

Privacy Policy

Human Resources

21st August 2023
Confidential



Privacy Policy

1. Scope

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

2. Related Documentation

2.1 Legislation

- Data Protection Act 2018
- UK General Data Protection Regulation
- Electronic Communications (EC Directive) Regulations 2003
- Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675)
- Control of Lead at Work Regulations 1998 (SI 1998/543)
- Control of Substances Hazardous to Health Regulations (COSHH) (SIS 1999/437 And 2002/2677)
- Fire Precautions (Workplace) Regulations 1997
- Health and Safety (First Aid) Regulations 1981
- Income Tax (Employments) Regulations 1993 (SI 1993/744)
- Ionising Radiations Regulations 2017
- National Minimum Wage Act 1998
- Rehabilitation of Offenders Act 1974
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960)
- Working Time Regulations 1998 (SI 1998/1833)

2.2 Policies

- HR Retention & Erasure Policy
- OH Privacy Policy
- OH Retention & Erasure Policy

3. Terms, Definitions & Abbreviations

- **DPA:** Data Protection Act
- **DPO:** Data Protection Officer
- **HR:** Human Resources
- **ICO:** Information Commissioner's Office
- **OH:** Occupational Health
- **PECR:** Electronic Communications (EC Directive) Regulations
- **UKGDPR:** UK General Data Protection Regulation

4. Purpose of this Policy

4.1.1 This privacy policy aims to give you information about how Portview collects and processes your personal data before, during, and after your working relationship with us.

4.1.2 It is important that you read this privacy policy together with any other privacy policy or fair processing notice, and other communications we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.





5. Responsibility

5.1.1 The Company's Data Protection Officer is Simon Campbell: simon.campbell@portview.co.uk

5.1.2 The Data Protection Officer shall be responsible for overseeing the implementation of this Policy and for monitoring compliance with this Policy, the Company's other Data Protection-related policies (including, but not limited to, its Data Protection Policy), and with the UK GDPR and other applicable data protection legislation.

5.1.3 Karen Fullerton, Human Resources Manager shall be directly responsible for ensuring compliance with this policy.

5.1.4 Any questions regarding this Policy, the retention of personal data, or any other aspect of UK GDPR compliance should be referred to the Data Protection Officer.

5.2 Our details:

Name	Portview Fit-Out Limited ("the Company")
Address	46 Florenceville Avenue, Belfast, BT7 3GZ
Telephone Number	028 9064 4765
Email Address	Info@portview.co.uk

6. Policy

6.1 The Types of Personal Information We Collect

6.1.1 The Company is fully committed to compliance with the requirements of the UK General Data Protection Regulation, the Privacy and Electronic Communications (EC Directive) Regulations 2003, and the Data Protection Act 2018 currently in force. In particular, the UK GDPR applies to anyone processing personal information (Personal Data), sets out principles which should be followed and gives rights to those whose data is being processed i.e., our employees, clients, sub-contractors, and suppliers.

6.1.2 The Human Resources Department currently collect and process Personal Data. Your information is stored electronically and is protected by password. It is only accessible by:

- Karen Fullerton (Human Resources Manager)
- Hope Cowan (Human Resources Administrator)
- Paul Lavery (Chief Operating Officer), and
- Simon Campbell (Managing Director).

The following sections describe the Personal Data we process together with how long it will be retained.





6.2 Assessments

(Under health and safety regulations and records of consultations with safety representatives and committees.)

Retention period: For the period of employment and six years after the employment ceases.

6.3 CCTV Footage

Retention period: CCTV footage is usually held for a period of 30 days and then over written. Any footage that is used in a disciplinary matter or unfair dismissal claim shall be retained for a period of six months following the outcome of any formal decision or appeal.

6.4 Driving License Checks

Retention period: 'Clean' driving license check records are held for a period of six months.

6.5 Driving Offences

Retention period: Must be removed once the conviction is spent under the Rehabilitation of Offenders Act 1974.

6.6 Employee Forum Minutes & Management Meetings

Retention period: Six years.

6.7 Fair Employment Legislation

To comply with the Fair Employment legislation, the consent of individual applicants or employees is not required.

Retention period: Employers are obliged to keep written information relating to monitoring for a period of three years after the application is made or three years after an employee leaves employment, whichever is longer. Statutory Requirements must be adhered to.

6.8 Flexible Working Requests

Retention period: Eighteen months following any appeal. This is because a further request cannot be made for twelve months following a request plus allowing for a six month tribunal limitation period on top.

6.9 Inland Revenue/ HMRC Approvals

Retention period: Six years.

6.10 Monitoring Information

To comply with the Fair Employment legislation, the consent of individual applicants or employees is not required.

