

# PRIVACY NOTICE

## 1. Introduction

Due to the elements needed to be covered in this notice it is by nature a lengthy document set out in a formal manner in order to comply with legislation

## 2. Scope of privacy notice

This Privacy Notices explains the type of information we process, why we are processing and how that processing may affect you.

The notice focuses on individuals who work for us, whether employed by us or not. It also covers information on those who apply to work for us and former employees.

In brief this notice explains:

- What personal data we hold and why we process it;
- The legal grounds which allow us to process your personal data;
- Where the data comes from, who gets to see it and how long we keep it;
- How to access your personal data and other rights;
- Who to contact if you have a query

## 3. What do we mean by 'personal data' and 'processing'?

"Personal data" is information relating to you (or from which you may be identified) which is processed by automatic means or which is (or is intended to be) part of a structured manual filing system. It includes not only facts about you, but also intentions and opinions about you.

Data "processed automatically" includes information held on, or relating to use of, a computer, laptop, mobile phone or similar device. It covers data derived from equipment such as access passes within a building, data on use of vehicles and sound and image data such as CCTV or photographs.

"Processing" means doing anything with the data. For example, it includes collecting it, holding it, disclosing it and deleting it.

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sexual orientation, sex life, trade union membership and genetic and biometric data are subject or special protection and considered by EU privacy law to be "sensitive personal data".

References in the Privacy Notice to employment, work (and similar expressions) include any arrangement we may have under which an individual provides us with work or services. By way of example, when we mention an "employment contract", that includes a contract under which you provide us with services' when we refer to ending your employment, that includes terminating a contract for services. We use the word "you" to refer to anyone within the scope of the notice.

## 4. Where the data comes from

When you start employment with us, the initial data about you that we process is likely to come from you: for example, contact details, bank details and information on your immigration status (where applicable) and whether you can lawfully work in the UK. We may also require references and information to carry out background checks. In the course of employment, you may be required to provide us with information for other purposes such as sick pay (and SSP) and family rights (e.g. maternity and paternity leave and pay). If you do not provide information that you are required by statute or contract to give us, you may lose benefits or we may decide not to employ you or to end your

contract. If you have concerns about this in a particular context, you should speak to one of the Directors.

In the course of your work, we may receive personal data relating to you from others. Internally, personal data may be derived from the Directors and other colleagues or our IT systems, externally, it may be derived from our clients or those with whom you communicate by email or other systems.

## **5. Who gets to see your data?**

More details and examples of data outlined below can be found in the table on page 3 of this document.

### *Internal use*

Your personal data may be disclosed to the Directors, line managers for employment, administrative (e.g accountants) and management purposes as mentioned in this document. We may also disclose this data, such as your name and job title, for new business pitches and tenders.

### *External use*

We will only disclose your personal data outside the company if disclosure is consistent with a ground for processing on which we rely and doing so is lawful and fair to you.

We may disclose your data if it is necessary for our legitimate interests as an organisation or the interests of a third party (but we will not do this if these interests are over-riden by your interests and rights in particular to privacy). We may also disclose your personal data if you consent, where we are required to do so by law and in connection with criminal or regulatory investigations.

Specific circumstances in which your personal data may be disclosed include:

- Disclosure to organisations that process data on our behalf such as our payroll service, insurers and other benefit providers, our bank and organisations that host our IT systems and data;
- Disclosure to external recipients of electronic communications (such as emails) which contain your personal data;
- Disclosure on a confidential basis to a service provider or client under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) legislation.
- Disclosure to potential and current clients in the form of marketing materials and pitches.

## **6. Retaining your personal data**

Although there is no specific period for which we will keep your personal data, we will not keep it for longer than is necessary for our purposes. In general, we will keep your personal data for the duration of your employment and for a period afterwards as defined by statute. In considering how long to keep it, we will take into account its relevance to our business and your employment either as a record or in the event of a legal claim.

If your data is only useful for a short period (e.g. a record of a holiday request) we may delete it.

Personal data relating to job applicants (other than the person who is successful) will normally be deleted after 12 months.

## 7. Access to your personal data and other rights

We try to be as open as we reasonably can be about personal data process. If you would like specific information, just ask one of the directors.

You also have a legal right to make a “subject access request”. If you exercise this right and we hold personal data about you, we are required to provide you with information on it, including;

- Giving you a description and copy of the personal data
- Telling you why we are processing it

If you make a subject access request and there is any question about who you are, we may require you to provide information from which we can satisfy ourselves to your identity. The request needs to be made in line with the data protection policy.

As well as your subject access right, you may have a legal right to have your personal data rectified or erased, to object to its processing or to have its processing restricted. If you have provided us with data about yourself (e.g. your address or bank details), you have the right to be given the data in machine-readable format for transmitting to another data controller. This only applies if the ground for processing is Consent or Contract.

If we have relied on consent as a ground for processing, you may withdraw consent at any time – though if you do so that will not affect the lawfulness of what we have done before you withdraw consent.

## 8. Legal grounds for processing personal data

Under data protection law, there are various grounds on which we can rely when processing your personal data. In some contexts more than one ground applies. We have summarised these grounds as Contract, Legal obligation, Legitimate Interests and Consent and outline what those terms mean in the following table.

<b>Term</b>	<b>Ground for processing</b>	<b>Explanation</b>
Contract	Processing necessary for performance of a contract with you or to take steps at your request to enter a contract	This covers carrying out our contractual rights
Legal obligation	Processing necessary to comply with our legal obligations	Ensuring we perform our legal and regulatory obligations. For example providing a safe place of work, pension auto-enrolment legislation and avoiding unlawful discrimination.
Legitimate interests	Processing necessary for our or a third party's legitimate interests	We or a third party have legitimate interests in carrying on, managing and administering our respective businesses effectively and properly and in connection with those interests processing your data. Your data will not be processed on this basis if

		our or a third party's interests are overridden by your own interests, rights and freedoms.
Consent	You have given specific consent to processing your data	In general processing of your data in connection with employment is not conditional on your consent. But there may be occasions where we do specific things such as provide a reference, or obtain medical reports and rely on your consent to do so.

### 9. Processing sensitive personal data

If we process sensitive personal data about you, as well as ensuring that one of the grounds for processing mentioned above applies, we will make sure that one or more of the grounds for processing sensitive personal data applies. In outline, these include:

- Processing being necessary for the purposes of your or our obligations and rights in relation to employment in so far as it is authorised by law or collective agreement;
- Processing relating to data about you that you have made public (e.g. if you tell colleagues that you are ill);
- Processing being necessary for the purpose of establishing, making or defending claims;
- Processing being necessary for the provision of healthcare or treatment, medical diagnosis, and assessment of your working capacity;
- Processing for equality and diversity purposes to the extent permitted by law.

### 10. Examples of the data we process and grounds for processing

The examples in the table cannot, of course, be exhaustive. For example, although the table does not mention data relating to criminal offences, if we were to find out that someone working for us was suspecting of committing a criminal offence, we might process that information if relevant for our purposes.

Purpose	Examples of personal data that may be processed	Who your data is shared with	Grounds for processing
Recruitment	Personal contact information, information concerning your application and our assessment of it, including your CV (LinkedIn profile if used as part of the application process), qualifications, your references, any checks we may make to verify information provided or background	Internally; Directors  Externally: Offer information shared with recruitment companies, contact details shared with accountant - Blick Rothenburg	Contract  Legal obligation  Legitimate interests
Your employment contract including entering it,	Information on your terms of employment including elements of your pay and benefits, such as your participation in pension	Internally; Directors	Contract  Legal obligation

