

YMCA Essex Data Privacy Notice

Introduction

YMCA ESSEX is committed to protecting and respecting your privacy.

This notice (together with any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

Throughout this document YMCA Essex may be referred to as We, Us, Sticky Paws, Family Support, Housing or Finance.

This Privacy Notice was produced in line with the GDPR changes in May 2018 and replaces the Data Protection Procedure. This Policy is to be read and used in line with the Data Retention Policy 2018.

Some of this Privacy Notice is specific to departments and services and other information is generic. Please use the bold grey boxes to show separation of each section.

Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example, name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Who are we?

YMCA ESSEX is the data controller. This means we decide how your personal data is processed and for what purposes.

Services within **YMCA** Essex include, Childcare (Sticky Paws), Youth Services (Family Support & Youth Groups) and Housing.

Previously **YMCA** Essex was known as Chelmsford YMCA & Colchester YMCA. **YMCA** Essex is a merge of these 2 companies from December 2016.

Our contact details are: **YMCA ESSEX**, Victoria Rd Chelmsford Essex, CM1 1NZ.

For all data matters contact

Andy Drake – Andy.drake@ymcaessex.org.uk (Data Protection Officer)

Childcare – Sticky Paws

When you register your child/ren with Sticky Paws or request information from us regarding the possibility of registering, we will gather personal information (data) about you. In gathering and using this data Sticky Paws is committed to protecting all individual's rights of freedom and privacy and meeting the requirements of the General Data Protection Regulation 2018 (GDPR)

What personal data will we collect about you and your child/ren or family?

Upon Registration, Sticky Paws will collect, but is not limited to, the following personal data on your child/ren:

- Personal details – Name, Date of Birth, Address, Gender
- Medical and Health information
- Special Educational needs information (SEN)
- Safeguarding information
- Dietary Requirements and intolerances
- Development information – This will be gathered through planning, observations, discussions and Keywork activities (this may include personal characteristics)

Information we collect on parents and guardians:

- Personal details – Name
- Contact details – Address, email address, phone number
- Financial details – Name and address of bank, sort code, account number
- Permissions – This allows us to know what you give consent to
- Legal information – this may include court orders and protection orders (we will ask for a copy of this data if you have disclosed you have a protection order etc, we do this following your request to keep your child safe whilst in our care)

We do request and hold some special category data about you and your child/ren regarding race, ethnic origin, religion and health information. The special category data is only collected as required by the Local Authority or other public bodies for legal and contractual purposes. We do not use this data for any other purposes.

It is your (the Data Subjects) responsibility to let us know of any personal data that has changed or is not correct. We will send out a copy of the information we hold on you annually and we ask you to ensure the data is accurate and make any changes required.

How will we process the personal data we collect about you and your child/ren or family?

We will hold and process your personal data for the following reasons:

- To provide the most appropriate care for your child/ren
- To keep your child/ren safe
- To support your child/rens development
- To provide medical support in terms of onsite first aid or off-site medical support where required
- To be able to contact parents, guardians or emergency contacts
- To take payment for services provided
- To clarify parental responsibility
- To clarify understanding of policies, procedures and terms and conditions
- To gather consent and permissions – for example to have your child's photo taken, to take them off-site etc (full list in registration form)

The lawful basis for processing personal data

Purpose of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation
Manage payments, fees and charges and collect and recover money owed to us	<ul style="list-style-type: none">• Performance of a contract with you• Necessary for our legitimate interests (to recover debts due to us)
To manage our ongoing relationship with you which may include: <ul style="list-style-type: none">- Notifying you about any changes- Providing support services in relation to our core service- Asking for feedback	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation• Necessary for our legitimate interests (to keep our records updated and to analyse how customers use our products)
Manage third party involvement	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation

Most of the personal information we gather, process and hold about you is mandatory and is required by us to provide you with the contractual services you require. By signing our forms, you are adhering to this process. If we wish to hold or process data for a specific task that is not required for legal reasons we will ask you for your consent. As this would be optional data you can consent or not.

