

Scotbeef Ltd Employee privacy notice (compliant with the GDPR)

Data controller: Leigh Williams, IT Manager, Scotbeef Ltd, 46 Penston Rd, Queenslie Point Industrial Estate, Glasgow. G33 4AG or info @scotbeef.com

The organisation collects and processes personal data relating to its employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the organisation collect?

The organisation collects and processes a range of information about you. This includes:

- your title, name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin and emergency contacts;
- information about your nationality (such as passport or driver's license details) and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- information relating to your use of our information and communications systems;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

The organisation collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the organisation collects personal data about you from third parties, such as references supplied by former employers. The organisation seeks information from third parties with your consent only.

Data is stored in a range of different places, including in your personnel file, in the organisation's HR management systems (My HR Toolkit) and in other IT systems (including the organisation's email system).

How does the organisation use personal data?

The organisation uses personal data in order to:

- **run recruitment and promotion processes;**
- **maintain accurate and up-to-date employment records and contact details including details of who to contact in the event of an emergency, and records of employee contractual and statutory rights;**
- **operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;**
- **detect or prevent any inappropriate behaviour or breach of our policies including protecting our intellectual property, confidential information, assets and general cybersecurity;**
- **operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;**
- **operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;**
- **obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;**
- **operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;**
- **ensure effective general HR and business administration;**
- **provide references on request for current or former employees;**
- **respond to and defend against legal claims; and**
- **maintain and promote equality in the workplace.**

Why does the organisation process personal data?

The organisation needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. [For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.]

In exceptional cases, the organisation may need to process data where it is necessary for vital interests relating to you or another person (for example, in order to avoid serious risk of harm to you or others).

In other cases, the organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship to:

- **ensure effective administration and management of your employment or engagement, benefits, management of the business and business continuity;**
- **ensure the organisation's assets are protected, kept confidential and not used for inappropriate or unlawful purposes;**

- **prevent, detect, or investigate unauthorised use of our systems and ensure we comply with law and our policies;**
- **ensure we can contact you or your family in the case of an emergency;**
- **check you are legally entitled to work in the UK, manage performance and promotion processes;**
- **manage training and development requirements;**
- **deal with disputes and accidents and take legal or other professional advice;**
- **prevent fraud; and**
- **ensure network and information security.**

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

If you would like further information on our legitimate interests as applied to your personal data, please contact the organisation's data protection officer.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations such as those in relation to employees with disabilities and for health and safety purposes. Information about trade union membership is processed to allow the organisation to operate check-off for union subscriptions.

Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the organisation uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Your information will be shared internally, including with members of the HR and payroll team, your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

The organisation shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal record checks from the Disclosure and Barring Service or PVG scheme in Scotland.

The organisation also shares your data with third parties that process data on its behalf in connection with payroll, HR System, the provision of benefits, training and the provision of occupational health services. These third parties include:

- Statutory & customer auditors, who will review training records for legal and procedural compliance, individual consent will be sought by auditors from you should they wish to view personal data
- Home office and Department of Work and Pensions to comply with legislation
- The People's Pension provider, to process workplace pension membership details, contributions and benefits
- HRMC to comply with tax legislation
- Insurance provider to process employee benefits in relation to contractual terms
- KPMG auditors, in connection with legal obligations in relations to financial auditing and reporting
- Training Organisations to assess eligibility for Modern Apprenticeships

The organisation will not transfer your data to countries outside the European Economic Area.

How does the organisation protect data?

The organisation takes the security of your data seriously. The organisation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Policies:

- Scotbeef Data protection, Retention and Destruction

Controls:

- HR & Payroll hard copy files under lock and key
- Soft copy information, under password protected access HR system information only visible to colleague, managers (restricted), & HR team

Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does the organisation keep data?

The organisation will hold your personal data for the duration of your employment and, in general, for no longer than necessary in relation to the purposes for which it was processed. The specific time periods for which your data is held after the end of your employment are below.

