



Melville Housing

Sustainable Thriving Communities

Melville Housing Association Ltd

Fair Processing Notice (How we use employee information)

What this Notice Covers

This notice explains what information we collect when we collect it and how we use this. During the course of our activities we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

Melville Housing Association Ltd ("we" or "us") is committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and adhere to guidelines published in the UK GDPR and Data Protection Act 2018 (the 2018 Act), together with any domestic laws subsequently enacted. We collect and use personal data for a variety of reasons.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

Identity of Data Controller

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z7001952 and we are the data controller of any personal data that you provide to us.

Our Data Protection Officer is Thorntons Law LLP, email DPO@melville.org.uk.

Any questions relating to this notice and our privacy practices should be sent to. DPO@Melville.org.uk

It is important that you read this notice, together with any other fair processing 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.

Categories of personal data we process

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, personal email addresses; date of birth; gender; marital status and dependants;
- Next of kin and emergency contact information;
- National Insurance number;
- Bank account details, payroll records and tax status information;
- Salary, annual leave, pension, and benefits information;
- Start date;
- Copy of driving licence;
- 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);
- Employment records (including terms and conditions of employment, work history, working hours, training records and professional memberships);
- Compensation history;
- Performance information including appraisals and performance improvement plans;
- Details of any disciplinary and grievance proceedings you have been involved in;
- Details of any leave you have taken including holidays; sickness; family and parental leave;
- CCTV footage;
- Information obtained through electronic means such as swipe card records and biometric means of identification;
- Information about your use of our information and communications systems;
- Photographs;
- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions;
- Trade union membership;
- Information about your health, including any medical condition, health and sickness records and details of any disability for which we may need to make reasonable adjustments;
- Information about criminal convictions and offences.

Sources of personal data

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

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

Our lawful basis for processing your data

We will use your personal information in the following circumstances:

- Administration of contracts of employment;
- Payment and salaries;
- Recruitment and selection;
- Pensions and associated benefits, appraisal, training and development;
- Membership of professional bodies;
- Where we need to comply with a legal obligation;
- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation;
- Where it is necessary for our legitimate interests or those of a third party and your interests and fundamental rights do not override those interests;
- To carry out our obligations and exercise our rights under employment law;
- For health or social care purposes, such as assessing your working capacity;
- To identify and keep under review equality of opportunity or treatment;
- To prevent or detect any unlawful acts and/or prevent fraud.

Our purposes for processing your data

- Making a decision about your recruitment or appointment;
- Determining the terms on which you work for us;
- Checking you are legally entitled to work in the UK;
- Paying you and, if you are an employee, deducting tax and National Insurance contributions;
- Liaising with your pension provider;
- Administering the contract we have entered into with you;
- Business management and planning, including accounting and auditing;
- Conducting performance reviews, managing performance, and determining performance requirements;
- Making decisions about salary reviews and compensation;
- Assessing qualifications for a particular job or task, including decisions about promotions;
- Gathering evidence for possible grievance or disciplinary hearings;
- Making decisions about your continued employment or engagement;
- Making arrangements for the termination of our working relationship;
- Education, training, and development requirements;
- Dealing with possible legal disputes involving you, or other employees, workers, and contractors, including accidents at work;
- Ascertaining your fitness to work;
- Managing sickness absence;
- Complying with health and safety obligations;

- To prevent fraud;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- To conduct data analytics studies to review and better understand employee retention and attrition rates;
- Equal opportunities monitoring;
- Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Who has access to your data?

We may 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.

Recipients of your data may include third-party service providers (such as payroll and pensions providers); other related business entities; a regulator or to otherwise comply with the law.

Where we do so, we will require third parties to respect the security of your data and to treat it in accordance with the law.

Your information will only be stored within the UK.