Without allowing Sticky Paws to collect and process your personal data required under the contractual lawful process, we may not be able to fulfil your contract and in turn, will not be able to keep your child/ren in our care. (this includes medical and health related data)

Who collects your data?

Sticky Paws collects the data directly from you. This is obtained upon registration with Sticky Paws and will continue as information is shared between parent/guardian and Sticky Paws.

Sharing your personal data

Your personal data will be treated as strictly confidential and may be shared only with the following third parties:

- Local Authorities
- NHS
- Police or Emergency Services
- Ofsted
- HMRC

Sticky Paws has an information sharing consent form. If we felt that the information we held on your child/family would enable you to have support of a varying nature we would ask you to sign this form.

We sometimes share information regarding your child's development as part of their transition to school. We will gain consent before we do this, and we will never pass that information on without consent.

Data Storage

The personal data you have provided us with is stored at the location of its intention. We store data on our computer systems and in paper form. Paper form data is stored behind locked doors (offices, cupboards and filing units). Computer systems are set up with passwords and have limited access permitted to them.

Sticky Paws complies with its lawful obligations under the GDPR by:

- Keeping personal data we hold up to date
- Storing your data safely and securely
- Destroying out of date or unrequired data appropriately
- Allow trusted data processors only to deal with your data
- We will not retain unnecessary amounts of data
- We will protect your personal data from loss and misuse
- We will ensure that IT protocols are in place to protect personal data we hold about you on computers

Data retention

We will only hold information that is required under contract and we will hold it for the following periods.

Business/Service contracts and arrangements - The Limitation Act 1980 (Section 5) states that all business contracts, agreements and other arrangements need to be safely stored for the length of the contract and for six years afterwards. **This includes the following data.**

Parent and child data - this will be safely stored for the length of the contract and for six years afterwards.

Medical and health data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Accident data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Child Development data - this will be safely stored for the length of the contract and destroyed the term after the child leaves. (we will provide copies to parent or guardian upon the contract ending)

Safeguarding data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Youth Services – Family Support & Youth Groups

When you access our services for your child/ren, Young Person(s) or Family with **YMCA Essex** – Youth Service or request information from us regarding the possibility of using our services, we will gather personal information (data) about you. In gathering and using this data **YMCA Essex** – Youth Service is committed to protecting all individual's rights of freedom and privacy and meeting the requirements of the General Data Protection Regulation 2018 (GDPR)

How would you use YMCA Essex- Youth Services?

Youth Groups – **YMCA Essex** runs several youth groups for Young People to attend. The age range for most of these groups is 8-19 years old. This service is a membership service in which young people enrol (with the consent and support of family/guardians)

Family Support – **YMCA Essex** delivers family Support Services in schools across Essex. This service is a referral service only. Schools will refer children or young people to our services if they feel we can support their needs. Parental/Guardian consent will be sought for this process (unless they are of the age of consent to refer themselves)

From time to time **YMCA Essex** – Youth Services will run counselling services, Alternative Education programmes and other services we feel could benefit the lives of child/ren, Young Person(s) or Families.

What personal data will we collect about you and your child/ren, Young Person(s) or Family?

Upon initial contact YMCA Essex – Youth Services will collect, but is not limited to, the following personal data on your child/ren:

- Personal details – Name, Date of Birth, Address, Gender
- Medical and Health information
- Special Educational needs information (SEN)
- Safeguarding information (looked after child or on a child protection plan)
- Development information – This will be gathered through referral forms, observations, Assessments and discussions (this may include personal characteristics)

Information we collect on parents and guardians:

- Personal details – Name
- Contact details – Address, email address, phone number
- Permissions – This allows us to know what you give consent to
- Legal information – this may include court orders and protection orders (we will ask for a copy of this data if you have disclosed you have a protection order etc, we do this following your request to keep your child safe whilst in our care)

We do request and hold some special category data about you and your child/ren regarding race, ethnic origin, religion and health information. The special category data is only collected to support each child in our care. We do not use this data for any other purposes.

It is your (the Data Subjects) responsibility to let us know of any personal data that has changed or is not correct. Periodically we may check that the data we hold on you is accurate, and we may ask you to make any changes that are required.