Retention Period: Employers are obliged to keep written information relating to monitoring for a period of three years after the application is made or three years after an employee leaves employment, whichever is longer.





6.11 Parental Leave

Retention period: Eighteen years from the birth of the child.

6.12 Pension Scheme/ Investment Policies/ Death In Service/ Income Protection

Retention period: Twelve years from the ending of any benefit payable under the policy.

6.13 Personnel Files and Training Records

(Personal Data: Name, Address, DOB, Material Status, NI Number, Bank Details, Emergency Contact, Education & Training Details, Formal Disciplinary Records and Working Time Records)

Retention period: Six years after employment ceases but note that it may be unreasonable to refer to expired warnings after two years have elapsed.

6.14 Recruitment Application Forms and Interview Notes

(For both successful and unsuccessful candidates)

Retention period: Six months to a year. Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicant documents will be transferred to the personnel file in any event.

6.15 Redundancy Details, Calculations of Payments, Refunds, Notification to The Secretary of State

Retention period: Six years from the date of redundancy.

6.16 References

Retention period: At least one year after the reference is given to meet the limitation period for defamation claims

6.17 Right to Work in The UK Checks

Retention period: Home Office recommended practice is two years after employment ceases.

6.18 Statutory Sick Pay Records, Calculations, Certificates, Self-Certificates, Occupational Health Reports

Retention period: Six years after the employment ceases.

6.19 Terms and Conditions Including Offers, Written Particulars and Variations

Retention period: review six years after.





7. Under Statutory Authority

7.1 Health And Safety Representatives and Employees' Training

Statutory Retention Period: Five years after employment ceases.

7.2 Health and Safety (First Aid) Regulations 1981

First Aid Training

Statutory Retention Period: Six years after employment ceases.

7.3 Fire Precautions (Workplace) Regulations 1997

Fire Warden Training

Statutory Retention Period: Six years after employment ceases.

7.4 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

Statutory Retention Period: Any record as required under the legislation for a period of at least three years from the date on which it was made.

7.5 Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675)

Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632) - medical records containing details of employees exposed to asbestos and medical examination certificates.

Statutory Retention Period:

Medical records - Forty years from the date of the last entry
Medical examination certificates - four years from the date of issue.

7.6 Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676)

Statutory Retention Period: Medical surveillance records for forty years from the date of last entry.

7.7 Control of Substances Hazardous to Health Regulations (COSHH) (SIS 1999/437 And 2002/2677)

Records of tests of control systems and protective equipment / health surveillance records.

Statutory Retention Period: Records of tests of control systems and protective equipment for five years from when such tests were carried out. Health records for a minimum of forty years from the date of last entry.

7.8 Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by the Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)

Statutory Retention Period: Pay related records for income tax and national insurance purposes for a minimum of three years after the end of the financial year to which they relate.





7.9 Ionising Radiations Regulations 2017

Statutory Retention Period: Until the person reaches seventy-five years of age, but in any event, thirty years after the last day of work in relation to overexposure investigations. Two years following each dose summary.

7.10 National Minimum Wage Act 1998

Payroll wage / salary records including overtimes, bonuses, and expenses.

Statutory Retention Period: Records from April 2021 to be retained for six years from the month after the last pay reference period. Records from before April 2018 to be retained for three years from the month after the last pay reference period.

7.11 Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended, Maternity & Parental Leave Regulations 1999

Statutory Maternity Pay records, calculations, certificates (Mat B1's), or other medical evidence. Also shared parental, paternity, and adoption pay records.

Statutory Retention Period: Three years after the end of the tax year in which the maternity period ends.

7.12 Working Time Regulations 1998 (SI 1998/1833)

Working time records including overtime, annual holiday, jury service, time off for dependents, etc.

Statutory Retention Period: Two years from date on which they were made.



8. Company Data

8.1 Performance Management to Facilitate Career Development Through Bi-Annual Appraisals

This is facilitated by a system call 'Appraisd' and all data held on this system is password protected.

Retention Period: Permanently.

8.2 Conducting Staff Engagement Surveys

These surveys are conducted by "Best Companies" and "Investors in People". The data collected in these surveys allows us to make improvements to our business practices. The reports are rendered anonymous i.e., they remove identifying particulars or details.

Retention Period: Permanently.

8.3 Benefits Platform

We offer a number of benefits to our employees and these can be accessed on our benefits platform. This platform is called 'Benni' (operated by Unum) and this system is password protected. Access to the platform expires when an employee leaves our employment.

Retention period: Data on the types of benefits will be retained permanently.

8.4 The Hub

We communicate our employment practices via our internal communications platform called "the Hub". The Hub will hold some data on our employees as well as photos and is password protected.

Retention period. Access to the hub expires when an employee leaves our employment. However, data stored in articles will be retained permanently.

