



## Staff Privacy Notice

Clyde Property Ltd are committed to protecting the privacy and security of your personal information, to providing clear information about how your personal information is processed and to complying with data protection laws.

This Privacy Notice (Notice) applies to current and former employees, and where relevant, to current and former workers, agency workers, consultants, interns and others whose personal information is provided to Clyde Property in the context of a working relationship. Where we refer to 'employees' and 'employment', for the purpose of this Notice, this includes all the categories listed above.

***Please read this Privacy Notice carefully.***

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## 1. Introduction – about this Privacy Notice

<b>A.</b>	<b>About this Privacy Notice</b>
	<p>This Notice does not form part of any contract of employment, or other contract to provide services.</p> <p>Clyde Property is committed to protecting your privacy. This Notice tells you what personal information we collect, why we need it, how we use it during and after your employment with us and what protections are in place to keep your personal information secure. It also sets out your rights in relation to your personal information.</p> <p>It is important that you read this Notice, and any subsequent privacy notice we may provide to you, carefully so that you are aware of how and why we are processing your personal information.</p> <p>We may update, or otherwise amend, this Notice at any time.</p>
<b>B.</b>	<b>About us</b>
	<p>Clyde Property act as data controller in respect of the personal information that we process. This means that we are responsible for deciding how we hold and use personal information about you.</p> <p>We have appointed a Data Protection Officer to oversee Clyde Property’s compliance with data protection laws.</p>

	<p>If you have any questions about this Notice, how we handle your personal information or you would like to update the information we hold about you, please contact the Data Protection Officer by email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>
<b>C</b>	<p><b>About you</b></p> <p>Our obligations in relation to processing your personal information are set out in this Notice, and in our Data Protection Policy and related procedures.</p> <p>You also have responsibilities in relation to personal information, and must comply with our Data Protection Policy which includes:</p> <ul style="list-style-type: none"> <li>• taking appropriate steps to protect the security of personal information</li> <li>• being careful about who personal information is disclosed to</li> <li>• protecting your communications and devices</li> <li>• following other business processes in relation to the handling of customers' personal information</li> </ul>

## 2. What personal information do we hold about you?

A.	<p><b>What is 'personal information'?</b></p> <p>Your 'personal information' means any information about you from which you can be identified - either by reference to an identifier (for example your name, location data or online identifier (e.g. IP address)) or from factors specific to your physical, cultural or social identity (e.g. your social background, outside interests etc).</p> <p>It does not include information where the identity has been removed (such as anonymous information).</p>
B.	<p><b>What personal information do we process?</b></p> <p>Clyde Property collect and use personal information that you provide as part of the recruitment and on-boarding processes, as well as additional personal information that is collected in the course of your employment or engagement (e.g. for performance reviews). We primarily use this personal information for the recruitment process, to comply with contracts of employment, for managing the workforce and business purposes.</p> <p>We may collect, store and use the following categories of personal information about you:</p> <p>The personal information about you that we may collect, store and use includes, but is not limited to, the following categories of information:</p> <ul style="list-style-type: none"> <li>• General information, such as your name, address, contact details (work and personal), date of birth, gender, marital status, dependents, next of kin and emergency contact information.</li> <li>• Recruitment information, such as your right to work documentation, driving licence, references, employment records, salary and benefits history and other information included in a CV or covering letter as part of the application process.</li> <li>• Financial information, such as your bank account details, payroll records, tax status information and national insurance number.</li> <li>• Remuneration and benefits information, such as salary, pension, benefits and annual leave.</li> <li>• Current employment terms and employment records, such as start date, job title, workplace, working hours, attendance records, SSP records, holiday and leave records, performance, disciplinary &amp; grievance records, education &amp; training records and professional memberships.</li> <li>• Images and recordings, photographs, video images, voice recordings, information about your IT &amp; communications systems</li> </ul> <p>Please note that the type of personal information we collect about you will depend to some extent on your circumstances, your role and our legal obligations.</p>
C.	<p><b>What 'special category' personal information do we process?</b></p>
	<p>Certain 'special categories' of more sensitive personal information (such as</p>

	<p>information about racial/ethnic origin, sexual orientation, political opinions, religious/philosophical beliefs, trade union membership, biometric or genetic data and health data) are given a higher level of protection by data protection laws.</p> <p>The special categories of more sensitive personal information we may collect, store and use includes, but is not limited to, the following categories of information:</p> <ul style="list-style-type: none"> <li>• Information about your race or ethnicity and disability, religious beliefs, sexual orientation and political opinions</li> <li>• Information about your health, including any medical condition, health and sickness records</li> </ul>
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### 3. Where do we collect your personal information from?

