



PRIVACY NOTICE FOR APPLICANTS AND EMPLOYEES

Who we are

Located Property Limited ('LocatED', 'we' or 'us') is a wholly owned subsidiary of the Department for Education ('the DfE') and a Non Departmental Public Body. This privacy notice sets out how we will use the personal data collected from you during the course of your employment with LocatED, beginning with your application for employment with us.

For the purpose of data protection legislation, LocatED is the data controller for the personal data processed as part of your contract of employment.

LocatED's Data Protection Officer can be contacted via - data.officer@located.co.uk

How we will use your information

Much of the information we hold will have been provided by you, but we will also obtain information from internal sources, such as your manager and colleagues and in some cases, from external sources, such as referees.

We process your information in the context of your application for employment and any subsequent employment with us. The information we hold and process will be used for our management and administrative use only. For example, we will use your information to pay you, monitor your performance and to confer benefits in connection with your employment.

The nature of your personal data we will be using

Your application for employment

The types of personal data that we will be processing for the purposes of your application for employment include:

- your CV, references, identification documents and right to work information;
- details of your qualifications and professional memberships;
- correspondence with or about you, e.g. correspondence with your referees and internal correspondence about the progress of your application;
- in some circumstances, information needed for our equal opportunities policy in relation to gender, racial or ethnic origin.

Your employment with LocatED

If your application is successful, we will hold the above information on your employee file. We will also process the following information for the purposes of your employment:

- your contract of employment and any amendments to it;
- correspondence with or about you, e.g. correspondence relating to pay increases, any loans you have with us or schemes you chose to participate in;

- any correspondence that we have at your request with third parties, e.g. a letter to your mortgage company or where we are obliged to provide information, e.g. to the Child Support Agency confirming your salary;
- information needed for payroll, benefits and expenses purposes;
- information relating to your, or your partner's, pregnancy or adoption including records we will keep for the purposes of sharing leave;
- information about your hours of work and health and safety related matters including accident at work records;
- contact and emergency contact details;
- records of holiday, sickness and other absence;
- records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records which may include information about any complaints made about you;
- records of any reference that we have been asked to provide about you to a prospective employer;
- information that we keep about your use of our electronic systems such as email, telephone and internet (see our Colleague Handbook for more information). We will also use CCTV and keep footage for security purposes;
- information about your pension and pension contributions, including expressions of wishes;
- Information needed to obtain a Baseline Personnel Security Standard Certificate, which will include information about any criminal record.

Where necessary, we may keep information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate.

We will also need this data to administer and manage all our company and/or statutory benefits including statutory sick pay, Computershare childcare vouchers, health cash plan, Specsavers vouchers, Regent Street privilege card.

We may process special categories of information relating to your health, racial or ethnic origin, religious and philosophical beliefs, and information about any criminal record, where this is necessary for employment purposes, required by law or the information is required to protect your health in an emergency.

If at any point you do not provide us with required information, we may be unable to comply with our obligations and this may mean that we are unable to continue your employment or to provide you with some benefits. If this arises we will discuss with you the implications of that decision.

Why our use of your personal data is lawful

In order for our use of your personal data to be lawful, we need to meet one (or more) conditions in the data protection legislation. For the purpose of your employment, the relevant condition(s) that we are meeting are:

- to progress and consider your application for employment and to comply with your employment contract: for example to enable us to pay your salary and provide you with the benefits we have set out and to allow us to monitor and manage your performance;

- to comply with legal requirements placed on us as an employer – for example we have to keep records for HMRC and for health and safety purposes;
- to pursue legitimate interests of the LocatED, which we have explained below, and
- to protect our legal position in the event of legal proceedings.

As a business which is a wholly owned subsidiary of the DfE, we may sometimes need to process your data to pursue our legitimate business interests. For example, we may need to share some information with the DfE, in order to ensure DfE can monitor our performance, including in relation to equality and diversity.

When we determine if we should process your personal data for a legitimate purpose we consider the impact on your privacy and data protection rights and we will not process your data for these purposes if your interests override our legitimate interests.

We do not use automated decision making.

Who we will make your personal data available to

We sometimes need to make personal data available to other organisations. These might include contracted partners (who we have employed to process your personal data on our behalf) and/or other organisations (with whom we need to share your personal data for specific purposes).

Where we need to share your personal data with others, we ensure that this sharing complies with data protection legislation. For the purpose of your employment:

- We will disclose information to our external payroll provider, the company that provides us with our HR software, and those that provide other IT and software services to us. This is to help us comply with our contractual duties to you.
- We will also share your information with the Trustees, actuaries and advisers of your pension scheme who will hold that information in connection with your admission to and membership of the pension scheme and the provisions of benefits under it for or in respect of you.
- We may transfer information about you to other group companies for purposes connected with your employment or the management of our business.
- In some circumstances, we are required to share information with the DfE, for example where any job offer is subject to ministerial approval, or so that DfE can monitor our performance, including in relation to equality and diversity.

We will not transfer your personal data outside of the EEA.

How long we will keep your personal data

We will only keep your personal data for as long as we need it for the purpose(s) of your employment, after which point it will be securely destroyed.

How long we will keep your data depends on the legal obligations which we are subject to, for example in relation to statutory sick pay and tax records, or how long we need to keep information in case there is any question about whether we have complied with our statutory and contractual obligations to you.

Subject to our statutory obligations, personal information is usually kept on your employee file for 6 years following termination of your employment.

More information about how long data will be retained for and how it will be deleted can be found in the [Data Protection Policy which is in the Colleague Handbook](#).

The world that we live in is changing fast. In the future we may need to process your data for reasons we have not yet considered. If in the future we do need to process your personal data for a new purpose we will provide you with information about that and any other relevant information.

Your data protection rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing, for example if we are required to retain it for statutory purposes, or to protect LocatED
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing), although in some cases we will not be able to restrict our processing, for example if we are required to process it for statutory purposes or to protect LocatED
- to object to certain types of processing
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- in certain circumstances you have the right to data portability

If you need to contact us regarding any of the above, please contact LocatED's Data Protection Officer – data.officer@located.co.uk. Further information can be found in the [Data Protection Policy which is in the Colleague Handbook](#)

Further information about your data protection rights appears on the Information Commissioner's website at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/>.

Withdrawal of consent and the right to lodge a complaint

We may sometimes process your data for specific purposes which require your consent. If we do this we will always ask for your written consent and provide you with a copy. Where we are processing your personal data based on your consent, you have the right to withdraw that consent at any time. This may affect the benefits or services that we can make available to you but this will be explained in the consent form.

If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting our Data Protection Officer – data.officer@located.co.uk

Alternatively, you have the right to raise any concerns with the Information Commissioner's Office (ICO) via their website at <https://ico.org.uk/concerns/>.

Last updated

This privacy notice applies throughout the employment relationship from the recruitment process, throughout the time you work for us, when your employment ends and after you have left.

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 3 May 2018. In the event that there are changes to this notice, we will inform current employees via a company announcement on BreatheHR.