "processors" and are subject to written contractual conditions to only process that personal information under our instructions and protect it. In the case of SBHA's pension provider, they will also act as the "controller" of your information once it is transferred to them.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

How we protect your personal information

Your personal information is stored on our electronic filing system and our servers based in the UK, and is accessed by our employees for the purposes set out above. Where hard copies of documentation are retained in line with SBHA's data retention schedule, these will be stored securely at SBHA's Head Office (or secure offsite storage).

We will not ordinarily transfer your data outwith the EU. If this position changes and your personal information is proposed to be transferred outwith the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information.

How long we keep your personal information

We will only keep your personal information for as long as necessary to comply with our employment law obligations and to safeguard SBHA in the event of any claims, complaints, litigation, enquiries or investigations during or following the termination of your employment.

Unless you ask us not to, we will review and possibly delete your personal information 6 years after the cessation of your employment with SBHA. Where your job application has been unsuccessful, we will retain your personal information for 1 year after you have been notified of this.

Where you have taken parental leave during your employment with SBHA, a record of this will be kept until the relevant child's 18th birthday. This will only include your name, the child's date of birth, and the dates of the parental leave taken.

We may keep certain personal information of employees for longer in order to confirm your identity and how long you were an employee of SBHA. We need to do this to in the event of a claim against SBHA.

We have a data retention schedule that sets out the periods for retaining and reviewing all information that we hold. This sets out different retention periods and you can request a copy by emailing us at HR@sbha.org.uk, or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT.

Your rights

You can exercise any of the following rights by emailing us at HR@sbha.org.uk, or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of your personal information is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to request that we restrict the processing of your personal information for specific purposes; and
- if you wish us to delete your personal information, you may request that we do so.

Any requests received by SBHA will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at www.ico.org.uk