



Recyke y'Bike Ltd
Employee Data Protection Policy and Privacy Notice

1. INTRODUCTION

This policy sets out information about the processing of employee data, and how employees' privacy in relation to their data is protected. This policy does not confer any contractual rights.

2. OUR OBLIGATIONS IN RELATION TO PROCESSING PERSONAL DATA

Recyke y'bike must comply with the following obligations when processing your personal data:

- That your data is used lawfully, fairly, and in a transparent way
- That your data is collected only for valid purposes, which have been clearly explained to you
- That the data collected is relevant to the purposes Recyke y'bike has told you about, and limited only to those purposes
- That your data is accurate and up-to-date
- That your data is kept in a format which allows for you to be identified for only as long as necessary
- That your data is kept securely

3. WHAT DATA WE HOLD

The data we hold about you is set out in the table at Appendix 1.

4. WHY WE HOLD YOUR YOUR PERSONAL DATA

Recyke y'bike is a 'data controller' and needs to collect and hold data about employees to enable us to administer day-to-day tasks relating to your ongoing employment (e.g. we need to know your bank details so that we can pay you).

Recyke y'bike is allowed to hold and process data about you because you are an employee and there is a contract between us. That contract is the main legal basis for processing your information.

Recyke y'bike is registered with the Information Commissioner's Office (ref. ZA478423).

5. HOW WE COLLECT YOUR DATA

Recyke y'bike collects your personal data by a variety of means.

At the recruitment stage, we will collect data through the application process and references from current and/or former employers.

At the induction stage, we will ask for right to work documents, contact and bank details, medical and health data, and Disclosure and Barring Service (DBS) information.

We will collect and hold information about your pay and third party benefits (e.g. pension) each time you are paid.

We will hold key information about your employment for 5 years after you have left employment with Recyke y'bike for future reference purposes.

We will collect photographic/video images of you if you consent to our doing so (see Appendix 2.)

6. HOW WE USE YOUR DATA

Recyke y'bike will use your personal data for one of the following lawful reasons:

- To perform the employment contract we have entered into with you. This will include sharing information with some third parties, such as pension providers.
- To comply with legal obligations

With your consent, we will use your information for the following purposes:

- To publicise the work of Recyke y'bike
- To apply for grant funding
- To understand the diversity of our workforce

There are other rare occasions when your personal data or special category data will be used:

- Where we need to protect your interests, or someone else's interests
- Where it is needed in the public interest, or has already been made public
- Where Recyke y'bike has to process this data for legal claims

If Recyke y'bike considers that it is necessary to use your personal data for a different and unrelated purpose, you will be notified of this in writing with an explanation of the legal basis for doing so. There may be exceptional circumstances where Recyke y'bike has to process your data without your knowledge or consent where this is required by law.

7. HOW WE KEEP YOUR DATA

7.1 ACCURACY: Recyke y'bike will take reasonable steps to ensure personal data is accurate and up to date.

7.2 RETENTION: to ensure that personal data is kept for no longer than necessary, Recyke y'bike has in place a Records Retention Policy for each area in which personal data is processed and reviews this policy annually. The Records Retention Policy considers what data should/must be retained, for how long, and why.

7.3 SECURITY: Recyke y'bike will ensure that personal data is stored securely using modern software that is kept-up-to-date. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information. Paper copies will be kept in a locked cupboard.

7.3 DELETION: when personal data is deleted this will be done safely such that the data is irrecoverable.

8. YOUR RIGHTS AND OBLIGATIONS

Recyke y'bike will only ask you to provide data which is necessary for the performance of your contractual employment relationship, or any associated legal obligations. If you do not provide this data, Recyke y'bike may not be able to meet its contractual or legal obligations to you.

It is important that you inform us of any changes to your data so that we can make sure the information we hold is accurate.

You have the following rights in relation to your personal data:

- The right to request a copy of your personal data that Recyke y'bike holds about you
- The right to request that Recyke y'bike corrects any personal data if it is inaccurate or out of date
- The right to withdraw your consent to the processing at any time
- The right to request that Recyke y'bike provide you with your personal data and, where possible, transmit that data directly to another data controller
- The right, where there is a dispute about the accuracy or processing of your personal data, to request a restriction on further processing
- The right to lodge a complaint with the Information Commissioner's Office Rights in relation to automated decision-making and profiling.

9. SPECIAL CATEGORY DATA

Any personal data which identifies ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic, biometric or health data, sex life and sexual orientation is passed as special category data. Recyke y'bike will only use this data

- To comply with employment and other laws when processing and managing situations connected with absences arising from your sickness and family/dependant-related leave etc.