How will we process the personal data we collect about you and your child/ren, Young Person(s) or Family?

We will hold and process your personal data for the following reasons:

- To provide the most appropriate care for your child/ren, young person or family
- To keep your child/ren, young person safe
- To support your child/ren, young person(s) development
- To provide medical support in terms of onsite first aid or off site medical support if required
- To be able to contact parents, guardians or emergency contacts
- To clarify parental responsibility
- To clarify understanding of policies, procedures and terms and conditions
- To gather consent and permissions – eg. to have your child/rens photo taken, to take them off-site etc
- To gather consent to refer to additional organisations that would support your child or young person(s) (these may be additional to the list below and we will gain separate consent for this)

Sharing your personal data

Your personal data will be treated as strictly confidential and may be shared only with the following third parties:

- Local Authorities
- NHS
- Police or Emergency Services
- Schools
- Ofsted

If we felt that the information we held on your child/ren, Young Person(s) or Family would enable you to have support of a varying nature we would ask you to sign an additional form for this.

We sometimes share information regarding your child/rens development as part of their transition between schools. We will gain consent before we do this, and we will never pass that information on without consent.

The lawful basis for processing personal data

Purpose of data	Lawful basis for processing including basis of legitimate interest
To register you as a new service user	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation
To manage our ongoing relationship with you which may include: <ul style="list-style-type: none">- Notifying you about any changes- Providing support services in relation to our core service- Asking for feedback	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation• Necessary for our legitimate interests (to keep our records updated and to analyse how customers use our products)
Manage third party involvement	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation

Most of the personal information we gather, process and hold about you is mandatory and is required by us to provide you with the contractual services you require. By signing our forms, you are adhering to this process. If we wish to hold or process data for a specific task that is not required for legal reasons we will ask you for your consent. As this would be optional data you can consent or not.

Without allowing **YMCA Essex**- Youth Services to collect and process your personal data required under the contractual lawful process, we may not be able to fulfil your contract and in turn, will not be able to support your child/ren, young person or family (this includes medical and health related data).

Who collects your data?

YMCA Essex- Youth Services collects the data directly from you. This is obtained upon registration or referral and will continue as information is shared between parent/guardian and YMCA Essex -Youth Services.

Data Storage

The personal data you have provided us with is stored at the location of its intention. We store data on our computer systems and in paper form. Paper form data is stored behind locked doors (offices, cupboards and filing units). Computer systems are set up with passwords and have limited access permitted to them.

YMCA Essex-Youth Services complies with its lawful obligations under the GDPR by:

- Keeping personal data we hold up to date
- Storing your data safely and securely
- Destroying out of date or unrequired data appropriately
- Allow trusted data processors only to deal with your data
- We will not retain unnecessary amounts of data
- We will protect your personal data from loss and misuse
- We will ensure that IT protocols are in place to protect personal data we hold about you on computers

Data retention

We will only hold information that is required under contract and we will hold it for the following periods.

Business/Service contracts and arrangements - The Limitation Act 1980 (Section 5) states that all business contracts, agreements and other arrangements need to be safely stored for the length of the contract and for six years afterwards. **This includes the following data.**

Parent, child/ren and young person data - this will be safely stored for the length of the contract and for six years afterwards.

Medical and health data - this will be safely stored for the length of the contract and for six years afterwards.

(if we feel we may need to keep this longer we will request consent to do so)

Accident data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Safeguarding data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Housing

When you apply for housing with YMCA Colchester, we will gather personal information (data) about you. In gathering and using this data YMCA Colchester is committed to protecting all individual's rights of freedom and privacy and meeting the requirements of the General Data Protection Regulation 2018 (GDPR)

What personal data will we collect about you?

