

Information note to employees, other workers and job applicants about our privacy notice

This is an information note to explain why we have sent you a privacy notice and to explain other things within the privacy notice.

Reason for giving you a privacy notice

We must take appropriate steps to provide you with information about how we process your personal information. This is a legal duty under the General Data Protection Regulation (GDPR).

This is to ensure that we are acting transparently and that you know exactly how we process your data.

We have chosen to meet this duty by sending you a written notice. This notice is in plain language and can also be made available in other formats, as appropriate.

Key issues within the privacy notice

The privacy notice contains four sections; each section is now explained below.

Section 1: Organisational information

This section gives you general information about contact details, including our representative.

This is the person you should contact directly if you have any issues to raise about the contents of this notice.

Section 2: Information that you have provided to us

This section explains why we gather your personal information. The reasons are related to meeting our legal obligations. These obligations are covered in statutory provisions and reflected in our employment contract.

We process your personal information only if we have a relevant legal ground for doing this. The notice explains that we process your personal information to meet contractual and legal obligations.

In the case of sensitive information (known in law as “special category data”), we must satisfy robust legal standards.

We need to share your personal information with some other organisations as part of our legal obligations.

Information sharing is, though, governed by our data sharing procedures that follow law and guidance.

This is to ensure that we process your information securely and confidentially, as appropriate. For this reason, our policy is not to transfer your personal information outside of the United Kingdom and/or the European Economic Area.

Section 3: Fair and transparent processing

This section explains how we:

- process your personal information fairly and transparently; and
- provide you with information about your rights.

We have established a range of data protection procedures that deal with particular issues.

One of these procedures is our data retention procedure. This procedure describes how long we keep information and the methods we use to destroy information securely.

We describe some of your main rights in the privacy notice, including complaint rights. And we provide further comprehensive information about rights in a separate advice and information leaflet.

Section 4: Personal information gathered from a third party

This section explains the types of personal information that we gather from other organisations or people (third parties).

This section also explains our reasons for gathering personal information, as well as our legal grounds for so doing.

Summary

It is recommended that you read this information note along with the privacy notice, and remember that all contact details are explained in this notice.

Privacy notice for employees/workers

Information about our Privacy Notice is available in other formats such as in larger print, audio-format and Braille, on request. Information can also be provided in other languages, as appropriate.

Section 1: Organisational information

Our name and registration details

Blue Triangle (Glasgow) Housing Association Limited.

We are registered with:

The Scottish Housing Regulator: 1835RS

OSCR (Office of the Scottish Charity Regulator): SC010858

ICO (Information Commissioners Office): Z5674566

Contact details

Blue Triangle (Glasgow) Housing Association Limited	Phone: 0141 221 8365
100 Berkeley Street	Email: admin@btha.org.uk
3 rd Floor	Website: www.btha.org.uk
Glasgow	
G3 7HU	

Our role

We are the data controller, that is, we are responsible for processing your personal information. This includes information in electronic and paper formats.

Information about our representative

Our representative to whom queries should be sent is:

Dr Stewart Montgomery

GDPR@btha.org.uk

Section 2: Information that you have provided to us

Why we gather your personal information

We gather your personal information for the following purposes:

- addressing and promoting the interests of employees/workers in line with law and good practice;
- administering and managing employment contracts effectively in line with contractual rights and obligations;
- implementing an effective human resource strategy that is accountable and complies with law and relevant guidance, as well as governance policy;

- meeting equality law and relevant guidance by addressing the needs of individuals – either job applicants or employees/workers – for example, using information to enable us to make reasonable adjustments to address the needs of disabled employees/workers;
- meeting our health and safety workplace requirements;
- promoting working environments that are free from harassment and discrimination;
- providing employees/workers with appropriate learning and development opportunities;
- providing a range of services relating to salaries, pensions and life insurance;
- using information about leave so that we comply with our duties in relation to leave entitlement, including ensuring that employees/workers receiving all relevant financial entitlements;
- using information as part of employee career management;
- using information, as permitted, in any relevant legal or complaint actions;
- seeking your views about us in line with our policy commitments to employee consultation; and
- working positively with trade unions, for example, explaining to unions how we comply with employment and equality law, including health and safety law.

Legal basis for processing your personal information

The legal basis for processing your personal information is based on the following factors:

- processing is necessary to meet the terms of the employment contract; and/or
- processing is necessary to comply with legal and regulatory obligations to which we are subject.

If we gather any personal information about you that is based on consent, then we must first obtain your agreement. We would also tell you why we are gathering such information. You are free to withdraw your consent to us processing such personal information at any time.

Notes

Note 1: Other conditions on which personal data can be processed lawfully include protecting the vital interests of an individual or meeting our legitimate interests, for example, our business interests. If we gather any personal information based on these conditions, we would tell you.

