



## Statement

Here at Trusted HR Solutions, we take your privacy seriously and will only use your personal information to administer our contractual relationship and provide you with the products and services you have requested from us. We understand how important it is that the information shared between consultant and client kept safe. Our [Privacy Policy](#) sets out how we ensure that all information is safe and only used for the purpose it was intended for.

As part of our service to our clients we also like to be able to contact them with details of other products/services or developments in employment law.

Should you have any questions in relation to this, then please contact Kate Amey on [Kate@trustedhrsolutions.co.uk](mailto:Kate@trustedhrsolutions.co.uk) or via telephone on 07721 050966

## Introduction

Trusted HR Solutions Limited ("We") are committed to protecting and respecting your privacy. This policy 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. The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

### 1. 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 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 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.

### 2. Who are we?

Kate Amey is the data controller. Our contact details are: Trusted HR Solutions, 29 Broadmeadow Close, Totton. Telephone: 07721 050 966. For all data matters contact Kate on the details above.

### 3. The purpose(s) of processing your personal data

We use your personal data for the following purposes:

- To help you manage your employees
- To maintain our own accounts and records
- To inform you of news, events or activities
- To prepare and produce documentation for you to use within your company.

### 4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, it is likely as we act on your behalf that you will provide us with the following types of data for us to process:

Personal data:

- Name
- Address
- Telephone number(s)
- Email address(s)
- IP addresses
- CV & application forms
- Passport/ visa/ other documentation relating to your right to work in the UK
- Driving licence/ insurance where relevant to the role
- Photograph(s)/ video(s)
- Age
- Salary
- Next of kin (or another emergency contact)
- DBS (Disclosure & Barring Service) where relevant to the role
- CSCS/ other professional organisation details
- Bank details

Special categories of data are personal data that would be considered 'sensitive'. Under the GDPR, these include data relating to:

- Racial or ethnic origin (as may be collected for diversity monitoring)
- Political beliefs/ affiliation
- Religious or philosophical beliefs (including no belief)
- Data relating to health (GP/ medical reports/ fit notes/ occupational health)
- Trade Union membership
- Genetic/ biometric data (such as when used for ID purposes)
- Sexual orientation

### 5. Why and how we collect and use your personal data

#### a. Why

In order to fulfil the contract, you will provide us information about individuals for legal and administrative purposes, and for the purposes of administering the contract between Trusted HR Solutions Limited and their clients.

## **b. How**

Most of the personal data we hold will have been provided by you, the client. It may come from other external sources such as would be the case with an outsourced payroll company, when requesting a breakdown of salary payments, or supporting on employment tribunal when there would inevitably be correspondence between ACAS and us as your HR Consultancy.

## **c. Type of information**

Typically, we may hold any information in connection to the services we provide you, such as information:

- collected during the selection and recruitment process (CV, interview notes, references, contact details etc);
- to evidence the right to work in the UK (copies of passport/ visa/ work permit etc);
- for the administration of payroll, pension and other statutory and non-statutory benefits (bank details, age etc);
- in respect of performance, promotion, training, redeployment and/ or career development;
- relating to sickness (medical certificates and Fit Notes etc);
- to comply with statutory and other requests from public authorities (HMRC, HSE, law enforcement authorities etc);
- in relation to disciplinary and grievance matters;
- in the provision of employment references following a request from you or a prospective future employer;
- In relation to any other employment related matter which may have been asked to support on, e.g. Employment Tribunals

We do not use any form of automated decision making.

*The above list is not exhaustive and there may be other legitimate purposes for collecting and processing your personal data. If the Company wishes to use your data for a new purpose not covered within this Privacy Notice, where the law so requires, you will be notified of any additional proposed purposes and your further consent sought.*

## **d. Use of information**

Trusted HR Solutions Limited, may process an individual's general personal data if we have been given permission by you, our client. You would be responsible for ensuring that you held the relevant permission/authority to gather and process this data. In general, the relevant permission/authority would be:

- the Data Subject has provided consent to the Company holding the information;
- it is necessary for the performance of the employment contract or, for a prospective employee, to enter into the employment contract;

- it is necessary to ensure that the Company complies with its legal obligations (such as ensuring a Data Subject is lawfully permitted to work in the UK);
- it is necessary to protect the vital interests of the Data Subject or another person;
- it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller; or
- it is necessary for 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).

Where data is covered by one of the above legal provisions, but also relate to Special Categories (see section 3 above), Trusted HR Solutions Limited, will again only process to fulfil the contract and you would be responsible for holding the relevant permission and authority. In this case it is likely to be if at least one of the following applies:

- With the *explicit* consent of the Data Subject (e.g. the employee gives their GP permission to share a specified medical report with the Company);
- Where it is necessary to process the data to comply with obligations under employment, social security or social protection law, or a collective agreement;
- Where it is necessary to process the data to protect the vital interests of a Data Subject or another individual where the Data Subject is physically or legally incapable of giving consent;
- Where processing is 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;
- Where processing relates to personal data manifestly made public by the Data Subject;
- Where processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity;
- Where processing is necessary for reasons of substantial public interest based on EU or Member State law;

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

## 6. Sharing your personal data

Your personal data will be treated as strictly confidential, Trusted HR Solutions Limited, will only disclose information about their client or its employees to a third parties either when it is legally obliged to do so (e.g. law enforcement/ HMRC etc), or where it needs to do so to comply with its contractual obligations to you (e.g. for pension and payroll). Company-nominated outsourced advisors include legal, health & safety, payroll, occupational health, human resources, recruitment, accountants and others as reasonably required.

## 7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary. In the case of any legal claims/complaints or for some clients potential safeguarding purposes, we may retain the documents for a longer period.

## 8. Providing us with your personal data

We do require personal data to fulfil our obligations under contract and to administer the contract. For example, we would require email addresses and postal address, to process an invoice for work completed, or to send terms of business.

## 9. Your rights and your personal data

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).

## 10. Transferring your Data Abroad.

Trusted HR Solutions Limited, use several additional cloud-based services to help administer and execute client work. These are:

- Google Drive data is stored in the cloud and hosted in the USA and is GDPR compliant.
- FreshBooks (Accountancy Software) is a cloud based service. The service is hosted in Toronto and at places located in the continental USA and is GDPR compliant.

## 11. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data 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.

## 12. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

## 13. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our Kate Amey, on [kate@trustedhrsolutions.co.uk](mailto:kate@trustedhrsolutions.co.uk), or via telephone on 07721 050 966

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.