Upon application, YMCA Colchester will collect, but is not limited to, the following personal data on you:

- Personal details – Name, Date of Birth, Address, Gender
- Medical and Health information
- Special Educational needs information (SEN)
- Dietary Requirements and intolerances
- Criminal record
- Contact with other agencies such as Social Services, Youth Enquiry Service, Colchester Borough Council, Youth Offending Team, Probation Service, other Local Authorities
- Previous addresses
- Reasons for leaving home/last place of accommodation
- Length of time living in Colchester
- Work history
- Income including benefits
- Debt history
- Education/training history
- Drug use history
- Hobbies/Interests
- Religion
- Aspirations
- Risk to others regarding violence, anger, use of weapons, abuse and harassment, danger to children, arson,
- Risk to self, regarding self-harm, self-neglect, alcohol use, substance use, vulnerability to abuse or exploitation, health issues, financial eg debts/budgeting

Information we collect on other people connected to you such as your Next of Kin:

- Personal details – Name, Address
- Contact details – email address, phone number

We do request and hold some special category data about you regarding race, ethnic origin, religion and health information. The special category data is only collected as required by the Ministry of Housing, Communities and Local Government for legal and contractual purposes. We may also use this data to analyse complaints, anti-social behaviour and repair request trends.

It is your (the Data Subjects) responsibility to let us know of any personal data that has changed or is not correct. We will send out a copy of the information we hold on you annually and we ask you to ensure the data is accurate and make any changes required.

How will we process the personal data we collect about you and other people connected to you?

We will hold and process your personal data for the following reasons:

- To provide the most appropriate support for you
- To keep you, staff and other tenants safe
- To support your journey into independent living
- To provide medical support in terms of onsite first aid or off-site medical support where required
- To be able to contact Next of Kin, emergency contacts or other relevant agencies
- To take payment for services provided
- To clarify understanding or policies, procedures and terms and conditions
- To gather consent and permissions – for example to share information with the DWP or Local Authority
- To monitor rent payments, progress of development and adherence to terms and conditions of the tenancy agreement.

The lawful basis for processing personal data

Purpose of data	Lawful basis for processing including basis of legitimate interest
To register you as a new tenant	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation
Manage payments, fees and charges and collect and recover money owed to us	<ul style="list-style-type: none">• Performance of a contract with you• Necessary for our legitimate interests (to recover debts due to us)
To manage our ongoing relationship with you which may include: <ul style="list-style-type: none">- Notifying you about any changes- Providing support services in relation to our core service- Asking for feedback	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation• Necessary for our legitimate interests (to keep our records updated and to analyse how customers use our products)
Manage third party involvement	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation

Most of the personal information we gather, process and hold about you is mandatory and is required by us to provide you with the contractual services you require. By signing our forms, you are adhering to this process. If we wish to hold or process data for a specific task that is not required for legal reasons we will ask you for your consent. As this would be optional data you can consent or not.

Without allowing **YMCA** Colchester to collect and process your personal data required under the contractual lawful process, we may not be able to fulfil your contract and in turn, will not be able to offer you a tenancy (this includes medical and health related data).

Who collects your data?

YMCA Colchester collects the data directly from you. This is obtained upon application for housing to **YMCA** Colchester and will continue as information is shared between you, people or agencies connected with you and **YMCA** Colchester.

Sharing your personal data

Your personal data will be treated as strictly confidential and may be shared only with the following third parties:

- Local Authorities
- NHS
- Police or Emergency Services
- HMRC
- DWP
- Ministry of Housing, Communities and Local Government
- Youth Offending Team
- Probation Services
- Social Services
- Youth Enquiry Service

YMCA Colchester has an information sharing consent form. If we felt the information we held about you would enable you to have support of a varying nature we would ask you to sign this form.

We will share information regarding the conduct of your tenancy with other housing providers, if they request it, when you move on. We will gain consent before we do this, and we will never pass that information on without consent. However, should you refuse to allow the information to be shared you may forfeit the offer of move on accommodation.

Data Storage

The personal data you have provided us with is stored at the location of its intention. We store data on our computer systems and in paper form. Paper form data is stored behind locked doors (offices, cupboards and filing units). Computer systems are set up with passwords and have limited access permitted to them.

YMCA Colchester complies with its lawful obligations under the GDPR by:

- Keeping personal data we hold up to date
- Storing your data safely and securely
- Destroying out of date or unrequired data appropriately
- Allow trusted data processors only to deal with your data
- We will not retain unnecessary amounts of data
- We will protect your personal data from loss and misuse
- We will ensure that IT protocols are in place to protect personal data we hold about you on computers

Data retention

We will only hold information that is required under contract and we will hold it for the following periods.

