



# Model Data Processing policy for Employees

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## 1. Introduction

Hawkwood Group is committed to being transparent about how it collects and uses the personal data of its workforce, and to meeting its data protection obligations. This policy sets out Hawkwood Group's commitment to data protection, and individual rights and obligations in relation to personal data.

This policy applies to the personal data of job applicants, employees, [workers, contractors, volunteers, interns, apprentices] and former employees, referred to as HR-related personal data.

### *Definitions*

**"Personal data"** is any information that relates to an individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

**"Special categories of personal data"** means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.

**"Criminal records data"** means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

During the course of our activities we, Hawkwood Group will process personal data (which may be held on paper, electronically, or otherwise) about our staff and we recognise the need to treat it in an appropriate and lawful manner, in accordance with **the UK General Data Protection Regulation ( UK GDPR )** and the Data Protection Act 2018 (DPA 2018) as is currently set out in the Data Protection Bill.

## 2. Data protection principles

Hawkwood Group processes HR-related personal data in accordance with the following data protection principles:

- Hawkwood Group processes personal data lawfully, fairly and in a transparent manner.
- Hawkwood Group collects personal data only for specified, explicit and legitimate purposes.
- Hawkwood Group processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- Hawkwood Group keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.

- Hawkswood Group keeps personal data only for the period necessary for processing.
- Hawkswood Group adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

Hawkswood Group will usually only process staff personal data:

- Where consent has been given.
- Where the processing is necessary to comply with the performance of a contract.
- Where the processing is necessary to comply with a legal obligation.
- Where the processing may be necessary to protect the vital interests of a data subject

The processing of special categories of personal data, or criminal records data, will only be carried out if explicit consent has been given, or if the processing is legally required for employment purposes.

Hawkswood Group will update HR-related personal data promptly if an individual advises that his/her information has changed or is inaccurate.

Personal data gathered during the [employment, worker, contractor or volunteer relationship, or apprenticeship or internship] is held in the individual's personnel file (in hard copy or electronic format, or both), and on HR systems. The periods for which Hawkswood Group holds HR-related personal data is seven years from the start of the academic year after the end /termination of employment. The exception to this is any records relating to potential safeguarding issues, which will be archived indefinitely.

Hawkswood Group keeps a record of its processing activities in respect of HR-related personal data in accordance with the requirements of the **UK General Data Protection Regulation (UK GDPR)**.

### 3. Individual rights

As a data subject, individuals have a number of rights in relation to their personal data.

#### *Subject access requests*

Individuals have the right to make a subject access request. If an individual makes a subject access request, Hawkswood Group will tell him/her:

- whether or not his/her data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual;

- to whom his/her data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long his/her personal data is stored (or how that period is decided);
- his/her rights to rectification or erasure of data, or to restrict or object to processing;
- his/her right to complain to the Information Commissioner if he/she thinks the organisation has failed to comply with his/her data protection rights; and
- whether or not the organisation carries out automated decision-making and the logic involved in any such decision-making.

Hawkswood Group will also provide the individual with a copy of the personal data undergoing processing. This will normally be in electronic form if the individual has made a request electronically, unless he/she agrees otherwise.

Where an individual wishes to exercise his/her rights to subject access, this will be dealt with under Hawkswood Groups **Subject Access Request Policy and Procedure**.

#### *Other rights*

Individuals have a number of other rights in relation to their personal data. They can require Hawkswood Group to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if the individual's interests override the organisation's legitimate grounds for processing data (where the organisation relies on its legitimate interests as a reason for processing data);
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the individual's interests override the organisation's legitimate grounds for processing data.

To ask Hawkswood Group to take any of these steps, the individual should send the request to [elaine.clark@hawkswoodgroup.org.uk](mailto:elaine.clark@hawkswoodgroup.org.uk)

#### **4. Data security**

Hawkswood Group takes the security of HR-related personal data seriously. Hawkswood Group has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

Where Hawkswood Group engages third parties to process personal data on its behalf, such parties 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.

## 5. Impact assessments

Some of the processing that Hawkswood Group carries out may result in risks to privacy. Where processing would result in a high risk to individual's rights and freedoms, Hawkswood Group will carry out a data protection impact assessment to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for individuals and the measures that can be put in place to mitigate those risks.

Hawkswood Group reserves the right to conduct routing monitoring of IT systems and e-mail accounts in line with the IT **Acceptable Use Policy/Guidance**. For all intents and purposes, work e-mail addresses are considered personal data, however the contents of the e-mails belongs to Hawkswood Group and as such will be subject to monitoring.

## 6. Data breaches

If Hawkswood Group discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of individuals, it will take all the necessary steps to remedy that breach as highlighted in Hawkswood Group **Personal Data Breach Procedure**.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

## 7. International data transfers

HR-related personal data may be transferred to countries outside the EEA for Police investigation. Data is transferred outside the EEA on the basis of safeguards.

## 8. Individual responsibilities

Individuals are responsible for helping Hawkswood Group keep their personal data up to date. Individuals should let Hawkswood Group know if data provided to Hawkswood Group changes, for example if an individual moves house or changes his/her bank details.

Individuals may have access to the personal data of other individuals in the course of their [employment, contract, volunteer period, internship or apprenticeship]. Where this is the case, Hawkswood Group relies on individuals to help meet its data protection obligations to staff.

Individuals who have access to personal data are required:

- to access only data that they have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether internal or third party) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);
- not to remove personal data, or devices containing or that can be used to access personal data, from Hawkwood Group's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.

**Further details about the organisation's security procedures can be found in its data security policy.**

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under Hawkwood Group's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing employee or customer data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

## 9. Training

Hawkwood Group will provide training to all individuals about their data protection responsibilities as part of the induction process online Elearning annually.  
<https://www.my1hs.com/>

Individuals whose roles require regular access to personal data, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.

For help or advice on this policy please contact:

Maryline Alvis [Maryline.Alvis@walthamforest.gov.uk](mailto:Maryline.Alvis@walthamforest.gov.uk)  
Education Data Protection Officer via  
Education Data Protection Service Team  
Governance & Law  
London Borough of Waltham Forest  
Email: [edposervice@walthamforest.gov.uk](mailto:edposervice@walthamforest.gov.uk)



Or

Elaine Clark  
Data Protection Officer for Hawkwood Group

Approved by:  .....

Chair of Governors: Hannah Glossop

Date: 08.12.2021

Last reviewed on:

Date: 08.12.2021

Next review due by:

Date: 08.12.2022