**Privacy Policy for HR Data**

The purpose of this Privacy Policy (‘policy’) explains the types of personal data the Melton Mowbray Building Society (the ‘Society’) and its subsidiary businesses (the ‘Group’) collect, what it does with it, who they share it with, how long data is kept and your rights under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 18).

In this Policy ‘we’, ‘our’ and ‘us’ means the Group. This Policy applies to the personal data of prospective candidates for jobs, employees, ex-employees, and any other individuals engaged in any other form of work by us.

This Policy should be read in conjunction with the **GROUP DATA PROTECTION POLICY** and its supplementary procedures.

If you have any questions about the data that you share or we collect about you, do not hesitate to get in touch. We’ll be happy to help!

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## How do we get your information?

We get information about you from the following sources:

* Directly from you
* From an employment agency
* From referees, either external or internal
* From Occupational Health and other health providers
* From providers of colleague benefits (e.g. Health Cash plan, pension)
* CCTV images from our landlords or taken using our own CCTV systems.
* The Electoral Roll and other sources of publicly available information (e.g., Sanctions list, media)
* HM Revenue & Customs and other tax authorities
* Credit reference agencies
* Government bodies and agencies
* Law enforcement agencies
* Fraud prevention agencies
* Regulators

## What personal information do we process?

The types of personal information we collect about you are:

* **Identity details** which can include your full name, title, date of birth, age, unique personal identifier and account number.
* **Contact details** which includes your home address, email address and phone number.
* **Financial data** which can include your bank account, credit/debit card number, tax reference number and credit history.
* **Personal information** about your family which includes your marital status, next of kin, dependants and emergency contact details.
* **Profile data** about you which includes your sex, occupation, employment history, nationality and right to work, residential status, bank account details, data relating to your employment contract (including Terms and Conditions), time keeping records (including working hours), attendance and sickness absence records, periods of statutory leave (i.e., maternity, adoption, parental, paternity and shared parental leave), statutory entitlements, PAYE details, pension details, benefits, training records, your qualifications, CV, references, disciplinary and grievance maters which you have been involved in or subject to, performance records.
* **Identification data** which includes your driving licence, passport, National Insurance number and other national identifiers.
* **How you interact with us** which includes call recordings or any other form of communication.
* **Technical data** which includes internet protocol (IP) address, location data, operating system and monitoring records (i.e., records of computer use, including personal use, CCTV imagery and security pass records)
* **Special Category Data which can include** health data (i.e., any physical disability, mental disability, or any medical condition), criminal record data which includes information about criminal convictions and offences, allegations (proven or unproven) and investigations, penalties and restrictions, County Courts Judgements, and insolvency details as well as information relating to the absence of convictions, race or national or ethnic origin, religion or beliefs, sexual orientation, and political affiliations.

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed of any changes to your personal information, such as change of address etc by contacting the team at people@mmbs.co.uk, and updating your details on **BreatheHR**.

## Why do we process your personal information?

The below list helps us to explain why we collect and process your personal data:

* **Information related to your employment** – We process this information to carry out the contract we have with you, provide you access to business services required for your role and manage our human resources processes.
* **Information related to your salary, pension and** benefits- We process this information for the payment of your salary, pension and other employment related benefits. We also process it for the administration of statutory and contractual leave entitlements such as holiday or maternity leave.
* **Information relating to your performance and training** - We use this information to assess your performance, to conduct pay and grading reviews and to deal with any employer / employee related disputes. We also use it to meet the training and development needs required for your role.
* **Information relating to monitoring** - We use this information to assess your compliance with corporate policies and procedures and to ensure the security of our premises, IT systems and employees.
* **Information relating to your health and wellbeing and other special category data** - We use the following information to comply with our legal obligations and for equal opportunities monitoring. We also use it to ensure the health, safety and wellbeing of our employees.

## Lawful basis for processing your personal data

Depending on the processing activity, we rely on the following lawful basis

for processing your personal data under the GDPR:

* **Article 6(1)(b)** which relates to processing necessary for the performance of a contract.
* **Article 6(1)(c)** so we can comply with our legal obligations as your employer.
* **Article 6(1)(d)** in order to protect your vital interests or those of another person.
* **Article 6(1)(f)** for the purposes of our legitimate interest.

## Special Category Data

Where the information we process is special category data, for example your health data, the additional bases for processing that we rely on are:

* **Article 9(2)(b)** which relates to carrying out our obligations and exercising our rights in employment and the safeguarding of your fundamental rights.
* **Article 9(2)(c)** to protect your vital interests or those of another person where you are incapable of giving your consent.
* **Article 9(2)(f)** for the establishment, exercise, or defense of legal claims.

In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1 of the DPA 2018. This relates to the processing of special category data for employment purposes.