<b>A.</b>	<b>Where does your personal information come from?</b>
	<p>We collect your personal information:</p> <ul style="list-style-type: none"> <li>• From you: we typically collect your personal information directly from you through the application and recruitment process – personal information is contained in application forms, CVs, from your passport or other identity documents, or collected through interviews or other forms of assessment.</li> </ul> <p>From third parties: we sometimes collect additional information from third parties including former employers, credit reference agencies, medical officers or other background check agencies and details of those third parties are available from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p> <p>The categories of personal information we may collect, store and use from third parties includes the following categories of information:</p> <ul style="list-style-type: none"> <li>• References</li> <li>• Credit details</li> <li>• Occupational health reports</li> <li>• Criminal record check results from Disclosure Scotland</li> </ul> <ul style="list-style-type: none"> <li>• In the course of job-related activities: throughout the period you are working for us, we collect additional personal information about you, including from your line manager, other managers and colleagues (e.g. feedback on your performance as part of the appraisal process).</li> </ul>

### 4. How will we use your personal information?

<b>A.</b>	<b>What is the legal basis for using your personal information?</b>
	<p>We will only process your personal information when the law allows us to. In most cases, we will process your personal information where it is necessary:</p> <ul style="list-style-type: none"> <li>• to perform the contract we have entered into with you for the purposes of employment (e.g. your bank details in order to pay you) (Basis 1)</li> </ul>

	<ul style="list-style-type: none"> <li>• to comply with a legal obligation (e.g. providing tax information to a government department or regulatory body) (Basis 2)</li> <li>• for our legitimate interests as a business and as an employer (or those of a third party) (Basis 3)</li> </ul> <p>Where we rely on legitimate interests as the reason for processing personal information (e.g. performance reviews and workforce planning), we have considered whether those interests are overridden by any separate rights or freedoms of our workforce and have concluded that they are not. Our legitimate interest is the purpose for which we process the data (e.g. for data we process during the recruitment process, the legitimate reason for processing that data is recruitment).</p> <p>In most cases, the legitimate interest is to enable us to carry out our responsibilities (to employees, customers and the organisation) that arise in relation to the purpose in question (e.g. for personal information we process during the recruitment process, the legitimate interest for processing that information is to carry out our responsibilities in relation to recruitment).</p> <p>If you require further information about our legitimate interests as the legal basis for processing your personal information, please request this from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p> <p>We may also process your personal information in the following circumstances, but this is likely to be rare:</p> <ul style="list-style-type: none"> <li>• with your specific consent</li> <li>• where we need to protect your interests (or someone else’s interests)</li> <li>• where it is needed in the public interest</li> </ul>
<b>B.</b>	<b>What is the purpose for processing your personal information?</b>
	<p>We need all the personal information referred to above in 2B. We process your personal information for a number of purposes including, but not limited to, the following. In relation to each, we have also identified the legal basis for processing your personal information by reference to each legal basis set out in 4A:</p> <ul style="list-style-type: none"> <li>• Recruitment decisions (3)</li> <li>• Diversity monitoring (3)</li> <li>• Checking your legal entitlement to work in the UK (2)</li> <li>• Administering your employment contract (1)</li> <li>• Payroll (1)</li> <li>• Providing &amp; facilitating benefits (1)</li> <li>• Education, training &amp; development requirements (3)</li> <li>• Performance &amp; salary reviews &amp; promotions (3)</li> <li>• Disciplinary &amp; grievance processes (3)</li> <li>• Recording and managing sickness absence &amp; other leave (1)</li> <li>• Business management/planning &amp; risk compliance (3)</li> <li>• Health &amp; safety compliance (2)</li> <li>• IT &amp; communications monitoring, security &amp; compliance (3)</li> <li>• Dealing with legal disputes, including accidents at work (3)</li> </ul>