***6 years in Scotland, 7 years in England**

Data	Reason	Time kept	Legislation / Rationale
HR Function			
Recruitment records for unsuccessful candidates including <ul style="list-style-type: none"> • Job applications • References • Interview records 	<ul style="list-style-type: none"> • For talent pool purposes • To respond to and defend against legal claims 	6 months to 1 year after notifying candidates of the outcome of the recruitment exercise	<i>Equality Act 2010</i>
Personnel & Training Records incl. <ul style="list-style-type: none"> • Terms and conditions of your employment; • your name, address and contact details -email address/ phone number, date of birth • gender • Date of start • National insurance number • information about your remuneration/ benefits 	To process <ul style="list-style-type: none"> • contractual terms • your right to work in the UK • To communicate with you by post, email, phone • To process pay related to age To comply with <ul style="list-style-type: none"> • gender pay reporting • legislation governing food safety and health and safety training & qualifications To maintain accurate and up-to-date <ul style="list-style-type: none"> • employment records • contact details including details of who to contact in the event of an emergency 	6 or 7* years after employment ends	<i>Contract of Employment Gender Pay legislation Sec 15 Asylum & immigration Act Limitation Act 1980 Various Food Safety and H&S legislation</i>

	<ul style="list-style-type: none"> records of employee contractual and statutory rights <p>To provide references on request for current or former employees To process payroll To ensure effective general HR and business administration</p>		
Immigration checks Identity documents & visas your nationality and entitlement to work in the UK;	<ul style="list-style-type: none"> To comply with legislation To respond to and defend against legal claims 	3 years after employment ends	<i>Sec 15 Asylum & immigration Act</i>
Emergency contact/ next of kin information about your marital status, next of kin, dependants and emergency contacts	<ul style="list-style-type: none"> To make contact with who you have nominated, in case of accident or emergency To administer employee insurance benefits To ensure effective general HR and business administration; 	6 or 7* years after employment ends	<i>Legitimate interest Contract of Employment Health & Safety at Work Act 1974</i>
Information on criminal record;	<ul style="list-style-type: none"> To comply with legislation 	6 or 7* years after employment ends	<i>Rehabilitation of Offenders Act</i>
Working time records your days of work, working hours and attendance	<ul style="list-style-type: none"> To comply with legislation To process payroll To ensure effective general HR and business administration; 	3 years after the relevant period	<i>Working Time regulations 1998</i>
Periods of leave details, incl. holiday, sickness absence, family leave and sabbaticals, and reasons.	<ul style="list-style-type: none"> To comply with legislation To process payroll, monitor attendance and health & safety To operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled 	6 or 7* years after employment ends	<i>Working Time regulations 1998 Health & Safety at work Act Contract of Employment</i>
Disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;	<ul style="list-style-type: none"> To comply with legislation To respond to and defend against legal claims To operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace; 	6 or 7* years after employment ends	<i>Employment Act 2002</i>
Assessments & details of your skills, capability & performance, including <ul style="list-style-type: none"> original job applications <ul style="list-style-type: none"> with your qualifications, skills, experience and employment history, incl. <ul style="list-style-type: none"> start and end dates, with previous employers and organisation; appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence; 	<ul style="list-style-type: none"> To manage and run recruitment processes To develop individual performance improvement To operate and keep a record of employee performance and related processes, to plan for <ul style="list-style-type: none"> career development succession planning Talent planning workforce management training management 	6 or 7* years after employment ends	<i>Legitimate interest</i>
Health information about medical or health conditions,	<ul style="list-style-type: none"> To comply with legislation To understand whether or not you have a disability for which the organisation needs to make reasonable adjustments For welfare, health & safety, reasonable adjustments To obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, To meet obligations under health and safety law To ensure that employees are receiving the pay or other benefits to which they are entitled 	Duration of employment or if longer the statutory period for some medical H&S circumstances as required by the relevant legislation	<i>Health & Safety at work act 1974 Access to Medical records Act Disability Discrimination Act Contract of Employment</i>

