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| DOCUMENT CONTROL | Version | 2.0 |
| Amended / new policy / review date | Date | December 2023 |

GDPR PRIVACY NOTICE

DOCUMENT CONTROL

Distribution List

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| All Staff | Aldingbourne Trust |
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Document Change

| Date | Version | Who | Details |
|------------|---------|----------------|-----------------|
| 25/05/2018 | 1.0 | Martin Botting | Original policy |
| 11/12/2023 | 2.0 | Peter Stanley | Reviewed |
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Policy owner: Sue Livett

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Introduction

The Aldingbourne Trust collects and processes personal information, or personal data, relating to its employees, volunteers, customers, visitors, partners, suppliers and the people we support to manage working relationships. This personal information may be held by the Aldingbourne Trust on paper or in electronic format.

The Aldingbourne Trust is committed to complying with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Looking after the personal information you share with us is very important, and we want you to be confident that your personal data is kept safely and securely and to understand how we use it to offer you a better and more personalised experience, whatever your relationship with the Trust.

We have published this notice to help you understand:

- how and why the Aldingbourne Trust holds information from you;
- who we share your information with, why and on what basis; and
- what your rights are.

If we make changes to this notice we will notify you by updating it on our website. The Aldingbourne Trust is what is known as the 'Data Controller' of the personal data you provide to us, and we will sometimes refer to ourselves in this notice as "we" or "us". By Data Controller, this means we determine the purposes and way in which any personal data are, or will be, processed.

Should you need to contact us please write to:

The Data Controller - Sue Livett, Managing Director, Aldingbourne Trust,
Aldingbourne Country Centre, Blackmill Lane, Norton, Chichester,
West Sussex, PO18 0JP

This privacy notice applies to all current and former employees, volunteers, customers, visitors, partners, suppliers and people we support. It does not form part of any contract.

Data protection principles

Under the GDPR, there are six data protection principles that the Aldingbourne Trust must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.

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5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.
The Aldingbourne Trust is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

What types of personal information do we collect about you?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e. where all identifying particulars have been removed. There are also "special categories" of personal information and personal information on criminal convictions and offences, which require a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise 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 genetic and biometric data.

The Aldingbourne Trust collects, uses and processes a range of personal information about you. This includes (as applicable):

- your contact details, including your name, address, telephone number and personal & professional e-mail address
- your emergency contact details/next of kin
- your date of birth
- your gender
- your marital status and dependants
- the start and end dates of your employment or engagement with us
- recruitment records, including personal information included in a CV, any application form, cover letter, interview notes, references, copies of proof of right to work in the UK documentation, copies of qualification certificates, copy of driving licence and other background check documentation
- the terms and conditions of your employment or engagement (including your job title and working hours), as set out in a job offer letter, employment contract, written statement of employment particulars, casual worker agreement, consultancy agreement, pay review and bonus letters, statements of changes to employment or engagement terms and related correspondence
- details of your skills, qualifications, experience and work history, both with previous employers and with the Aldingbourne Trust
- your salary, entitlement to benefits and pension information
- your National Insurance number
- your bank account details, payroll records, tax code and tax status information
- any disciplinary, grievance and capability records, including investigation reports, collated evidence, minutes of hearings and appeal hearings, warning letters, performance improvement plans and related correspondence

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- appraisals, including appraisal forms, performance reviews and ratings, targets and objectives set
- details of your personal history including medical, care and health records, both with previous support organisations and with the Aldingbourne Trust
- training records
- annual leave and other leave records, including details of the types of and reasons for leave being taken and related correspondence
- any termination of employment or engagement documentation, including resignation letters, dismissal letters, redundancy letters, minutes of meetings, settlement agreements and related correspondence
- information about your use of our IT systems, including usage of telephones, e-mail and the Internet
- photographs

The Aldingbourne Trust may also collect, use and process the following special categories of your personal information (as applicable):

- information about your health, including any medical condition, whether you have a disability in respect of which the Aldingbourne Trust needs to make reasonable adjustments, sickness absence records (including details of the reasons for sickness absence being taken), medical reports and related correspondence
- information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation
- information about criminal convictions and offences.

How do we collect your personal information?

The Aldingbourne Trust may collect personal information about employees, volunteers, customers, visitors, partners, suppliers and people we support in a variety of ways. For example, it is collected during the recruitment process for employees. We may also collect personal information from other external third parties, such as references from former employers, information from background check providers and criminal record checks from the Disclosure and Barring Service (DBS).

We will also collect additional personal information throughout the period of your relationship with us.

Why and how do we use your personal information?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to perform a contract (1)
- where we need to comply with a legal obligation (2)

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- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests. (3)
- where we need to protect someone's life we will rely on their vital interests (4)
- where we need to ask someone's permission to use their data (5)

We may also occasionally use your personal information where we need to protect your vital interests (or someone else's vital interests).