	<ul style="list-style-type: none"> <li>Managing the termination of your employment (1)</li> </ul> <p>Some of the purposes for processing will overlap, and in some cases, there will be several purposes which justify our use of your personal information.</p>
<b>C.</b>	<b>Change of purpose</b>
	<p>We will only use your personal information for the purposes for which we collected it - unless we reasonably consider that we need to use it for another purpose that is compatible with the original purpose.</p> <p>If we need to use your personal information for an unrelated purpose, we will notify you and explain the basis upon which that is necessary.</p>
<b>D.</b>	<b>What Is the legal basis for processing your 'special category' personal information?</b>
	<p>We may process special categories of personal information when the law allows us to, which will be in the following situations:</p> <ul style="list-style-type: none"> <li>Where we need to do so to fulfil our legal obligations or exercise our rights in connection with employment law (e.g. for making reasonable adjustments for individuals with a disability)*</li> <li>Where it is needed to assess your working capacity on health grounds (e.g. for an occupational health report), subject to appropriate confidentiality safeguards</li> <li>Where it is necessary in order to establish, exercise or defend a legal claim</li> <li>Where, in exceptional circumstances, it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent (e.g. in a medical emergency)</li> <li>With your explicit consent, where the processing is voluntary - this will only be in limited circumstances</li> </ul> <p><b>* We have in place an appropriate Data Protection Policy which we are required by law to maintain when processing such data.</b></p>
<b>E.</b>	<b>What is the purpose for processing 'special category' personal information?</b>
	<p>'Special categories' of particularly sensitive personal information attract higher levels of protection, and we must have further justification for collecting, storing and using this type of personal information.</p> <p>Where we process such data, we will use it in the following ways:</p> <ul style="list-style-type: none"> <li>Information about your race or ethnicity and disability, religious beliefs, sexual orientation and political opinions, to ensure meaningful equal opportunity monitoring and reporting</li> <li>Information about your health, including any medical condition, health and sickness records to monitor and manage sickness absence, to assess your fitness to work, to provide appropriate workplace adjustments, to ensure your health and safety in the workplace, to administer benefits and to comply with employment law obligations</li> </ul>
<b>F.</b>	<b>Information about criminal convictions</b>
	We may process information about criminal convictions.

	<p>We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to act in accordance with our regulatory and other legal obligations and is in accordance with our data protection policy.</p> <p>Although this will be rare, we may also use information relating to criminal convictions where it is necessary in relation to legal claims or to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.</p> <p>We will only collect information about criminal convictions if it is appropriate, given the nature of your role, and provided we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.</p> <p>Clyde Property may lawfully process information about criminal convictions as it is in our legitimate interests to do so to safeguard our clients’ property, valuables or vulnerable individuals that may be present at a client’s property. Accordingly, it is necessary to verify whether you have a conviction which makes you unsuitable for a particular role with Clyde Property.</p> <p>We consider that Clyde Property meets the further condition that the processing of criminal convictions is necessary to protect the interests of our clients and that it is in the public interest for us to do so.</p>
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**5. Do we need your consent?**

<b>A.</b>	<b>When might we need your consent?</b>
	<p>We will only seek and rely on your consent where you are fully informed and your consent can be freely given.</p> <p>There may be limited circumstances where we will approach you to obtain your explicit consent to allow us to process certain particularly sensitive data, or other personal information.</p> <p>If so, we will provide you with full details of the information that we require and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that you do not have to provide your consent and it will not impact on your contract with us if you do not consent.</p>
<b>B.</b>	<b>Your right to withdraw consent</b>
	<p>If you do provide your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for that purpose.</p> <p>If you wish to withdraw your consent, please contact from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>