When you give us information, we take steps to make sure that your personal information is kept secure and safe:

- Paper documentation is held securely with access only to approved members of staff;
- Electronic records are retained in secure locations with access restricted to approved members of staff. Access is controlled by individual password and multi-factor authentication;
- In line with best practice, our IT security systems are protected by a multi-layered approach that begins with an industry leading firewall and ends with anti-virus / anti-malware software;
- Access to our electronic information is provided on a need to know basis;
- We only keep the minimum amount of information that we need, for as long as we need it;
- Our internal IT systems are checked every month to keep them healthy and up-to-date;
- Our electronic information is backed up to a secure Data Centre on a regular basis;
- Any potential threat to the security of our information will generate an alert that will be investigated by qualified personnel;

- Association staff receive regular training and guidance on data security;
- System security is reviewed regularly by our internal auditors.

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you. Data will be held in line with our Data Retention Policy.

As a data subject, you have a number of rights. You can:

- Ask for a copy of the information about you held by us in our records
- Require us to change incorrect or incomplete data;
- Require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing
- Obtain your data for your own use in specific circumstances.

If you would like to exercise any of these rights, please contact the Data Protection Officer.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner.

The accuracy of your information is important to us – please help us keep our records updated by informing us of any changes to your personal and contact details.

How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

We will generally keep your information for the following minimum periods set out in the table below, after which this will be destroyed if it is no longer required for the reasons it was obtained. ([Blue relates to staff](#))

Type of Record	Retention Time
Membership records	5 years after last contact
Personal files including training records and notes of disciplinary and grievance hearings	5 years to cover the time limit for bringing any civil legal action, including national minimum wage claims and contractual claims
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of the redundancy
Application forms, interview notes	Minimum 6 months to a year from date of interviews. Successful applicant's documents should be transferred to personal file.
Documents proving the right to work in the UK	6 years after employment ceases.
Facts relating to redundancies	6 years if less than 20 redundancies. 12 years if 20 or more redundancies.
Payroll	3 years after the end of the tax year they relate to
Income tax, NI returns, correspondence with tax office	At least 3 years after the end of the tax year they relate to
Retirement benefits schemes – notifiable events, e.g. relating to incapacity	6 years from end of the scheme year in which the event took place
Pensioners records	12 years after the benefit ceases
Statutory maternity/paternity and adoption pay records, calculations, certificates (MAT 1Bs) or other medical evidence	3 years after the end of the tax year to which they relate
Parental Leave	18 years
Statutory Sick Pay records, calculations, certificates, self-certificates	3 years
Wages/salary records, expenses, bonuses	6 years
Records relating to working time	2 years from the date they were made
Accident books and records and reports of accidents	3 years after the date of the last entry
Health and Safety assessments and records of consultations with safety representatives and committee	Permanently
Health records	During employment and 3 years thereafter if reason for termination of employment is connected to health

(Green relates to others)

Type of record	Retention Time
Board Members Documents	5 years after cessation of membership
Documents relation to successful tenders	5 years after end of contract
Documents relating to unsuccessful form of tender	5 years after notification
Applicants for accommodation	5 years
Housing Benefits Notifications	Duration of Tenancy
Tenancy files	Duration of Tenancy
Former tenants' files (key info)	5 years
Third Party documents re care plans	Duration of Tenancy
Records re offenders. Ex-offenders (sex offender register)	Duration of Tenancy
Lease documents	5 years after lease termination
ASB case files	5 years/end of legal action
Board meetings/residents' meetings	1 year
Minute of factoring meetings	Duration of appointment

What if you do not provide personal data?

If you do not provide personal data, it is likely to be impossible for Melville Housing Association Ltd to enter into, or to continue with, an employment relationship with you.

Changes to this Privacy Notice

Melville Housing Association Ltd reserves the right to update this fair processing notice at any time, and we will provide you with a new fair processing 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 data.

If you have any complaints about the way your data is processed or handled by us. Please contact DPO@Melville.org.uk

If you remain unsatisfied after your complaint has been processed by us, you also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0303 123 1115
Email: Scotland@ico.org.uk