



HART BROWN Privacy Notice for Staff and Applicants

Identity and Contact detail

Controller - Hart Brown

Resolution House, Riverview, Walnut Tree Close, Guildford, Surrey GU1 4UX

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What information do we hold?

Hart Brown holds and processes personal data and special categories of personal data about its current, past or prospective staff and others who are defined as data subjects under the General Data Protection Regulation (GDPR). This information is normally initially provided to Hart Brown by a prospective member of staff in an application and is added to by Hart Brown over the course of employment. Information about staff and prospective staff is retained and disposed of in accordance with the HR Records Retention Schedule which may be obtained from H.R.

Personal Data

Personal data is any information relating to an identified or identifiable living individual. It can include expressions of opinions about an individual.

Special Categories of Personal Data

Special categories of personal data are one or more of: racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life, and sexual orientation.

Why do we process personal data?

Hart Brown needs to process certain personal data about its staff for a number of administrative purposes

- Managing Human Resources processes such as recruitment, payment of salaries and pensions, performance management, and training and development
- Providing facilities such as the IT service and Library Services,
- Monitoring equal opportunities
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- Providing communications about Hart Brown news and events, such as through Off the Cuff, the intranet.
- Maintaining contact with past employees
- Marketing
- Provision of wellbeing and support services
- Compliance with legal obligations such as the right to work, DBS checks

Hart Brown processes special categories of personal data for a number of administrative purposes:

- Equal opportunities monitoring
- Managing Human Resources processes such as administering Sick Pay and Sick Leave schemes, managing absence, administering Maternity Leave and related pay schemes
- Managing a safe environment and ensuring fitness for work
- Managing obligations under Equal Opportunities legislation
- Provision of occupational health and wellbeing services to individuals

How do we use your information?

General Principles

Hart Brown will process your information in accordance with the GDPR and its own policies. To comply with the law, information about individuals must be collected and used lawfully, fairly, and in a transparent way, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as necessary and not disclosed to any third party unlawfully.

Any breach of the GDPR or Hart Brown's Data Protection Policy is considered to be an offence and in that event, the Hart Brown disciplinary procedures will apply.

Data processing conditions

The legal basis for processing data under GDPR are

- 1 The person gave explicit consent
- 2 To fulfil or prepare a contract
- 3 There is a legal obligation (excluding the contract)
- 4 To protect the vital interests of the data subject
- 5 To carry out a public function
- 6 There is some other legitimate interests



Sources of information

Most of the information we have and keep on you will have been provided by you. The usual third party source of your personal data will be the recruitment agency which introduced you. We also seek and receive personal data from the referees that you identify to us.

How do we use your information within Hart Brown?

Within Hart Brown, personal data may be shared between colleagues who legitimately need the information to carry out their duties.

Registration with IT Services means that a member of staff's name, department/section, email address and telephone number will appear in Hart Brown's internal email and telephone directory. This information may also appear on externally facing webpages during employment. This is a legitimate interests namely for the promotion of Hart Brown.

Staff photographs are used on the Hart Brown website, the intranet and the H.R. database. Hart Brown may occasionally commission photographs around events which could include images of staff for inclusion in promotional material during employment. This is a legitimate interests namely for the promotion of Hart Brown.

Hart Brown may monitor computing use through user names and log-ins to ensure adherence to the Email Policy or for statistical purposes, as your contract so provides

Hart Brown is required to obtain information about past criminal convictions as a condition of employment for certain posts, this is through the disclosure and barring service (DBS).

The amount of staff personal information shared within Hart Brown by the H.R. department will be no more and no more extensive than is reasonably necessary.

Managing our recruitment

When applying for a role with Hart Brown directly and/or through a recruitment agency the personal data you provide as part of the recruitment process will only be held and processed for the purpose of the selection processes of Hart Brown and in connection with any subsequent employment with Hart Brown unless otherwise indicated. You will be asked to provide certain information including your name,



contact details, employment history and qualifications. This information is required in order for Hart Brown to consider your application, communicate with you about your application and where successful, follow up with referees or to meet our statutory and internal monitoring, reporting responsibilities and for the operation of the business. We may also view social media profiles of applicants, such as LinkedIn, to the extent that it is relevant to your application.

This data is processed under the processing condition to fulfil or prepare a contract.

Unsuccessful applicant data will be held confidentially within the recruitment system for a period of 6 months before it is deleted to protect our legitimate interests in case of a claim against the firm.

Speculative applications will be stored securely for a period of 12 months, only with the explicit consent of the applicant.

Hart Brown does not use automated decision making.

How do we share your information with third parties

Hart Brown may need to share your personal data with third parties outside of Hart Brown who are contracted to work on its behalf. These are pension providers, payroll bureau, and various staff benefit insurers. This data is processed under the processing condition of the vital interests of the staff member.

Hart Brown may also disclose personal data to accreditation auditors, our insurers and their and our professional advisors. This data is processed under the condition of the legitimate interests of Hart Brown. In respect of accreditation auditors the legitimate interest is to enable Hart Brown to maintain (or acquire) relevant accreditation and in respect of our insurers and their and our professional advisors it is to enable any complaint or claim to be investigated properly and a just result achieved.

We also may disclose personal data to financial auditors, regulators and the authorities under a legal obligation.

Hart Brown will often confirm dates and nature of an individual's employment to a prospective employer in a reference. We will only provide this information outside the UK, with your explicit consent at the time.

Hart Brown intends to transfer personal data to a third country or international organisation when using Survey Monkey but not otherwise. The European commission has made an adequacy decision in respect of organisations in the USA that are covered by privacy shield. Survey Monkey is so covered.

Special Categories of Personal Data:

We will only hold data regarding medical conditions with your explicit consent. This data may be shared with third parties without your consent where it is in your vital interests, for example sharing with the emergency medical services.

How we store your data

Data is stored

- electronically in a restricted area of the firm's computer system, which may be accessed only by H.R. staff and the Chief Operating Officer.
- electronically on the Payroll system, the HR
- databases , the appraisal system, and the Smart Enrol pension system, each of these systems are passworded and may be accessed only by authorised staff only. These systems are provided by outside providers
- Physically in a locked cabinet, in a room which is locked when empty
- Physically offsite at Restore plc, the document storage provider

Your rights in relation to your data

You have the right to request from us access to and rectification or (in certain circumstances) erasure of personal data or (in certain circumstances) restriction of processing concerning you

Where the processing is carried out by us on the basis that it is necessary for the purposes of the legitimate interests pursued by us, you have the right to object to it continuing and we must stop the processing unless we demonstrate legitimate grounds for the processing which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of civil claims

Where the processing is based on consent or under or leading to a contract and the processing is carried out by automated means, you have the right to receive from us the personal data concerning you which you have provided to us and the right to transmit those data to another controller.

Where the processing is based on consent, you have the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal



You have the right to lodge a complaint with the Information Commissioner's Office, who may be contacted at

<https://ico.org.uk/concerns/> or telephone:
0303 123 1113

but we invite you to tell us first if you have any complaint, so we can attend to it as soon as possible

If you would like to exercise any of those rights, please:

email, call or write to David Wallace,

let us know the description to which your request applies.

Changes to this privacy notice

Any changes we may make to our Privacy Notice for Staff and Applicants in the future will be updated in the staff handbook and, where appropriate, notified to you by e-mail. This Privacy Notice for Staff and Applicants was last updated on 21st May 2018 and replaces any other Staff Privacy Notice previously applicable.