## 6. What steps do we take to protect your data?

<b>A.</b>	<b>How do we secure your data?</b>
	<p>Clyde Property have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, or inappropriately altered or disclosed. In addition, we limit access to your personal information to those who need to process that information for business reasons. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.</p> <p>Details of these security measures may be obtained from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p> <p>We have put in place procedures to deal with any suspected information security breach and will notify you and any applicable regulator of a suspected breach as appropriate and in accordance with our legal obligations.</p>

## 7. Who do we share your personal information with?

<b>A.</b>	<b>Sharing your personal information within Clyde Property</b>
	<p>Where this is relevant to their role, your line managers, staff in our Head Office/and in some cases certain colleagues (i.e. where necessary to fulfil business requirements) will have access to some of your personal information.</p>
<b>B.</b>	<b>What is the legal basis for sharing your personal information with third parties?</b>
	<p>We may share your personal information with third parties, including third party service providers in the following situations:</p> <ul style="list-style-type: none"><li>• where required by law</li><li>• where it is necessary to administer the working relationship with you, or</li><li>• where we have another legitimate interest in doing so, as a business and as your employer</li></ul> <p>In these circumstances, we require third parties to ensure the security of your personal information and to treat it in accordance with the law.</p>
<b>C.</b>	<b>What protections are in place?</b>
	<p>The terms of our contracts with third parties include obligations on them in relation to what personal information they can process and what they can do with that information. All our third party service providers and professional advisers are required to take appropriate security measures to protect your personal information in line with our policies.</p> <p>We do not permit our third party service providers to use your personal information for their own purposes – they may only process your personal information for specified purposes and in accordance with our instructions.</p>
<b>D.</b>	<b>Which third parties process your personal information?</b>
	<p>We may disclose your personal information to the third parties listed below where relevant to the purposes described in this Notice. This may include:</p>

	<ul style="list-style-type: none"> <li>• Clyde &amp; Co (Scotland) LLP Fish to Water HR Ltd for employment law advice</li> <li>• BDO LLP and The Royal Bank of Scotland Group Plc to process our employee payroll and fulfil our contractual obligations to pay employees</li> <li>• Legal &amp; General Group PLC to fulfil our statutory obligation to provide a workplace pension.</li> <li>• HM Revenue &amp; Customs to fulfil our legal obligations in respect of reporting income tax and relevant liabilities.</li> <li>• Disclosure Scotland for the purpose of carrying out criminal record checks.</li> <li>• UK Visas and Immigration</li> <li>• Private healthcare insurance provider Bupa Insurance Ltd</li> <li>• Employee benefits provider Perkbox Ltd</li> <li>• IT services provider Systems and Networks Ltd (T/A Sysnet).</li> <li>• Marketing materials such as staff business cards are designed by Fourfifteen Ltd (T/A Fourfifteen).</li> <li>• Corporate video provider Filmworx Ltd to produce corporate videos for business marketing purposes.</li> <li>• Our website and live chat provider is Project8ball Ltd (T/A Project8ball).</li> <li>• Through our website and live chat provider Project8ball Ltd (T/A Project8ball), we use Project8ball Ltd (T/A Project8ball) to securely store our website and live chat data within the UK.</li> <li>• Insurance brokers Lockton Companies LLP for claims handling.</li> <li>• Medical officers, occupational health officers</li> </ul> <p>Further details can be obtained from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>
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**8. Do we use automated decision making and profiling?**

<b>A.</b>	<b>What is automated decision making?</b>
	<p>Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention.</p> <p>We do not envisage that any decisions will be taken about you using automated means during the course of your employment or engagement with us. However we will notify you in writing if this position changes.</p>

**9. Which countries do we transfer data to?**

<b>A.</b>	<b>International data transfers</b>
	<p>Certain suppliers and service providers may have personnel or systems located outside the EEA. Your personal information may therefore be transferred to non-EEA countries.</p> <p>A list of those countries can be obtained from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>
<b>B.</b>	<b>What protections are in place?</b>
	Where third parties transfer your personal information outside the EEA, we take steps

	<p>to ensure that information receives an adequate level of protection (e.g. by entering into information transfer agreements or by ensuring that the third parties are certified under appropriate information protection schemes).</p> <p>You have a right to request further information relating to the transfer of your personal information and the safeguards in place. If you require further information, please request this from the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>
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#### 10. How long do we use your personal information for?