## Criminal convictions and offences

We process information about new hires’ criminal convictions and offences. The lawful basis we rely on to process this data are:

* + **Article 6(1)(e)** for the performance of our public task. In addition, we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a).
	+ **Article 6(1)(b)** for the performance of a contract. In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1.

## Data Sharing

In some circumstances, we are legally obliged to share information. We may also share information about you with third parties including government agencies and external auditors. For example, we may share information about you with HMRC for the purpose of collecting tax and national insurance contributions.

We may also share your personal data with third parties that support the operation of the business and specific third parties that you’ve authorised us to deal with (e.g. professional advisors, family members or representatives for you).

## Do we use any data processors?

Yes - a list of our current data processors can be found at Annex A.

## How long we keep your personal data?

For information about how long we hold your personal data, see our retention schedule.

# Transfer outside the UK and EEA

When working with our suppliers and/or transferring information to countries outside the UK, we take appropriate steps to ensure that there is adequate protection in place and that data protection legislation is followed.

We may need to transfer your personal data outside of the European Economic Area (EEA) using Cloud storage or similar technology solutions. In such circumstances, data will only be transferred to organisations which are covered by an adequacy decision by the EU Commission.

## Your Rights

As a data subject you have the following rights:

* **Right to be informed -** We are obliged to provide clear and transparent information about our processing activities of your personal information.
* **Right to request access to your personal information -** You have the right to understand what personal information we hold about you and why.
* **Right to request correction of the personal information -** If you believe that we hold inaccurate or incomplete personal information, you have the right to request us to rectify or correct your personal information.
* **Right to request erasure of your personal information -** You may ask us to delete or remove personal information where there is no good reason for us to continue to process it. Please note, however, that we may not always be able to comply with your request of erasure for specific legal reasons.
* **Right to request restriction of processing of your personal information -**You may ask us to stop processing your personal information. We will still hold the data but will not process it any further. You may exercise the right to restrict processing when one of the following conditions applies:
	+ The accuracy of the personal information is contested.
	+ Processing of the personal information is unlawful.
	+ We no longer need the personal information for processing, but the personal information is required for part of a legal process.
	+ The right to object has been exercised and processing is restricted pending a decision on the status of the processing.
* **Right to data portability -** You may request your personal information be transferred to another controller or processor, provided in a commonly used and machine-readable format. This right is only available if the original processing was on the basis of consent, the processing is by automated means, and if the processing is based on the fulfilment of a contractual obligation.
* **Right to withdraw consent -** You may withdraw consent at any time if we are relying on your consent to process your personal information. This won’t affect any processing already carried out before you withdraw your consent or processing under other grounds.
* **Right to object -**You have the right to object to our processing of your personal information where:
	+ Processing is based on legitimate interest.
	+ Processing is for the purpose of direct marketing.

If you wish to exercise any of the above rights, you should contact the Data Protection Officer at DPO@mmbs.co.uk

You are not under any contractual or statutory requirement to provide any personal data to the Group during the process of recruitment. However, if you fail to provide the relevant personal data, this may prevent the Group from being able to process your application properly, which may result in the Group being unable to process your application at all.

No automated decision making is used in respect to any personal data.

# Questions and complaints

If you have any questions or are unhappy about this Policy, how we use your information or any of your rights, please contact our Data Protection Officer - DPO@mmbs.co.uk

If you’re not satisfied with the way we handle your complaint, you are entitled to raise a complaint directly with the UK Information Commissioner’s Office. See [www.ico.org.uk](http://www.ico.org.uk/) for details.

# Annex A

Below is a list of our current data processors:

|  |  |  |
| --- | --- | --- |
| Data Processor | Purpose of Processing | Privacy Notice |
| Duncan Toplis | Payslips | [Privacy notice | Duncan & Toplis (duncantoplis.co.uk)](https://duncantoplis.co.uk/privacy-notice/) |
| Skillcast | Learning & development | https://www.skillcast.com/privacy-notice |
| BreatheHR | Employee Data | <https://www.breathehr.com/en-gb/privacy-policy>  |
| Experian | Employee Checks | https://www.experian.co.uk/legal/privacy-statement |
| Royal London | Pension | https://www.royallondon.com/legal/privacy/ |
| Benenden | Health Cash Plan | [Privacy Policy | Benenden Health](https://www.benenden.co.uk/privacy-policy/) |
| Octopus EV | Electric vehicle leasing scheme | [Privacy Policy | Octopus Electric Vehicles (octopusev.com)](https://octopusev.com/privacy-policy) |
| New Possible | Colleague survey | https://newpossible.io/application-privacy-policy |
| Perkbox | Employee perks platform | https://www.perkbox.com/uk/privacy |
| Health Assured | Employee Assistance Programme counselling service | https://www.healthassured.org/privacy-policy/ |