Business/Service contracts and arrangements - The Limitation Act 1980 (Section 5) states that all business contracts, agreements and other arrangements need to be safely stored for the length of the contract and for six years afterwards. **This includes the following data.**

Tenant and connected people data - this will be safely stored for the length of the contract and for seven years afterwards.

Medical and health data - this will be safely stored for the length of the contract and for seven years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Accident data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so)

Safeguarding data - this will be safely stored for the length of the contract and for six years afterwards. (if we feel we may need to keep this longer we will request consent to do so).

Financial Data including Room Hire & Donor/Fundraising

Whether you are a Creditor, Debtor, Donor, Fundraiser or Room Hirer we will gather personal information (data) about you. In gathering and using this data YMCA Essex is committed to protecting all individual's rights of freedom and privacy and meeting the requirements of the General Data Protection Regulation 2018 (GDPR)

What personal data will we collect about you?

Upon contractual agreement for services will collect, but is not limited to, the following personal data on you/your company:

- Personal details – Name & Address of you or your company, signatures
- Contact details – Address, email address, phone number
- Financial details – Name and address of bank, sort code, account number, purchase order numbers, signatures, NI Number, Tax Payer status (for claiming Gift Aid)

It is your (the Data Subjects) responsibility to let us know of any personal data that has changed or is not correct. We will send out a copy of the information we hold on you annually and we ask you to ensure the data is accurate and make any changes required.

How will we process your personal data?

We will hold and process your personal data for the following reasons:

- To be able to contact you or the company
- To take payment for services provided
- To pay for services you have provided

The lawful basis for processing personal data

Purpose of data	Lawful basis for processing including basis of legitimate interest
To register you as a new service user	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation
To register us as a new service user with you	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation
To manage our ongoing relationship with you which may include: - Notifying you about any changes - Providing support services in relation to our core service - Asking for feedback	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation• Necessary for our legitimate interests (to keep our records updated and to analyse how customers use our products)
Manage third party involvement	<ul style="list-style-type: none">• Performance of a contract with you• Necessary to comply with a legal obligation

Most of the personal information we gather, process and hold about you is mandatory and is required by us to provide you with the contractual services you require. By signing our forms, you are adhering to this process. If we wish to hold or process data for a specific task that is not required for legal reasons we will ask you for your consent. As this would be optional data you can consent or not.

Without allowing **YMCA** Essex to collect and process your personal data required under the contractual lawful process, we may not be able to fulfil your contract.

Who collects your data?

YMCA Essex collects the data directly from you. This is obtained upon the start of a contract or service.

Sharing your personal data

Your personal data will be treated as strictly confidential and may be shared only with the following third parties:

- Barclays Bank
- External Auditors
- HMRC

YMCA Essex has an information sharing consent form. If we felt the information we held about you would enable you to have support of a varying nature we would ask you to sign this form.

Data Storage

The personal data you have provided us with is stored at the location of its intention. We store data on our computer systems and in paper form. Paper form data is stored behind locked doors (offices, cupboards and filing units). Computer systems are set up with passwords and have limited access permitted to them.

YMCA Essex complies with its lawful obligations under the GDPR by:

- Keeping personal data we hold up to date
- Storing your data safely and securely
- Destroying out of date or unrequired data appropriately
- Allow trusted data processors only to deal with your data
- We will not retain unnecessary amounts of data
- We will protect your personal data from loss and misuse
- We will ensure that IT protocols are in place to protect personal data we hold about you on computers

Data retention

We will only hold information that is required under contract and we will hold it for the following periods.

Business/Service contracts and arrangements - The Limitation Act 1980 (Section 5) states that all business contracts, agreements and other arrangements need to be safely stored for the length of the contract and for six years afterwards.

VAT - The VAT Act 1994 (Schedule 11, paragraph 6) and HMRC Notice 700/21 October 2013 require us to keep these records for a minimum of six years from the date they were made.

