

Privacy Notice

1. What is the purpose of this document?

Just Fair is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the UK General Data Protection Regulation incorporated by the UK's Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR) (EU) 2016/679 (collectively referred to as the "**Data Protection Laws**").

This privacy notice applies to all employees, workers and contractors, but does not form part of any contract of employment or other contract to provide services.

- 1.1 Economic, Social and Cultural Rights ("**Just Fair**", "**we**", "**us**") who is a registered charity (charity number 1141484) is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection Laws to notify you of the information contained in this privacy notice.
- 1.2 This notice tells you, as an employee, worker or contractor of Just Fair, why and how we process your personal data. It is important that you read and retain this privacy notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the Data Protection Laws.

2. The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are certain types of "special category data" which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection. We have set out below a list of the types of "special category data" which we process.

- 2.1 We will collect, store, and use the following categories of personal information about you:
 - (a) Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
 - (b) Date of birth.
 - (c) Gender.
 - (d) Marital status and dependants.
 - (e) Next of kin and emergency contact information.
 - (f) National Insurance number.

- (g) Bank account details, payroll records and tax status information.
- (h) Salary, annual leave, pension and benefits information.
- (i) Start date and, if different, the date of your continuous employment.
- (j) Leaving date and your reason for leaving.
- (k) Location of employment or workplace.
- (l) Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- (m) Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- (n) Compensation history.
- (o) Performance information.
- (p) Disciplinary and grievance information.
- (q) Information about your use of our information and communications systems.
- (r) Photographs.
- (s) Results of HMRC employment status check, details of your interest in and connection with the intermediary through which your services are supplied.

2.2 We may also collect, store and use the following more sensitive types of personal information:

- (a) Trade union membership.
- (b) Information about your health, including any medical condition, health and sickness records, including:
 - (i) details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
 - (ii) where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- (d) Information about criminal convictions and offences.

3. How is your personal information collected?

3.1 We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

- 3.2 We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

4. How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

Personal Information:

1. Where we need to perform our duties under the terms of your employment contract. For example, we require your personal data to pay your salary.
2. Where we need to comply with a legal obligation. For example, we are subject to legal obligations to process your personal data for the purposes of complying with applicable regulatory, accounting and financial rules, health and safety and to make mandatory disclosures to government bodies and law enforcements.
3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests. When we refer to 'legitimate interests' we mean where we have good, sensible, and practical reasons for using your personal data which are in the best interests of Just Fair.

Special categories of data:

We may also process your 'special category data' in the following situations and on the following legal basis:

1. **Employment Basis** - we need to process your personal data to carry out our obligations as your employer, for example putting in place specific equipment in our offices to cater for particular physical conditions our employees may have.
2. **Vital Interests** – it is necessary for us to process your medical/health information, for the purposes of protecting your health and safety during the course of your employment.
3. **Public Interests** –it is in the public interest to ensure that organisations offer equal opportunities to all and are inclusive. This involves using special category data (such as disability, race, ethnicity) to check we are acting in this way.

5. Situations in which we will use your personal information

- 5.1 We use your personal information for the following purposes listed in this section and the table below. As an employer, we are required to use your personal information on certain legal basis, as set out in the table below and explained further under the section "**How we will use information about you**" above.

Purpose	Explanation	Legal Basis
Payroll Pension and Accounts	To calculate and pay your salary and pension contributions and to keep business accounts.	Contract

Benefits	To calculate, pay and provide benefits such as employer pension contributions.	Contract
Security	To keep your <u>personal data</u> and that of others secure and prevent unauthorised access, loss, damage, destruction or corruption	Legitimate interests
Employee Administration	To administer your employment with us. For example, this will include, complying with employment contracts, legal obligations, our policies and to administer medical and sickness records, sick pay/leave information, holiday/absence, appraisals, promotions, disciplinary and grievance matters, maternity, parental leave and time off for dependents.	Contract, legal obligation (depending on the context). For special category data, the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law in connection with employment (" Employment Basis ")
Business Travel	To administer any travel and/or accommodation arrangements where you are required to travel within or outside of the UK for work.	Legitimate Interests
Prevention and Detection of Crime	To prevent and detect crime. This might include <u>processing special categories of personal data</u> including information about offences or alleged offences and information relating to any proceedings for offences committed or allegedly committed.	Legitimate interests, Employment Basis or, depending on processing purpose, prevention or detection of unlawful acts
Equal Opportunities	To promote and monitor equal opportunities. This might include the <u>processing of special categories of personal data</u> including, religious or similar beliefs, ethnic origin.	Substantial Public Interest – Equal opportunities monitoring purposes.
Regulatory and Professional Requirements	To comply with regulations and professional requirements which Just Fair is subject to.	Legal obligation

