

**Data controller: Rayment Recruitment Limited of  
4a Tindal Square, Chelmsford, Essex, CM1 1EH**

**Protection Manager: Ian Rayment – Director**

**Rayment Recruitment Limited (“Rayment Recruitment”)** collect and process personal data relating to our employees and temporary workers to manage the employment relationship and relating to work seekers for people seeking permanent employment. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

This notice applies to current and former employees, workers, work seekers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

### **What information do we collect?**

We collect and processes a range of information, this includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender.
- The terms and conditions of your employment or contract to provide services;
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Rayment Recruitment;
- Information about your remuneration, including entitlement to benefits such as pension.
- Details of your bank account and national insurance number;
- Information about your marital status, next of kin, dependants and emergency contacts;
- Information about your nationality and entitlement to work in the UK;
- Criminal record information
- Details of your schedule (days of work and working hours) and attendance at work;
- 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 performance, including, performance review, 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;

- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief;
- CCTV footage and other information obtained through electronic means such as swipe card records;
- Information about your use of our information and communication systems, included electronic communications and e-form data.
- Information relating to any recruitment services provided, including interviews, enquiries and placements made.

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

- Information about your health, including any medical condition, health and sickness records, including:
- details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
- where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- Information about criminal convictions and offences.

This data is collected in various ways, through application forms, CVs; passport or other identity documents such as your driving licence; benefit nomination forms, from correspondence with you; or through interviews, meetings or other assessments. We will also collect additional personal information in the course of job related activities throughout the period of you working for us.

We also collect personal data about you from third parties, such as references supplied by former employers, information from our employment background check providers and information from criminal records checks.

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

### **Why do we process personal data?**

We need to process data to enter into an employment contract with you and to meet our obligations under your employment contract

We need to process data to ensure that we are complying with our legal obligations, for example, entitlement to work in the UK, to deduct tax, to comply with health and safety

As your employer, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the company 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;
- Operate and keep a record of 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.

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).

We process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, for the purposes of equal opportunities monitoring.

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Who has access to data?**

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

As your employer, we share 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 Records Checks and in specific cases from the Disclosure and Barring Service. In those circumstances, the data will be subject to confidentiality arrangements.

We also share your data with third parties that process data on its behalf in connection with the provision of benefits. We require third parties to respect the security of your data and to treat it in accordance with the law.

Rayment Recruitment will not transfer your data to countries outside the European Economic Area.

### **What about other third parties?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC.

### **How do we protect data?**

We take the security of your data seriously and have 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.

Where we engage 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?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy below.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## **Your rights**

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

- access and obtain a copy of your data on request;
- require the company to change incorrect or incomplete data;
- require the company 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 company is relying on its legitimate interests as the legal ground for processing; and
- ask the company to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the company's legitimate grounds for processing data.
- Request the transfer of your personal information to another party.

If you would like to exercise any of these rights or make a subject access request, please contact the Directors.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner's Office (ICO).

## **What if you do not provide personal data?**

You have some obligations under your employment contract to provide us with data. 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 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 Rayment Recruitment to enter a contract of employment with you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Directors.

### **ABOUT THESE GUIDELINES**

These guidelines support Rayment Recruitment Limited's Data Protection Policy.

The guidelines are intended to ensure that Rayment Recruitment Limited ("Rayment Recruitment") process personal data in the form of employment records in accordance with the personal data protection principles, in particular that:

- Personal data must be collected only for specified, explicit and legitimate purposes. It must not be further processed in any manner incompatible with those purposes.
- Personal data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed. When personal data is no longer needed for specified purposes, it is deleted or anonymised as provided by these guidelines.
- Personal data must be accurate and, where necessary, kept up to date. It must be corrected or deleted without delay when inaccurate.
- Personal Data must not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.
- Personal Data must be secured by appropriate technical and organisational measures against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

The Data Protection Manager, Ian Rayment is responsible for overseeing these guidelines. Any questions about the operation of the guidelines should be submitted to that person.

### **LOCATION OF EMPLOYMENT RECORDS**

Rayment Recruitment holds employment records and can be contacted with any enquiries relating to your personal data.

## **KEEPING INFORMATION UP TO DATE**

Rayment Recruitment need to ensure that your personal details are up to date and accurate.

When you first start working for Rayment Recruitment we record your name, address, next of kin and contact telephone details. In the event that any of these change you should update your details by informing us. You will be invited to review and update personal information on a regular basis.

These provisions are intended to complement the data subject rights referred to in the Data Protection Policy.