Recruitment

The following personal data information is intended for people who have successfully entered into an employment contract with **YMCA Essex**

The purpose(s) of processing your personal data

We use your personal data for the following purposes:

The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

Personal data

For example your salary and bank details; date of birth; start date; working hours; pensions; benefits and contractual details

Special categories of data

For example data regarding your ethnic origin or race; political or philosophical beliefs; your health and details of any disability or long-term ill-health]

We have obtained your personal data from you on commencement of employment and from your CV/Application and any forms you completed for us on commencement of employment such as payroll starter forms, next of kin forms, bank details forms, equality monitoring forms, application forms.

What is our legal basis for processing your personal data (Personal data (article 6 of GDPR))

Our lawful basis for processing your general personal data:

<input checked="" type="checkbox"/> Consent of the data subject;	You will be given a consent form to sign.
<input checked="" type="checkbox"/> Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	Bank Details; contact details (address; phone number, email); date of birth; details relating to your contract of employment including start date, salary, working hours, location, duration of contract, details of any promotions or pay increases; pension, benefits and holiday entitlement/requests
<input checked="" type="checkbox"/> Processing necessary for compliance with a legal obligation	Right to Work Checks; e.g. Passport/Birth Certificate; DBS Checks; Payment of SSP, SMP, SAP, SPP, Shared Parental Pay; Processing of PAYE and NI deductions; P11d returns; P45 details; Attachments of Earnings; Driving Licences; Working Time Records / Timesheets; Parental Leave Records; Redundancy Payments & Calculations
<input checked="" type="checkbox"/> Processing necessary to protect the vital interests of a data subject or another person	
<input type="checkbox"/> Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	Any data processing of this kind, we will seek approval and consent first. We will not use your data for this purpose otherwise.

<input checked="" type="checkbox"/> Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	Application Form or CV; Employment References; Proof of Qualifications and/or membership of professional bodies; training records; disciplinary and grievance records; your images (whether captured on CCTV; photograph or video); performance reviews/appraisals; supervision records
--	---

Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your special categories of data:

<input checked="" type="checkbox"/> Explicit consent of the data subject	Data pertaining to your ethnic origin, race, marital status, philosophical or religious beliefs; trade union membership; your health; your sexual orientation; any criminal convictions or offences
<input checked="" type="checkbox"/> Processing necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement	Criminal Records DBS checks whether standard or enhanced; safeguarding
<input checked="" type="checkbox"/> Processing necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent	Next of Kin details in the event of an Emergency; Safeguarding
<input type="checkbox"/> Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided that the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and there is no disclosure to a third party without consent	Any data processing of this kind, we will seek approval and consent first. We will not use your data for this purpose otherwise.
<input type="checkbox"/> Processing related to personal data manifestly made public by the data subject	Any data processing of this kind, we will seek approval and consent first. We will not use your data for this purpose otherwise.
<input checked="" type="checkbox"/> Processing necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity	Matters pertaining to safeguarding issues; matters pertaining to or that are the subject of an employment tribunal or other litigation initiated by the employee or employer.
<input type="checkbox"/> Processing necessary for reasons of substantial public interest on the basis of EU or Member State law	Any data processing of this kind, we will seek approval and consent first. We will not use your data for this purpose otherwise.
<input checked="" type="checkbox"/> Processing necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional	Sickness Records; Sickness Certifications; Occupational Health Reports; GP reports; details of any disability and adjustments

<input checked="" type="checkbox"/> Processing necessary for the reasons of public interest in the area of public health	
<input checked="" type="checkbox"/> Processing necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes	

More information on lawful processing can be found on the [ICO website](#).

How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary. Please see our Employee Data Retention Policy for more details.

Providing us with your personal data

We require your personal data as it is a requirement necessary for us to enter into an employment contract with you and for our legitimate business interests in managing you during your employment with us.

If you fail to adhere the consequences could be the inability to process your pay and benefits; or to administer your rights as an employee.