<b>A.</b>	<b>Data retention</b>
	<p>We will retain your personal information only for as long as is reasonably necessary to satisfy the purposes for which it was collected, and for the purposes of satisfying any legal, accounting or reporting requirements. These legal and other requirements require us to retain certain records for a set period of time, including following the termination of your employment. In addition, we retain certain records in order to resolve queries and disputes that may arise from time to time.</p> <p>When you are no longer an employee, we will retain and subsequently securely destroy your personal information in accordance with our Data Retention Policy.</p>

#### 11. What are your rights and responsibilities?

<b>A.</b>	<b>Inform us of changes</b>
	<p>Please ensure you inform us if your personal information changes while you are an employee with us as it is important that the personal information we hold about you is accurate and current.</p>
<b>B.</b>	<b>Failure to provide personal information</b>
	<p>Certain information must be provided so that we can enter into a contract with you (eg your contact details, right to work in the UK and payment details). You also have some obligations under your contract to provide certain information to us, e.g. to report absences. Without this information, we may not be able to carry out the rights and obligations efficiently that arise as a result of the employment relationship.</p> <p>In addition, you may have to provide us with information so that you can exercise your statutory rights, e.g. parental leave. If you fail to provide the necessary information, this may mean you are unable to exercise your statutory rights.</p>
<b>C.</b>	<b>Your rights in relation to your personal information</b>
	<p>You have rights in relation to the personal information that we hold about you, including the right:</p> <ul style="list-style-type: none"> <li>• to request access to any personal information we hold about you - or in some cases, to obtain a portable copy of it or to have it transferred to a third party</li> <li>• to ask to have inaccurate data amended</li> <li>• to erase your personal information, or to restrict or challenge the processing of your personal information in limited circumstances</li> <li>• to lodge a complaint with Information Commissioner’s Office (the UK supervisory</li> </ul>

	<p>authority for data protection issues)</p> <p>A comprehensive list of these rights is below, see Data subject rights</p> <p>If you want to make one of these requests, please put your request in writing the Data Protection Officer email: <a href="mailto:privacy@clydeproperty.co.uk">privacy@clydeproperty.co.uk</a></p>
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### **Data subject rights**

You have the following rights (subject to certain exemptions):

- to make a data subject access request: to obtain a copy of the personal information we hold about you
- to ask us to correct inaccurate personal information, including the right to have any incomplete information about you made complete
- to ask us to erase your personal data where it is no longer necessary in relation to the purposes for which it was collected
- to ask to restrict the processing of your personal information where:
  - the accuracy of the personal data is contested - while steps are taken to correct or complete it or to verify the accuracy
  - the processing is unlawful but the erasure of the personal data is not appropriate
  - we no longer require the personal data for the purposes for which it was collected but it is required for the establishment, exercise or defence of a legal claim
- to object to processing that is on the basis of a legitimate interest - in which case the relevant processing will only continue where we have compelling legitimate grounds for processing your personal information
- to ask to obtain a portable copy of those parts of your personal data where we rely on consent or performance of the contract as the justification for processing, or to have a copy of that personal data transferred to a third party controller
- to withdraw your consent to processing where, in rare circumstances, we have relied on your consent as the justification for processing your personal information
- to ask to obtain a copy of any data transfer agreement, or to access information about safeguards under which your personal data is transferred outside the EEA
- to lodge a complaint with the Information Commissioner's Office via the website [www.ICO.org.uk](http://www ICO.org.uk) if you are dissatisfied with how we have processed your personal data / managed your rights.

#### ***Subject access requests***

There is no fee to access the personal information that we hold about you, however we may charge a reasonable fee if your request is clearly unfounded or excessive or if you request further copies of the same information.

Alternatively, we may refuse to comply with a request that is unfounded or excessive.

GDPR Privacy Policy – Employees – May 2018. Updated Sept 2018.