- To ensure Health and Safety compliance
- To assess your capability to perform, monitor and manage your sickness absence, provide appropriate workplace adjustments etc.
- Where it is needed, e.g. equal opportunity monitoring and reporting

In limited circumstances Recyke y'bike may request your written consent to allow us to process special category data (e.g. to obtain a medical report).

Recyke y'bike does not envisage that it will hold data about criminal convictions. Recyke y'bike will only collect data about criminal convictions if it is appropriate to the role and duties you will perform.

10. SUBJECT ACCESS REQUESTS

You are entitled to make a subject access request (SAR) for copies of any personal data Recyke y'bike holds about you.

Any request should be made in writing to the General Manager. You may (but do not have to use) the SAR request form at Appendix 3.

If you make an SAR, Recyke y'bike may ask you to confirm your identity so we can ensure that personal data is released to the correct person.

Recyke y'bike will reply to an SAR within 30 calendar days, and may extend this for particularly complex requests. Recyke y'bike may withhold personal data if disclosing it would adversely affect the rights and freedoms of others.

Recyke y'bike will only charge you a fee for an SAR if your request is manifestly unfounded or excessive, or if further copies of the same data are requested.

11. DATA BREACHES

Where any personal data is lost, destroyed, corrupted or disclosed, this will amount to a data breach.

If you become aware of a data breach, you must inform the General Manager immediately.

If a data breach occurs, Recyke y'bike will:

- Investigate the cause of the breach
- Take action to contain the breach
- Assess the likelihood and severity of risk to any of a data subject's rights

Where personal data has been sent to someone who is not authorised to have access to it, Recyke y'bike will:

- Inform the recipient not to distribute it in any way or discuss it with anyone else
- Inform the recipient to destroy or delete the data, and require them to confirm in writing that they have done so

- Where relevant, inform the data subject(s) so they can take any necessary action

If there is a risk to any individual's rights, Recyke y'bike will notify the ICO within 72 hours of becoming aware of the breach. If a risk is unlikely, there is no requirement on Recyke y'bike to report the data breach to the ICO.

Appendix 1: Table of personal data (employees)

What information is collected?	What is the information used for?	Legal basis for processing	How is it held?	Who has access to it?	How is it updated?	How long do we keep it?
Recruitment data: previous employers, types of job held previously, skills and qualifications, references, application form	To allow Recycle y/bike to make a decision about suitability for employment/engagement	Legitimate interest	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	Application form, references received, interview	Duration of employment and 12 months afterwards
Right to work: copy of passport (or other right to work documents, e.g. biometric visa)	To comply with legal obligations	Legal obligation	Google Drive	Trustees, General Manager, Office staff	When employees join Recycle y/bike or their right to work details change	Duration of employment and 2 years afterwards
Induction data: key personal data, including name, address, email address, phone numbers, date of birth, next of kin, bank details	To allow us to send correspondence to employees, contact next of kin in an emergency, and pay wages	Contract (necessary for the performance of employment contract)	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	When employees join Recycle y/bike	Duration of employment and 12 months afterwards
DBS certificate dates and numbers	To comply with safeguarding obligations	Contract (necessary for the performance of employment contract)	Google Drive	Trustees, General Manager, Office staff	When employees join Recycle y/bike and every 3 years thereafter	Duration of employment and 2 years afterwards

		& legitimate interest				
Payroll data: salary and salary history, benefits, tax, NI, tax status, pension contributions, other deductions, student loans, timesheets, CCJs etc.	To allow Recycle y'bike to pay employees accurately and fulfil our tax and reporting obligations with HMRC	Contract (necessary for the performance of employment contract)	Google Drive	Trustees, General Manager, Finance Manager, Office staff	When employees are paid or their details change	HMRC requires us to hold payroll data for 6 years after we have used it
Time and attendance data: timesheets	To allow Recycle y'bike to ensure employees are working the correct hours and that obligations under the Working Time Regulations are met	Contract (necessary for the performance of employment contract) & legal obligation (employment law)	Google Drive and paper (in locked cabinet)	Trustees, General Manager, all staff	By employees each working day	Duration of employment and 12 months afterwards
Health and medical data: data about health, medical conditions, self-certificates, GP fit notes. Consent may also be sought to gain a report from employees' GP, consultant or occupational health specialist.	To understand details about employees' health/medical conditions in relation to their work and ability to undertake their role, or alternative roles, We would only seek this information with employees' specific	Contract (necessary for the performance of employment contract)	Google Drive and paper (in locked cabinet)	Trustees, General Manager	When employees join Recycle y'bike, in the event of sickness absence, or if medical details change	Duration of employment and 12 months afterwards

	consent.					
Accident book entries	To comply with legal obligations	Legal obligation (employment law)	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	In the event of an accident/incident	3 years from the date of the accident
Monitoring data: data relating to racial origin, religion, sex, sexual orientation etc. that are classed as protected characteristics under the Equality Act 2010	To understand the diversity of our workforce	Consent	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	When employees join Recycle y/bike or when requested	Anonymised data retained indefinitely
Disciplinary and grievance records	To ensure any requirements to improve employees' conduct or capacity, or their grievances about the workplace, can be referenced.	Contract (necessary for the performance of employment contract)	Google Drive and paper (in locked cabinet)	Trustees, General Manager	In the event of a disciplinary or grievance issue arising	Duration of employment and 12 months afterwards
Other data: start date, location of workplace, flexible working requests, driving licence details (if applicable), training records, professional memberships, job performance	We may need to calculate entitlement to benefits or rights arising from length of service, understand details about work performance, training needs, policy compliance etc or	Contract (necessary for the performance of employment contract)	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	When employees join Recycle y/bike, and at periodic reviews thereafter	Duration of employment and 12 months afterwards

e details, appraisals/ reviews, supervision notes	making decisions about promotion or continued employment					
Third parties who deal with our company benefits: pension providers	To allow the third party to process employees' benefits	Contract (necessary for the performance of employment contract)	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Finance Manager, Office staff	When employees contribute to or receive company benefits	Duration of employment and 12 months afterwards. Pension provider may hold the information for longer.
Future reference data (after you have left Recyke y'bike): key data items incl name, address, start and leave dates, job history, last job title and summary of duties, salary details, training courses attended etc.	We would keep a small amount of basic data about employees after they have left to allow us to give a reference to a prospective employer.	Legitimate interest	Google Drive and paper (in locked cabinet)	Trustees, General Manager, Office staff	When employees leave Recyke y'bike	Duration of employment and 5 years afterwards.
Photographs and audiovisual records	To publicise the work of Recyke y'bike and apply for grant funding	Consent	Google Drive	Trustees, General Manager, All staff, Members of the public		
CCTV recording	To prevent and detect crime, and protect	Legitimate interest	CCTV system	Trustees, General Manager, Office staff		

	staff, volunteers and customers					
--	--	--	--	--	--	--

Appendix 2: Consent form

Recyke y'bike

Consent to photography/filming

I consent to Recyke y'bike using photographs and/or video recordings including images of me both internally and externally to promote the charity. These images could be used in print and digital media formats including print publications, websites, e-marketing, posters banners, advertising, film, social media, teaching and research purposes.

I understand that images on websites can be viewed throughout the world and not just in the United Kingdom and that some overseas countries may not provide the same level of protection to the rights of individuals as EU/UK legislation provides.

I understand that some images or recordings may be kept permanently once they are published and be kept as an archive of Recyke y'bike.

I have read and understand the conditions and consent to my images being used as described.

Print Name	
Signature	
Date	

Recyke y'bike is committed to processing information in accordance with the General Data Protection Regulation (GDPR). The personal data collected on this form will be held securely and will only be used for administrative purposes.

Your rights

You have the right to request to see a copy of the information we hold about you and to request corrections or deletions of the information that is no longer required. You can ask Recyke y'bike to stop using your images at any time, in which case it will not be used in future publications but may continue to appear in publications already in circulation.

You have the right to lodge a complaint against Recyke y'bike regarding data protection issues with the Information Commissioner's Office (<https://ico.org.uk/concerns/>).

Contact details

If you have any questions relating to this consent form or the way we are planning to use your information please contact:

The General Manager
Recyke y'bike Ltd
2 Hannington Street
Byker
Newcastle upon Tyne
NE6 1JT

If you have any questions relating to data protection please contact Recyke y'bike's Data Protection Officer, Sara Newson, tel: 0191 265 4197, email sara@recyke.bike.

Appendix 3: Subject Access Request Form

Recyke y'bike

Subject Access Request (General Data Protection Regulations 2018)

You are entitled to see most of the information we hold about you. If you want to see it, please fill in this form and hand it to the General Manager.

Your name	
Your address	
Your phone number (if you wish)	
Your email address (if you wish)	
Please tick if you have ever been:	
<input type="checkbox"/> an employee	
<input type="checkbox"/> a volunteer (including trustee)	
<input type="checkbox"/> a customer or user of our services	
<input type="checkbox"/> other	
If you have ticked 'other', please tell us why you think we might have information about you:	
If we may have known you under a different name, please tell us here:	
If you are only interested in particular information, please say what it is:	
I want to see the records you hold on me.	
Signed:	
Dated:	