Note 2: We can only process certain personal information known as “special category personal data” if particular legal conditions are met. For example, compliance with employment, social security and social protection law. Examples of such personal data are data relating to: ethnicity (or race); health; religious beliefs; sexual orientation and trade union membership.

Organisations to which we provide (or might provide) your personal information

We only share your personal information with other organisations in line with our data sharing arrangements and our data sharing procedures. These arrangements are based on law and good practice guidance.

Organisations to which we provide (or might provide) your personal information are:

- auditors;
- external training or qualifications providers;
- government or regulatory bodies such as Department of Work and Pensions and Child Support Agency to comply with instructions arising from legal judgements
- HMRC;
- insurance, pension companies and solicitors;
- prospective employers in the event that an employee seeks a job elsewhere;
- local authorities with which we have contractual duties and obligations;
- occupational health companies in order to support wellbeing and health and safety;
- organisations such as the National Office for Statistics and the Scottish Housing Regulator;
- organisations that carry out surveys and audits of our employment practices, including recruitment and selection such as Coalition of Care and Support Providers in Scotland’;
- other employers to obtain references in order to confirm job application details;
- People Safe;
- regulatory bodies such as the Care Inspectorate, the Scottish Housing Regulator, the Scottish Social Services Council and Disclosure Scotland;
- Scottish Public Services Ombudsman (complaints) and other organisations that could be involved in complaints such as local authorities and Police Scotland; and
- trade union.

Transferring personal information abroad

Our present policy is not to transfer information outside of the United Kingdom and/or Europe (the “European Economic Area”). If our policy were to change and this resulted in information being transferred outside the UK or EEA, then we would advise you and ensure that adequate safeguards exist to protect your information.

Section 3: Fair and transparent processing

We now provide you with the following information to ensure that we:

- process your personal information fairly and transparently; and
- provide you with information about your rights.

Storage of personal information

We decide how long to keep your personal information using our data retention procedure. This procedure is based on law and guidance. For further information, please contact us as noted above.

Your rights

Your rights include the rights to:

- request access to your personal information;
- rectify this information;
- erase this information;
- restrict the processing of this information;
- object to the processing of this information; and
- data portability that allows you to move personal information from one IT system to another.

If processing of personal information is based on consent, then you also have the right to withdraw your consent at any time.

Note: We give you comprehensive information about all your rights in a separate leaflet. This can also be provided electronically.

Complaint procedures

If there is a breach of data protection law, then you may complain directly to the Information Commissioner's Office at:

The Information Commissioner's Office – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Telephone: 0131 244 9001
Email: Scotland@ico.org.uk

Personal information: contractual or statutory requirements

Providing your personal information to us is required to meet obligations of the employment contract and legal provisions. For example, information is required to meet duties relating to equality and employment legislation such as our statutory obligation to undertake criminal conviction checks for employees/workers. This applies to people who work in a post that carries out regulated work as defined by legislation.

Note: If such information is not provided, then this may affect our ability to assess your suitability for employment with us and comply with our legal obligations to maintain your employment with us.

Personal information: contractual or statutory requirements

Providing personal information is a contractual requirement in order to meet both obligations of the contract of employment and statutory requirements.

Automated decision making

Automated decision making is the process when someone makes a decision about you based solely on data processed electronically and not involving human intervention. This also includes profiling based on automated processing.

You have a right not to be subject to such decision making.

Section 4: Personal information gathered from a third party

Why we gather your personal information from another organisation or person

The purposes for gathering your personal information are:

- assessing your suitability for employment with the Association (see note).
- maintaining an assessment of your suitability for employment with the Association, as well as updating criminal conviction checks. This is required for those in regulated work posts in line with safer recruitment obligations;
- meeting our health and safety obligations in terms of assessing fitness to work; and
- making reasonable adjustments as required in law.

Note: This may include confirming the accuracy of the information provided on your application form, checking your right to work in the UK and meeting the terms of the Protection of Vulnerable Groups (Scotland) Act 2007.

Legal basis for processing your personal information

The legal basis for processing your personal information is based on the factors explained in section 3.

Categories of personal information that we gather from a third party

- information relating to health and fitness to meet the requirements of the role;
- information that organisations and/or agencies provide to us in line with legal provisions such as criminal conviction checks for post holders who undertake regulated work and professional registrations; and
- references.

Note: If any information provided by third parties is of the “special categories” explained in Section 2, then we only process this if we are permitted to do so.

Organisations to which we disclose (or might disclose) your personal information

These are explained in Section 2.

Sources of personal information gathered from a third party, including any public accessible sources

Our sources of personal information gathered from third parties include:

- employers or other individuals whose details are provided for the purposes of providing an employment/character reference;
- Disclosure Scotland;
- occupational health companies or GP practices; and
- Scottish Social Services Council.