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Related Policies and Guidance	
That form part of this policy	Privacy Statement GDPR4: Privacy Policy GDPR2: Data maintenance and retention policy.
Related data management documents	NA

All documents relating to Data Protection can be found in our SWWFL Data Management Data Log:
G:/Compliance/GDPR Policies and documents

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Privacy Notice – Staff and Personnel (including Directors)

1. About us

SWWFL 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 before, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

SWWFL is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to job applicants, current and former employees, workers and contractors. 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.

It is important that you read this 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.

2. Our commitment to your privacy

When you become a member of staff, contractor or Director SWWFL obtains information about you. This statement explains how we look after that information and what we do with it.

We have a legal duty under the General Data Protection Regulations (GDPR) to reasonably protect personal information about you. We also must ensure that the data we hold is accurate, adequate, relevant and not excessive.

All of the information we hold comes directly from you. Whenever we collect information from you, we will make it clear which information is required in order to provide you with the membership you have chosen. You do not have to provide us with any additional information unless you choose to. We store your information securely on our computer system, we restrict access to those who have a need to know, and we train our staff in handling the information securely.

We only share information when it is absolutely necessary to meet our organisational needs and legal obligations and only with strict controls and data sharing and processing agreements in place. We will never sell personal data to third parties.

We are committed to keeping the personal details of our staff and personnel safe.

Should you wish to find out more about the information we hold about you, or about our privacy policy, please contact us:

Data Protection Office
South West Wildlife Fundraising Ltd
2nd Floor, Cornerstone House,
Western Way,
Exeter.
EX1 1AL

Tel: 01392 420124

Our office hours are Monday – Friday, 9am – 5pm.

Our full Privacy Statement can also be found on our website: www.swwfl.co.uk

3. Key Terms

Any references to South West Wildlife Fundraising Ltd, SWWFL, 'we' or 'us' in this and Related Policies refer to SWWFL the company – a registered company in England and Wales (registered charity number 8529465).

The following are some of the key terms that apply in this document. These are definitions used by the Information Commissioner's Office (ICO), the UK's independent body set up to uphold information rights (www.ico.org.uk)

Automated Processing: any form of Automated Processing of Personal Data consisting of the use of Personal Data to evaluate certain personal aspects relating to an individual, in particular to analyse or predict aspects concerning that individual's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements. Profiling is an example of Automated Processing.

Data subject: this is you. As the data subject, we respect your right to control your data.

Data controller: this is us, the Devon Wildlife Trust. With your permission, we determine why and how your personal data is used (as outlined in this document).

Data processor: this is a person, or organisation, who processes your data on our behalf (eg pension provider).

Legitimate Interest: is one of the Lawful reasons for Processing Personal Data. It is where we determine that the Processing is necessary for us to pursue our legitimate interests and is lawful so long as the fundamental rights and freedoms of the individual are not overridden. We must have a clear and documented rationale for processing on this basis and an individual has the right to opt-out of any kind of communications that we send them on a Legitimate Interest basis. Other lawful basis for processing include consent; contractual; legal and vital interest.

Personal Data: any information identifying a Data Subject or information relating to a Data Subject that we can identify (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes Sensitive Personal Data and Pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

4. Why do we collect your personal data?

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 "special categories" of more sensitive personal data which require a higher level of protection.

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

- Name
- Address, post code
- Phone number(s)
- Email address
- Gender
- DOB
- NINo
- Bank details
- Marital Status
- NOK contact
- Application form
- CV
- Eligibility to work in the UK documentation
- Valid car insurance certificate
- P45/P46 information
- Self certification forms
- Contract of employment
- Start date
- Salary information
- References
- Interview notes
- 1-2-1/Appraisal notes
- Disciplinary and grievance information.
- Training documents (that you will have signed)
- Pension information

- Photos/ stats for Newsletter and/or Website (inc some Trust websites)
- ID Badge
- Photographs.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences (see below).

We collect less information from you if you are a contractor as detailed below:

- Name
- Address
- Post code
- Phone number(s)
- Email address
- Bank Details
- Pay rates
- ESI submissions

We collect the following information from you if you are a Director:

- Name
- Address
- Post code
- Phone number(s)
- Nationality
- Email address
- Bank Details

We also regularly collect your opinions about your work with us and your working environment in order to ensure that we are supporting our team well. We only collect this information with your consent and anonymise it where at all possible.

Occasionally we may carry out activity called 'profiling' – whereby we collect information about skills, personality traits and motivations to enable us to better understand the nature of our staff team. Where at all possible, this kind of information would be anonymised.

5. How do we store your data?

Security

All of our personnel data we process is processed at our Head Office in Exeter, Devon. This will be done in accordance with guidance issued by the Information Commissioner's Office.

All data is kept on our computer system or single database. SWWFL has the following security levels of access in place:

Only the following personal data is on our CRM Database as it needs to be accessed by the back office team:

- Name
- Address
- Post code
- Phone number
- Email
- Next of kin contact
- pay rate/salary/commission (MR's only)

All of the following data is only on our computer system, with access levels set as stated. The above data and the following data ONLY needs to be accessed by the SWWFL Managers:

- Salary information
- Interview notes
- 1-2-1/Appraisal notes
- Application form
- CV
- Photos/ stats for Newsletter and/or Website (inc some Trust websites)

The above data and the following data ONLY needs to be accessed by the finance & HR Assistant:

1. Eligibility to work in the UK documentation
2. Valid car insurance certificate
3. Self certification forms
4. pay rate/salary/commission (MRs only)
5. Contract of employment
6. Start date
7. References
8. Signed training documents
9. ID Badge

The above data and the following data ONLY needs to be accessed by the Finance & HR Manager and the Business Director:

10. Date of Birth
11. National Insurance number
12. Bank details
13. Marital status
14. P45/P46 information
15. pay rate/salary/commission (Back office team)
16. Pension information
17. ALL Directors information

All of our systems are backed up daily and the back ups are kept in a secure location.