Sharing your personal data

Your personal data will be treated as strictly confidential and may be shared only with the following third parties:

- Local Authorities
- NHS
- Police or Emergency Services
- Our payroll provider Data Plan
- Our pension provider The Peoples Pension and Scottish Widows
- Our benefits provider Eden Red (childcare vouchers) & Perk Box (staff perks)
- Our HR provider HR Initiatives Limited
- HMRC.

Data Storage

The personal data you have provided us with is stored at the location of its intention. We store data on our computer systems and in paper form. Paper form data is stored behind locked doors (offices, cupboards and filing units). Computer systems are set up with passwords and have limited access permitted to them.

The following is guidance on how and where the data used by **YMCA ESSEX** should be safely stored.

- Where data is kept in paper format it should be stored in lockable cabinet or drawer where unauthorised people cannot see or access it.
- Data that is held electronically but had been printed should be kept in a lockable drawer when not being used or referred to
- Not left on a printer/desk or where unauthorised people can see it

- Shredded when no longer required
- Password protected when emailed to clients containing sensitive material
- If stored on a memory stick or CD these should be locked away when not in use
- Data should only be stored on our designated server; never saved onto laptops directly

Please see the Data Retention policy for further details.

Data retention

We will keep data for the following recommended periods:

- **Business/Service contracts and arrangements**
The Limitation Act 1980 (Section 5) states that all business contracts, agreements and other arrangements need to be safely stored for the length of the contract and for six years afterwards.
- **Pensions**
The Registered Pension Scheme (Provision of Information) Regulations 2006 (No. 18) demands that business data and documents concerning pension schemes require a minimum storage time of six years.
- **Workplace injuries**
According to Regulation 12, of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, accident reports need to be retained for a minimum of three years. The maximum retention period is dependent upon general restrictions regarding personal data.
- **VAT**
The VAT Act 1994 (Schedule 11, paragraph 6) and HMRC Notice 700/21 October 2013 require us to keep these records for a minimum of six years from the date they were made.
- **Personnel Records**
We will keep personnel records on our own staff for the duration of your employment and for 6 years thereafter or longer if there is ongoing litigation.
- **Recruitment Files/Campaigns**
We will keep details of recruitment campaigns including applicant details, interview notes, assessment scores, profiling or test results for six months following the end of a campaign, or longer if litigation requires this.
- **Income tax and NI returns, income tax records and correspondence with HMRC**
Not less than 3 years after the end of the financial year to which they relate.
- **Statutory Maternity Pay records, calculations, certificates (MATB1) or any other medical evidence**
3 years after the end of the tax year in which the maternity ends.
- **Wage and Salary records (inc overtime/bonus/expenses)**
During employment and for 6 Years after the employment has ended
- **National Minimum Wage records**
3 years after the end of the pay reference period following the one that the records cover.
- **Records relating to Working Time**
2 Years from which they were made.
- **Health and Safety Assessments**
Permanently

- **Inland Revenue/HMRC approvals**
permanently
- **Parental Leave**
5 years from the birth/adoption of the child or 18 years if claiming disability allowance.
- **Redundancy details, calculations of payments, refunds, notification to the Secretary of State**
6 years from the date of redundancy
- **Senior executive' records**
Permanently for historical purposes
- **Statutory Sick Pay records, calculations, certificates, self-certificates**
6 years after employment ceases in case of claim for breach of contract.

Please see the Data Retention policy for further details.

Your rights

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you
- The right to request that we correct any personal data if it is found to be inaccurate or out of date
- The right to request your personal data is erased where it is no longer necessary to retain such data
- The right to withdraw your consent to the processing at any time, where consent was your lawful basis for processing the data
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means)
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Transfer of Data Abroad

We do not transfer personal data outside the EEA.

Automated Decision Making

We do not use any form of automated decision making in our business.

Changes to our Privacy Notice

Any changes we may make to our privacy notice in the future will be posted on our website, in our policies and procedures and, where appropriate, notified to you. Please check back frequently to see any updates or changes to our privacy policy.

How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact: Andy Drake – Data Officer on Andy.drake@ymcaessex.org.uk

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the **Information Commissioners Office**

Tel: 03031231113

email: <https://ico.org.uk/global/contact-us/email/>

In writing: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.