performing it and changing it	arrangements. Immigration status and passport and visa details (if applicable) to ensure on-going proof of right to work in the UK. Driving licence and any professional body membership.	External: Accountants, Pension benefit provider etc.	Legitimate interests
Contacting you or others on your behalf	Your postal address, email address and phone number, emergency contact information and information on your next of kin. Your work mobile number, phone number and email address will be listed internally.	Internally: HR database, emergency contact list provided to the Directors  Externally: business continuity software	Contract  Legitimate interests
Payroll administration	Information on bank account, salary pension contributions, other salary sacrifices (e.g childcare vouchers requiring child's name and details) and information regarding tax and national insurance.  Information on attendance, maternity, paternity, parental, holiday and other types of paid and unpaid leave and sickness absence.	Internally: stored on Finance server for payroll information as well as accountants - Blick Rothenburg servers  Also on Finance server for logging sick and holiday days  Directors for salary review process.	Contract  Legal obligation  Legitimate interests
Supporting and managing your work and performance and any health concerns	Information connected with your work, anything you do at work and your performance including records of documents and emails created by or relating to you and information on your use of our systems including computers, laptops or other devices.  Management information regarding your including notes and appraisal records. Information relating to your compliance with our policies.  Information concerning disciplinary allegations, investigations and processes relating to grievances in which you are or may be directly or indirectly involved.	Internally: Directors, line managers, who log holiday and sickness, requirements for Health & Safety.  Externally: Training providers, clients who have contacted, health professionals instructed by Philosophy	Contract  Legal obligation  Legitimate interests

	Information concerning your health, including self-certification forms and medical reports. Allergy information and dietary requirements will be stored by the directors.		
Checking or ending your working arrangements	Information connected with anything that may affect your continuing employment or the terms on which you work including proposal to promote you, to change your pay or benefits, to change your working arrangements or to end your employment.	Internally: Directors	Contract Legitimate interests
System security	Records of your use of our systems and location of ICT assets, including computers, phones and other devices and passwords both in and outside of office locations	Internally: Directors  Externally: Landlord and external consultants: MacSeven and Excel for computers and phones	Legal obligation  Legitimate interests
Providing references in connection with your finding new employment	Information on your working with us including dates of employment. Salary information for mortgage and rental references.	Internally: Directors  Externally: new employer, recruitment agency bank or mortgage advisor, lettings agency / landlord representative	Consent  Legitimate interests
Monitoring of diversity and equal opportunities	Information on your nationality, racial and ethnic origin, gender, sexual orientation religion, disability and age	Internally: stored by Directors	Legitimate interests
Monitoring and investigating compliance with policies and rules – generally and specifically	We expect our employees to comply with our policies and rules and may monitor our systems to check compliance (e.g. inappropriate use of internet). We may also have specific concerns about compliance and check system and other data to look into those concerns (eg log in records, records of usage and emails and documents)	Internally: Directors  Externally: IT Consultants MacSeven as part of an investigation	Legitimate interests
Disputes and legal proceedings	Any information relevant or potentially relevant to a dispute or legal proceeding affecting us	Internally: Directors  Externally: Legal advisors	Legitimate interests  Legal

			obligation
Day to day business operations including marketing and client relations	Information relating to the work you do for us, your role and contact details including relations with current or potential clients and partners. This may include a picture of your for internal and external use. Details may be published online through social media sites, press releases and press coverage Photographs and film from Philosophy and client events, training sessions, and professional photography sessions as groups and individuals may be used for further marketing materials online and in print	Internally: Directors  Externally: Company website, social media portals including YouTube; LinkedIn, Twitter, Google+, Instagram	Legitimate interests
Business operations required for Health & Safety / legal / compliance	Your name may appear internally on notice board as a Director / a First Aider / or other named role.	Internally: Directors and on notice boards	Legitimate interests  Legal obligations
Maintaining appropriate business records during and after your employment	Information relating to your work, anything you do at work and your performance relevant to such records	Internally: Directors Line managers	Contract  Legal obligation  Legitimate interests

### 11. Complaints

If you have complaints relating to our processing of your personal data, you should raise these with the Directors in the first instance You may also raise complaints with the Information Commissioner who is the statutory regulator For contact and other details ask one of the Directors or see <https://ico.org.uk/ICO>

### 12. Contact details

In processing your personal data, we act as data controller For more information please talk to one of the Directors; Natasha Anslow or Sara Woods

### 13. Status of this notice

This notice does not form part of your contract of employment and does not create contractual rights or obligations. It may be amended by us at any time