8.5 How The Company Obtains Personal Data and the Reason Why the Company Has It

8.5.1 Most of the Personal Data the Company processes is provided directly by you when you commence your employment. The Company may use, where applicable, the Personal Data to process the items listed above.

8.5.2 When required the Company may share this information with the following third parties:

- **WESTFIELD HEALTH:** <https://www.westfieldhealth.com/about-us/trust/privacy-policy>
- CRONER: <https://www.croneri.co.uk/privacy-policy-clients>
- SCOTTISH WIDOWS: <https://www.scottishwidows.co.uk/legal-information/legal-and-privacy/>
- WHOSOFF: <https://www.whosoff.com/info/privacy-policy/>
- UNUM: <https://www.unum.co.uk/privacy-notice>
- CANADA LIFE: <https://www.canadalife.co.uk/data-protection-notice>
- BEST COMPANIES GROUP: <https://www.b.co.uk/compliance/privacy-notice>
- INVESTORS IN PEOPLE: <https://www.investorsinpeople.com/support/legal/>
- APPRAISD: <https://www.appraisd.com/privacy>
- PANCENTRIC: <https://www.pancentric.com/privacy-policy/>
- EQUALITY COMMISSION: <https://www.equalityni.org/PrivacyPolicy>
- DEPARTMENT OF FINANCE: <https://www.finance-ni.gov.uk/your-privacy>





- LEGAL & GENERAL: <https://www.legalandgeneral.com/privacy-policy/>
- AVIVA: <https://www.aviva.co.uk/services/about-our-business/products-and-services/privacy-policy/>
- GRANT THORNTON UK LLP: <https://www.grantthornton.co.uk/privacy/>
- ESS LIMITED: <https://www.ess-security.co.uk/GDPR/DataPrivacyForClientsAndSuppliers.pdf>
- KERR HENDERSON (FINANCIAL SERVICES) LTD: <https://www.kerrhenderson.com/Privacy.aspx>
- DANSKE BANK: <https://danskebank.co.uk/SiteCollectionDocuments/how-we-use-personal-business-info.pdf>
- COMPETENCY CLOUD: <https://www.competencycloud.co.uk/privacy-policy/>
- LEARNING POOL: <https://learningpool.com/privacy-policy/>

8.6 Article 6 UK GDPR

8.6.1 Under Article 6 of the UK GDPR, the Company is required to identify and provide you with the 'lawful basis' for collecting and holding your personal data. These are as follows:

- Your consent: This consent was obtained when you signed your employment contract together with any attached employment documentation. You can remove your consent at any time. You can do this by contacting Karen Fullerton (karen.fullerton@portview.co.uk).
- Performance of your employment contract.
- Compliance with a legal obligation: This occurs when we are processing your data as a direct consequence of a legal requirement. For example:
 - Compliance with legislation.
 - Completing monitoring returns.
 - If we need to exercise or defend legal claims.
 - Checking you are legally entitled to work in the UK.

8.6.2 To ensure accuracy of records, you must notify the HR department within 30 (thirty) days of any changes to your personal data or circumstances, including for example, a change of address, marriage etc. This ensures that your personnel records are kept accurate and up to date.

8.6.3 Protection of your vital interests. This is relevant should you need emergency medical care and occurs when we need to process personal data for medical purposes for which an employee is incapable of giving explicit consent.

8.6.4 For example: An employee is admitted to an Accident and Emergency Department of a hospital following an accident. The disclosure of the individual's details and medical history is necessary to protect their vital interests.

8.7 Article 9 UK GDPR

8.7.1 Under Article 9 of the UK GDPR, the Company is required to identify and provide you with the 'condition for processing' your personal data. These are as follows:

- Explicit Consent: This consent was obtained when you signed your employment contract together with any attached employment documentation.
- Employment: Upon commencement of employment.
- Legal claims or judicial acts: In the event we need to exercise or defend legal claims.
- Archiving, research, and statistics (with a basis in law): Monitoring returns and statistics requested by government agencies such as the Department of Finance.





8.8 Your Data Protection Rights

8.8.1 Under data protection law, you have rights including:

- Your right of access: You have the right to ask us for copies of your personal information.
- Your right to rectification: You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- Your right to erasure: You have the right to ask us to erase your personal information in certain circumstances.
- Your right to restriction of processing: You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- Your right to object to processing: You have the right to object to the processing of your personal information in certain circumstances.
- Your right to data portability: You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.
- You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact Karen Fullerton if you wish to make a request.

8.9 How to Complain.

8.9.1 If you have any concerns about our use of your personal information, you can make a complaint to us at karen.fullerton@portview.co.uk.

8.9.2 You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:
Information Commissioner's Office,
Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF
Helpline number: 0303 123 1113
ICO website: <https://www.ico.org.uk>