Tax	To administer our revenue and tax obligations.	Legal obligation
Training and Career Development	To administer and supervise your training and career development, conduct performance reviews and determine performance requirements	Contract
Health and Safety	To comply with health and safety laws and our policies. This may include us <u>processing</u> special categories of your <u>personal data</u> , such as details of your mental and physical health as well as establishing a point of contact in the event of an emergency	Employment, Vital interests.
Monitoring	To monitor your use of our IT resources. More information has been provided about this in the section headed ' <u>Monitoring</u> ' below.	Contract
Credit Reference Checks	To check your credit status, when required by your role and responsibilities.	Legitimate Interests
Visa information	To ensure we fulfil our obligations to employ only people with a right to work in the UK. This may involve obtaining personal data from the Home Office or other governments or bodies responsible for visas or migration globally.	Legal obligation
References	Before you join us, we will obtain reference(s) about you from previous employers or character referees. We use this as part of our recruitment process, to determine whether you are offered employment with us.	Legitimate Interests

6. **Monitoring and recording communications**

We may monitor and record communications with you (such as telephone conversations and emails) for the purpose of quality assurance, training, fraud prevention and compliance as well as the systems and purposes listed in on the table below:

Purpose	Explanation	Legal Basis
----------------	--------------------	--------------------

IT Maintenance	To monitor your use of our information and communication systems to ensure compliance with our IT policies.	Legitimate interests
Unauthorised use of IT resources	To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.	Legitimate interests
Legal and Policy Compliance	To determine whether Just Fair and/or you are complying with legal requirements, our policies and rules and any other requirements which Just Fair and/or you should comply with.	Legal obligation

7. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

8. Change of purpose

8.1 We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will assess whether the new purpose is compatible with the original purpose. If it is not compatible, we will either seek your specific consent for the new purpose or assess whether there is a clear legal provision requiring or allowing the new processing in the public interest. We will also update our privacy notice to reflect this new purpose and the updated legal basis for processing.

8.2 Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. Do we need your consent?

We do not typically need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly special category data. If we do so, we will provide you with full details of the information that we would like and the reason

we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

10. Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our privacy standard.

- 10.1 We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.
- 10.2 We are allowed to use your personal information in this way to carry out our obligations. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

11. Data sharing

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK.

If we do, you can expect a similar degree of protection in respect of your personal information.

12. Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

13. Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, financial management, pension administration and IT services.

14. How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

15. What about other third parties?

- 15.1 We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the

transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

- 15.2 We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC, disclosures to stock exchange regulators and disclosures to shareholders such as directors' remuneration reporting requirements.
- 15.3 We may transfer the personal information we collect about you outside the UK in order to perform our contract with you. We will inform you at the time of the regulations in place to protect your personal information. If you require further information about this, you can request it from the Director.

16. Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

- 16.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Director.
- 16.2 We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

17. Data retention

How long will you use my information for?

- 17.1 We will retain personal information relating to unsuccessful candidates for 6 months following the date on which we notify the candidate that they were unsuccessful. We will retain personal information relating to employees for 6 years following the date on which the employee leaves the organisation.
- 17.2 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

18. Rights of access, correction, erasure, and restriction

18.1 Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

18.2 Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- (a) **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- (b) **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- (c) **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- (d) **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- (e) **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- (f) **Request the transfer** of your personal information to another party.

- 18.3 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact your line manager in writing.

19. What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

20. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact your line manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

21. Data protection officer

We have appointed a data privacy manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or your personal data, please contact the Administrator at info@justfair.org.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO).

22. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact your line manager / Administrator.

I, _____ (employee/worker/contractor name), acknowledge that on
_____ (date),

I received a copy of Just Fair's privacy notice for employees, workers and contractors and that I have read and understood it.

Signature

Printed Name

: