

## **Freedom Scripted - Staff Data Protection Privacy Notice**

The Company collects and processes personal data about its staff to manage our employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations under the GDPR (General Data Protection Regulations), as amended to the UK-GDPR effective from 31<sup>st</sup> January 2020.

You are receiving this Privacy Notice as we process your personal data as you are a member of our staff, whether as an employee, worker, freelancer or contractor. This Privacy Notice should be read alongside our Data Protection Policy.

The person in the Company responsible for data protection compliance is Mike Ellen, who can be emailed at [mike@freedomscripted.com](mailto:mike@freedomscripted.com).

### **What information does the organisation collect?**

The Company collects and processes a range of information about you. 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/engagement;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with this Company;
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account and national insurance number, P45, P46, P60's;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- for some jobs, whether or not you have a criminal record or have been the subject of a child protection investigation;
- for some jobs, information about your Driving Licence;
- details of your working hours and attendance at work;
- details of any flexible working requests you have made;
- details of any Jury Service attendance;
- details of periods of leave taken by you, including holiday, sickness absence, 'family leave' (maternity leave etc.) and unpaid leave, 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 any appraisals, performance reviews and ratings, 1-2-1's, performance improvement plans and related correspondence;
- In certain circumstances, information about your medical or health conditions, including whether or not you have a disability for which the company may need to make reasonable adjustments;
- And anything else we hold about you.

The Company may collect this information in a variety of ways. For example, data might be collected from your CV/resume; obtained from your passport or other identity documents such as your driving licence that you have provided us; from forms completed by you at the start of or during your employment (such as personal detail forms, bank detail forms, emergency contact details); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Company may collect personal data about you from third parties, such as references supplied by former employers, information from criminal records checks from the Disclosure & Barring Service ("DBS"), in as such as these are permitted by law.

Data will be stored in a range of different places, including in your personnel file, in the company's HR management systems and in other IT systems (including the company's email system) and on password-protected external storage.

### **Why does the Company process your personal data?**

The Company needs to process your data to enter into an employment or engagement contract with you and to meet its obligations to you 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 any benefits and pension entitlements.

In some cases, the Company needs to process your data to ensure that it is complying with its legal obligations. For example, it is mandatory to check your entitlement to work in the UK, to deduct tax (where appropriate), to comply with health and safety laws and to enable staff to take periods of leave to which they are entitled (where appropriate).

For some roles, we will be obliged to seek information about criminal convictions and offences. Where the company seeks this information from the Disclosure and Barring Service it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

In other cases, the Company has a legitimate interest in processing your personal data before, during and after the end of the employment relationship. Processing your 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 your 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 your performance and related processes, to plan for career development, and for succession planning and management purposes;

- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that staff are receiving the pay or other benefits to which they are entitled;
- in certain situations, obtain occupational health advice, to ensure that we comply with our duties in relation to Disabled people, meet our obligations under health and safety law, and ensure that staff 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 staff 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 staff members;
- to provide information at the request of legitimate 3<sup>rd</sup> parties;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

If in the future we intend to process your personal data for a purpose other than that which it was collected, we will provide you with information on that purpose and any other relevant information.

## **Why and how do we use your sensitive personal information?**

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences, when the law allows us to.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to Disabled staff). Some special categories of personal information, i.e. information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under employment law.

The other purposes for which we may process, or will process, health information and information about any criminal convictions and offences, are:

- to assess your suitability for employment or engagement
- to comply with statutory and/or regulatory requirements and obligations, e.g. carrying out criminal record checks, health and safety obligations to ensure a safe working environment for all workers
- to comply with the duty to make reasonable adjustments for Disabled staff and with other disability discrimination obligations
- to ensure compliance with your statutory rights
- to ascertain your fitness to work
- where it is needed for the establishment, exercise or defence of legal claims.

We may also process information about your health and information about any

criminal convictions and offences where we have your explicit written consent. In this case, we will first provide you with full details of the personal information we would like and the reason we need it, so that you can properly consider whether you wish to consent or not. It is entirely your choice whether to consent. Your consent can be withdrawn at any time, by informing Katie Oakley.

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

Your information may be shared internally, including with Senior Management/Directors, your line manager, the Head of Production, the Production Executive/ Manager, if access to the data is necessary for the performance of their roles.

The Company shares your data with third parties in order to obtain pre-employment references from other employers, provide to and receive information from the HMRC, Government Departments and Courts, provide references to Landlords or Mortgage providers on your behalf, and obtain necessary criminal records checks from the Disclosure and Barring Service. The organisation may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Company also shares your data with third parties that process data on our behalf, in connection with payroll, legal advice, the provision of benefits and the provision of HR services.

Third parties who we share your data with may include:

- HR service providers and Solicitors
- External IT Consultants
- Accountants/Payroll service providers
- Banks
- Pension and benefit providers
- Local Authorities and Government Departments, including the HMRC
- External accountants.

The Company may transfer your data to countries outside the UK and European Economic Area on the basis that the transfer is necessary for the Company's legitimate interests, which we believe do not supersede your rights as a data subject. We will assess all the circumstances of the transfer before it happens and provide suitable safeguards to protect your personal data.

## **How does the Company protect data?**

The Company takes the security of your data seriously. The Company 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 staff in the performance of their duties.

Where the Company 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 your data.

## **For how long does the Company keep my data?**

Your data will be held by the Company for the duration of your employment with us. The periods for which your data is held by us, after the end of your employment are:

- General personal data for 6 years (name, contact information, application details etc.).
- Pay rates and payroll records are kept for at least the statutory reference period of 3 years after the end of each pay reference period. This includes sickness payments and maternity pay, paternity pay, adoption pay, which are kept for 3 years after the end of the tax year in which they were paid.
- Sickness records are kept for 6 years.
- Details of your salary, any overtime payments, bonuses and expenses are kept for 6 years.
- Parental Leave and Pay and Shared Parental Leave and Pay records are kept until your child is 18.
- Your Bank Account details are kept for 1 year.
- Benefit and Pension details are retained until 12 years after the benefit ceases.
- Any Coronavirus Furlough records are kept for 6 years.
- Driving Licence details for 6 years.
- References about your previous employment for 3 years.
- Details of any accidents and injuries you sustained at work, while working for us, are kept for 3 years.
- Details of your Passport/Right to Work in the UK are kept for 6 years after your employment ends.
- Details of your appraisals, performance reviews are kept for 6 years.
- Details of any disciplinary and grievance meetings and Dismissal and Redundancy decisions are kept for 6 years.
- Annual Leave and Rest Break records are kept for 6 years.
- Emergency Contact details are kept for 2 years.
- Information provided to third parties about you is kept for 2 years.

## **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 us to change incorrect or incomplete data;
- require us 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;

- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights' please contact Mike Ellen on [mike@freedomscripted.com](mailto:mike@freedomscripted.com), who is the person responsible for data protection in the Company.

If you believe that the Company has not complied with your data protection rights, you can complain to the Information Commissioners Office (ICO).

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

You have some obligations under your employment contract to provide the company 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 company 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, details of your right to work in the UK and your payment details, have to be provided to enable the Company to enter into a contract of employment/engagement with you. If you do not provide this information, this will hinder the company's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### **Automated decision-making**

Employment decisions such as recruitment and promotion, or absence management, are not currently based on automated decision-making.

### **And finally**

If you have any questions about the content of this Privacy Notice please contact Mike Ellen, who is the person responsible for Data Protection at Freedom Scripted.

This Privacy Notice needs to be read and agreed to alongside your contract of employment/agreement with the Company.

**Freedom Scripted updated October 2024**