## **GENERAL PRINCIPLES ON RETENTION AND ERASURE**

Rayment Recruitment' approach to retaining employment records is to ensure that it complies with the data protection principles referred to in these guidelines and, in particular, to ensure that:

- Employment records are regularly reviewed to ensure that they remain adequate, relevant and limited to what is necessary to facilitate you working for Rayment Recruitment.
- Employment records are kept secure and are protected against unauthorised or unlawful processing and against accidental loss, destruction or damage. Where appropriate Rayment Recruitment uses anonymization to prevent identification of individuals.
- When records are destroyed, whether held as paper records or in electronic format, Rayment Recruitment will ensure that they are safely and permanently erased.

## **RETENTION AND ERASURE OF RECRUITMENT DOCUMENTS**

Rayment Recruitment retains personal information following recruitment exercises to demonstrate, if required, that candidates have not been discriminated against on prohibited grounds and that recruitment exercises are conducted in a fair and transparent way.

Rayment Recruitment' candidate privacy notice advises candidates how long it expects to keep their personal information for.

Information relating to successful candidates will be transferred to their employment record with Rayment Recruitment. This will be limited to that information necessary for the working relationship and, where applicable, that is required by law.

Following a recruitment exercise information, in both paper and electronic form, will be held by the Directors. Destruction of that information will take place in accordance with these guidelines.

## RETENTION AND ERASURE OF EMPLOYMENT RECORDS

Rayment Recruitment has regard to recommended retention periods for particular employment records set out in legislation, referred to in the table below. However, it also has regard to legal risk and may keep records for up to seven years (and in some instances longer) after your employment or work with us has ended.

Type of employment record	Retention period
<b>Candidate Details</b>	
Full contact details CV's Assessments & Test Pre-employment verification details (provided by the candidate). Right to work & ID checks Immigration Checks Criminal Record checks	Will be kept for a period of three years from registration to facilitate ongoing work placement opportunities.  Or upon work applications, interviews or placement, this information will be retained for a period of 6 years after the relevant period, to comply with the Limitations Act 1980 and associated legislation.
Interview data and short-listing exercises Key Information Documents Placement Records Equal Opportunities monitoring forms	Will be retained for a period of 6 years following the relevant period, to comply with the Limitations Act 1980 and associated legislation.

<b>Contracts &amp; Employment file</b>	
These may include: Written particulars of employment. Contracts of employment or other contracts. Documented changes to terms and conditions.	While employment continues and for seven years after the contract ends.
<b>Collective agreements</b>	
Collective workforce agreements and past agreements that could affect present employees.	Any copy of a relevant collective agreement retained on an employee's record will remain while employment continues and for seven years after employment ends.



<b>Payroll and wage records</b>	
Payroll and wage records Details on overtime. Bonuses Expenses Benefits in Kind	These must be kept for at least three years after the end of the tax year to which they relate. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
Current bank details	Bank details will be deleted as soon after the end of employment as possible once final payments have been made
PAYE records	These must be kept for at least three years after the end of the tax year to which they relate. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
Payroll and wage records for companies	These must be kept for six years from the financial year-end in which payments were made. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
Payroll and wage records for unincorporated businesses.	These must be kept for five years after 31 January following the year of assessment. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
Records in relation to hours worked and payments made to workers	These must be kept for three years beginning with the day on which the pay reference period immediately following that to which they relate ends. However, given their potential relevance to pay disputes they will be retained for seven years after the working relationship ends.
Travel and subsistence.	While employment continues and for seven years after employment ends.
Record of advances for season tickets and loans to employees	While employment continues and for seven years after employment ends.

<b>Personnel records</b>	
<p>These include:</p> <p>Qualifications/references.</p> <p>Consents for the processing of special categories of personal data.</p> <p>Annual leave records.</p> <p>Annual assessment reports.</p> <p>Disciplinary procedures.</p> <p>Grievance procedures.</p> <p>Death benefit nomination and revocation forms.</p> <p>Resignation, termination and retirement.</p>	<p>While employment continues and for seven years after employment ends.</p>
<b>Records in connection with working time</b>	
Working time opt-out	Three years from the date on which they were entered into.
<p>Records to show compliance, including:</p> <p>Time sheets for opted-out workers.</p> <p>Health assessment records for night workers.</p>	Three years after the relevant period.
<b>Maternity and Paternity records</b>	
<p>These include:</p> <p>Maternity payments.</p> <p>Dates of maternity leave.</p> <p>Period without maternity payment.</p> <p>Maternity certificates showing the expected week of confinement.</p>	Four years after the end of the tax year in which the maternity or paternity pay period ends.
<b>Accident records</b>	
These are created regarding any reportable accident, death or injury in connection with work.	For at least six years from the date the report was made.