	<ul style="list-style-type: none"> To respond to and defend against legal claims 		
Statutory Maternity/ Paternity/ Adoption Pay / Parental Leave records, calculations, certificates (Mat B1s) or other medical evidence	<ul style="list-style-type: none"> To comply with legislation To ensure effective general HR and business administration Advice of industry lead body (CIPD) To respond to and defend against legal claims 	4 years after the tax year where leave ends Parental leave – till the child is 18	To comply with legislation Advice of industry lead body (CIPD)
Trade union membership;	<ul style="list-style-type: none"> To process contractual terms and collective agreement conditions To enable effective communication campaigns 	6 or 7* years after employment ends	Contract of Employment
Redundancy details,	<ul style="list-style-type: none"> To comply with legislation Redundancy details, calculations of payments, refunds, notification to the Secretary of State To respond to and defend against legal claims Advice of industry lead body (CIPD) 	6 or 7* years from the date of redundancy	Limitation Act 1980
Gender & equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief	<ul style="list-style-type: none"> To comply with legislation For monitoring purposes To maintain and promote equality in the workplace To respond to and defend against legal claims 	6 or 7* years after employment ends	Equality Act 2010 Legitimate interest
Payroll Processing			
Wage/salary records	<ul style="list-style-type: none"> To comply with tax legislation 	6 or 7* years after employment ends	Equality Act 2010 National Minimum Wage Act 1998
Bank records	<ul style="list-style-type: none"> To process pay into your bank account 	To be deleted as soon as possible after the employment ends and the final payment to the employee has been made	Employment Act 2002 National Minimum Wage Act 1998
Minimum Wage records	<ul style="list-style-type: none"> To comply with legislation 	6 or 7* years after employment ends	National Minimum Wage Act 1998
Records relating to children and young adults	<ul style="list-style-type: none"> To comply with legislation, pay age related wages 	Up to age of 21	National Minimum Wage Act 1998
Inland Revenue/HMRC approvals.	<ul style="list-style-type: none"> Advice of industry lead body (CIPD) 	permanently	
Trade union membership;	<ul style="list-style-type: none"> To process deductions from payroll 	6 or 7* years after employment ends	TU and Labour Relations Act 1992
Statutory Sick Pay records,	<ul style="list-style-type: none"> Statutory Sick Pay records, calculations, certificates, self-certificates To comply with legislation 	6 or 7* years after employment ends	Limitation Act 1980
Statutory Maternity/ Paternity/ Adoption Pay / Parental Leave	<ul style="list-style-type: none"> records, calculations, certificates (Mat B1s) or other medical evidence To comply with legislation To operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled To respond to and defend against legal claims Advice of industry lead body (CIPD) 	4 years after the tax year where leave ends Parental leave – till the child is 18	Employment Act 2002 Advice of industry lead body (CIPD)
Health & Safety			
Medical Records and details of tests and examinations	<ul style="list-style-type: none"> details of tests and examinations related to control systems and protective equipment under (COSHH), medical records - ionising radiation, medical records – asbestos To respond to and defend against legal claims 	5 years from the date of any tests or examinations. 40 years from date of last entry or until 75 years of age whichever is the later COSHH/Radiation 50 years from date of last entry or until 75 years of age whichever is the later Asbestos In general, the duration of employment or if longer the statutory period for some medical H&S circumstances as required by the relevant legislation – 3 years from the date of the Accident	Health & Safety at work Act 1974 Ionising Radiation Regulations (IRR) 2017. Control of Asbestos Regulations (CAR) 2012. Control of Substances Hazardous to Health (COSHH) regulations 2002

		or if a claim has been received until the claim has been dealt with and closed off (or, if the accident involves a child/ young adult, then until that person reaches the age of 21 or similar for a claim).	
Health and safety	<ul style="list-style-type: none"> To comply with legislation Assessments records of consultations with safety representatives and committees. 	permanently	HASAW Act 1974 Emp Act 2002 Health & Safety (Consultation with Employees) Regulations 1996 The Safety Representatives and Safety Committees Regulations 1977
Accident book details	<ul style="list-style-type: none"> To comply with legislation on the reporting of accident regulations. To respond to and defend against legal claims 	4 years from the date of the last entry (Accident Book) - 3 years from the date of the Accident or if a claim has been received until the claim has been dealt with and closed off (or, if the accident involves a child/ young adult, then until that person reaches the age of 21 or similar for a claim).	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)(SI 1995/3163) as amended, and Limitation Act 1980.
Your shoe/clothing size	<ul style="list-style-type: none"> To comply with legislation To provide you with PPE 	For duration of your employment	HASAW Act 2002

Your rights

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

- **access and obtain a copy of your data on request;**
- **require the organisation 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 and reuse personal data provided by you for other purposes or request that the data be transferred (data portability);**
- **ask the organisation to stop processing data for a period of time if the data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data; and**
- **withdraw your consent to the processing of your data.**

If you would like to exercise any of these rights, please contact people@scotbeef.com.

You can make a subject access request by completing the organisation's form for making a subject access request available from people@scotbeef.com

If you believe that the organisation has not complied with your data protection rights, you can make a complaint to the Information Commissioner's Office (Tel: 0303 123 1113 or at www.ico.org.uk).

What if you do not provide personal data?

You have some obligations under your employment contract to provide the organisation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide other information, this will hinder the organisation's ability to administer the rights and contractual obligations arising as a result of the employment relationship efficiently. You should keep the organisation informed of any changes to your personal information during your employment.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Changes to this notice

This notice may be changed from time to time. If we change anything important about this notice (such as the information we collect, how we use it or why) we will notify you.