Data retention policy

We will only use and store information for as long as it required for the purposes it was collected for. We continually review what information we hold, and delete what is no longer required. Please also see our GDPR2: Data maintenance and retention policy.

6. How is your personal information collected?

We collect personal information about employees, workers and contactors through the application, recruitment and induction 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.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us, such a one to ones, appraisals, grievance and disciplinary processes and as part of accreditation processes.

7. 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:

- Where we need to assess your suitability for a role you have applied for
- 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;

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests); and
- Where it is needed in the public interest or for official purposes.

We use Directors information to update Companies House, our auditors and to keep records of our current Board of Directors.

We use your views and opinions about your work with us in order to review our employment practices and monitor the wellbeing of the staff team.

We use information collected through any profiling we undertake to enable us to better understand the nature of our staff team, undertake skills gap analysis and plan our resources more strategically.



We need all the categories of information listed in paragraphs 4.2 above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties provided your interests and fundamental rights do not override those interests.

Wherever we collect or use your views and opinions about us or carry out any kind of profiling to understand the balance of skills, personality and motivations in our staff team, this will be done with your consent.

The situations in which we will process your personal information are listed below. We have indicated the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are

involved. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information:

- 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.
- Training and development requirements.
- 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.
- Providing benefits to you.
- 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 remuneration.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Dealing with 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.
- To gather your views about the organisation or conduct any profiling

Sensitive personal information:

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following limited circumstances, with your explicit written consent;

- Where we need to carry out our legal obligations or exercise rights in relation to your employment with us. We have in place an appropriate policy document

and safeguards which we are required by law to maintain when processing such data;

- Where it is needed in the public interest, such as for equal opportunities monitoring [or in relation to our occupational pension scheme]. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data;

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. [We may also process such information about staff or former staff in the course of legitimate business activities with the appropriate safeguards.]

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- we will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess and take advice on your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence to include taking legal advice on how to manage sickness absence, to administer benefits;

We do not 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 sensitive 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.

8. 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).

9. Change of purpose

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 notify you and we will explain the legal basis which allows us to do so.

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.

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 GDPR Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may also process such information about staff or former staff in the course of legitimate business activities with the appropriate safeguards.

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. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

11. Right to access to personal data

SWWFL recognises that all individuals who are the subject of personal data held by SWWFL have the right to control their data. Your rights are:

1. The right to be informed. This privacy statement outlines how we capture, store and use your data. If you have any questions about any elements of this policy, please contact us.
2. The right of access. If you wish to obtain a record of the personal data we hold about you, through a Subject Access Request, we will respond within one month.
3. The right to rectification. If we have captured information about you consider to be inaccurate or incomplete, we will update it.
4. The right to erase. You can ask us to remove or randomise your personal details from our records. Certain exemptions apply. The right to erasure does not apply if processing is necessary for one of the following reasons:
 - To exercise the right of freedom of expression and information;
 - To comply with a legal obligation;

- For the performance of a task carried out in the public interest or in the exercise of official authority;
 - For archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or for the establishment, exercise or defence of legal claims.
5. The right to restrict processing. You can ask us to stop using your personal data.
 6. The right to data portability. You can ask to obtain your personal data from us for your own purposes.
 7. The right to object. You can ask to be excluded from marketing activity.
 8. Rights in relation to automated decision making and profiling. We respect your right not to be subject to a decision that is based on automated processing.

These rights are subject to certain exemptions which are set out in the Regulations. Any person who wishes to exercise this right should make a request in writing to the Chief Executive.

Unless we are under a legal obligation to release data, or the individual has given us permission, personal information will only be released to the Individual to whom it relates.

The disclosure of such information to anyone else without their consent may be a criminal offence. Any employee who is in doubt regarding a subject access request should check with the Chief Executive. Information must under no circumstances be sent outside of the UK without the prior permission of the Chief Executive.

We aim to comply with requests for access to personal information as quickly as possible, but in any case, within the legal maximum of one month.

12. Making a complaint

SWWFL want to exceed your expectation in everything we do. However, we know that there may be times when we do not meet our own high standards. When this happens, we want to hear about it, in order to deal with the situation as quickly as possible and put measures in place to stop it happening again.

We take complaints very seriously and we treat them as an opportunity to develop our approach. This is why we are always very grateful to hear from people who are willing to take the time to help us improve.

Our policy is:

- To provide a fair complaints procedure that is clear and easy to use for anyone wishing to make a complaint.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.

- To make sure everyone in our organisation knows what to do if a complaint is received.
- To make sure all complaints are investigated fairly and in a timely way.
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired.
- To learn from complaints and feedback to help us to improve what we do.

13. Confidentiality

All complaint information will be handled sensitively, in line with relevant data protection requirements.

14. Responsibility

Overall responsibility for this policy and its implementation lies with our Chief Executive and Board of Directors.

15. Information Commissioner's Office

For further assistance with complaints regarding your data, please contact the Information Commissioner's Office, whose remit covers the UK.

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: 0303 123 1113

Email: casework@ico.org.uk

16. Get in touch

Should you wish to find out more about the information we hold about you, or about our privacy policy, please contact us:

Data Protection Officer
South West Wildlife Fundraising Ltd
Cricklepit Mill
Commercial Road
Exeter
EX2 4AB

Tel: 01392 420124

Our office hours are Monday – Friday, 9am – 5pm.