



# POSITIVE PATHWAYS

RESIDENTIAL CARE SERVICES FOR CHILDREN & YOUNG PEOPLE

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## **Privacy Notice: Employees & volunteers**

### **About this document**

This Privacy Notice will help you understand how we (the 'Company') collect, use and protect your personal information ('data'). A 'data item' is defined as any single piece of information about a 'data subject'. A data subject is a person that data relates to. If you have any queries about this Privacy Notice or how we process your personal information, please contact the Data Protection Officer via the Company Head Office.

### **Who we are**

The organisation responsible for the processing of your personal information is Positive Pathways Limited (Registered Office Address: Park Business Centre, Hastingwood Industrial Park, Wood Lane, Erdington, Birmingham B24 9QR; company number: 7138374). This means that we are a 'data controller' under the General Data Protection Regulation (GDPR), which came into force on 25<sup>th</sup> May 2018 (replacing the Data Protection Act 1998). Our registration number with the Information Commissioners Office (ICO) is Z2195486.

### **What information we collect about you**

The personal data you have provided, we have collected from you, or we have received via third parties, could include:

- Name
- Date of birth
- Home address
- Gender
- Nationality
- Ethnicity
- Marital status
- Passport-type photograph for Company ID card
- Contact details, including telephone numbers and email address
- Contact details for next-of-kin, including telephone numbers
- Education history
- Qualifications and copies of relevant certificates
- Employment history
- Performance data
- National insurance number
- Bank account details, including bank address; sort code; account name; account number
- Contact details for your GP

- Medical, health and disability status, including self-disclosed prescribed medications that may impact on work and driving performance.
- Details for DBS checks, including passport number; birth certificate details; driving licence number; proof of address.
- Criminal convictions (as stated on DBS) and DBS certificate number.
- Previous employment references.
- Details for car drivers, including driving insurance details; driving convictions; penalty points.
- Financial information, including tax code reference.

## **How we collect and obtain information about you**

- Most of the information we hold about you is that which we collect directly from you as part of our initial employment checks.
- Additional information is sometimes requested during employment (e.g. driving licence details; driving insurance details).
- Information is sometimes passed to us by other agencies. For example, Attachment of Earnings details from Department of Work and Pensions (DWP) and credit agencies via the Courts.

## **What we use our information for and the legal basis for processing**

We may store and use your personal information for the purposes of:

- Maintaining contact with you regarding employment matters.
- Contacting next-of-kin in an emergency situation.
- Undertaking DBS checks for the purposes of employment and safeguarding children and vulnerable adults.
- Organising and delivering staff training.
- Undertaking risk assessments relating to work-related matters.
- Calculating and administering your salary/pay.
- Calculating tax and communicating with HMRC.
- Handling employment-related insurance matters, including company/private vehicle insurance cover and insurance claims.
- Administering debt recoveries, where you owe us money under contract or otherwise (as is necessary for the performance of a contract between you and us and/or as is necessary for our legitimate interests).
- Fulfilling our obligations owed to a relevant regulator (e.g. Ofsted), tax authority or revenue service (as necessary for compliance with our legal obligations and/or is necessary for our legitimate interests).

Our “legitimate interests” as referred to above (and below) include our legitimate business purposes and commercial interests in operating our business in a client-focussed, efficient and sustainable manner, in accordance with all applicable legal and regulatory requirements. Due to the nature of our business the safeguarding of children/young people and vulnerable adults is paramount at all times and underpins all of our activities.

We do not use your personal data for marketing purposes.

## **Consequences of processing**

If we, or a safeguarding agency, determine that you pose a risk to children/young people, and/or to vulnerable adults, we may undertake disciplinary action that could result in termination of your employment.

## **Who we share your data with**

We keep your information confidential and will only share your information for the purposes outlined in our privacy notice. Where relevant we may be obliged to share your information with the following categories of third parties:

- Safeguarding agencies, including Local Authority safeguarding representatives.
- Statutory regulatory and inspection agencies (e.g. Ofsted; Regulation 44 visitors).
- Contractual inspection agencies (e.g. Commissioning Services).
- Other employers, as part of their employment checks.
- HMRC, for pay and tax purposes.
- Pension providers.
- Payroll software providers (e.g. Sage).
- Employment vetting and identification agencies (e.g. for photocard ID).
- Data processing and storage agencies (e.g. for archiving).
- Company financial services (e.g. bank; accountant) (as necessary for compliance with our legal obligations and/or is necessary for our legitimate interests).
- Insurance companies/underwriters and legal services/advisors who are involved with the provision of insurance services to us (e.g. for Company driving insurance; employers liability insurance) (as is necessary for the performance of your employment contract between you and us).
- Training providers.

## **How long your information is kept**

We will retain your personal information for a number of purposes, as necessary to carry out our business and to satisfy legal and regulatory requirements. We will not keep your information for any longer than we need to. Your financial information will be kept for up to 6 years on our main systems after which time it will be archived, deleted or anonymised. Other information will be retained for up to 25 years for the purposes of processing safeguarding investigations and insurance claims.

## **Your rights**

Under the GDPR you have the following rights:

- To request for us to erase your personal information.
- To request for us to restrict our data processing activities.
- To receive from us the personal information we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal information to another data controller.
- To require us to correct the personal information we hold about you if it is incorrect.

Please note that these rights may be limited by data protection legislation, and we may be entitled to refuse requests where exceptions apply.

If you are not satisfied with how we are processing your personal information, you can make a complaint to the Information Commissioner.

You can find out more about your rights under data protection legislation from the Information Commissioners Office website at [www.ico.org.uk](http://www.ico.org.uk).