We need all the types of personal information listed under "*What types of personal information do we collect about you?*" primarily to enable us to perform our contract with you (1) and to enable us to comply with our legal obligations (2). In some cases, we may also use your personal information where it is necessary to pursue our legitimate interests (or those of a third party), provided that your interests or your fundamental rights and freedoms do not override our interests (3). Our legitimate interests include: performing or exercising our obligations or rights under the direct relationship that exists between the Aldingbourne Trust and you as an employee, volunteer, customer, visitor, partner, supplier or person we support in a variety of ways; pursuing our business by employing (and rewarding) employees, workers and contractors; performing effective internal administration and ensuring the smooth running of the business; ensuring the security and effective operation of our systems and network; protecting our confidential information; and conducting due diligence on employees, volunteers, suppliers and people we support. We believe that you have a reasonable expectation that we will process your personal information. We have indicated, by using (1), (2) or (3) next to each type of personal information listed above, what lawful basis we are relying on to process that particular type of personal information.

The purposes for which we are processing, or will process, your personal information are to:

- enable us to maintain accurate and up-to-date employee, volunteer, customer, visitor, partner, supplier or person we support records and contact details (including details of whom to contact in the event of an emergency) (3)
- run processes to assess your suitability for employment, engagement or promotion (1)
- comply with statutory and/or regulatory requirements and obligations, e.g. checking your right to work in the UK (2)
- comply with the duty to make reasonable adjustments for disabled people employees and workers and with other disability discrimination obligations (2)
- maintain an accurate record of your employment or engagement terms (1)
- administer the contract we have entered into with you (1)
- make decisions about pay reviews and bonuses (1)
- ensure compliance with your statutory and contractual rights (2)
- ensure you are paid correctly and receive the correct benefits and pension entitlements, including liaising with any external benefits or pension providers or insurers (2)
- ensure compliance with income tax requirements, e.g. deducting income tax and National Insurance contributions where applicable (2)

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- operate and maintain a record of disciplinary, grievance and capability procedures and action taken (3)
- record and assess your education, training and development activities and needs (3)
- plan for career development and succession (3)
- manage, plan and organise work (3)
- enable effective workforce management (3)
- operate and maintain a record of annual leave procedures (1)
- operate and maintain a record of sickness absence procedures (3)
- ascertain your fitness to work (1)
- operate and maintain a record of maternity leave, paternity leave, adoption leave, shared parental leave, parental leave and any other type of paid or unpaid leave or time off work (2)
- ensure payment of SSP or contractual sick pay (2)
- ensure payment of other statutory or contractual pay entitlements, e.g. SMP, SPP, SAP and ShPP (2)
- meet our obligations under health and safety laws (2)
- make decisions about continued employment or engagement (1)
- operate and maintain a record of dismissal procedures (3)
- provide references on request for current or former employees, workers or contractors (3)
- prevent fraud (2)
- monitor your use of our IT systems to ensure compliance with our IT-related policies (3)
- ensure network and information security and prevent unauthorised access and modifications to systems (3)
- ensure effective HR, personnel management and business administration, including accounting and auditing (3)
- ensure adherence to Company rules, policies and procedures (3)
- monitor equal opportunities (2)
- enable us to establish, exercise or defend possible legal claims (2)
- undertake marketing & promotion of our sites and events (5)

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

What if you fail to provide personal information?

If you fail to provide certain personal information when requested or required, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory or contractual rights.

Why and how do we use your sensitive personal information?

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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 additionally allows us to.

Some special categories of personal information, i.e. information about your health or medical conditions and trade union membership, and information about criminal convictions and offences, is also processed so that we can perform or exercise our obligations or rights under employment law or social security law and in line with our data protection policy.

We may also process these special categories of personal information, 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.

The purposes for which we are processing, or will process, these special categories of your personal information, and information about any criminal convictions and offences, are to:

- assess your suitability for engagement, employment or promotion
- comply with statutory and/or regulatory requirements and obligations, e.g. carrying out criminal record checks
- comply with the duty to make reasonable adjustments for disabled people and with other disability discrimination obligations
- administer any contract we may have entered into with you
- ensure compliance with your statutory and contractual rights
- operate and maintain a record of sickness absence procedures
- ascertain your fitness to work
- manage, plan and organise work
- enable effective workforce management
- ensure payment of SSP or contractual sick pay
- meet our obligations under health and safety laws
- make decisions about continued employment or engagement
- operate and maintain a record of dismissal procedures
- ensure effective HR, personnel management and business administration
- ensure adherence to Aldingbourne Trust rules, policies and procedures
- monitor equal opportunities

Where the Aldingbourne Trust processes other special categories of personal information, i.e. information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation, this is done only for the purpose of equal opportunities monitoring and in line with our data protection policy. Personal information that the Aldingbourne Trust

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uses for these purposes is either anonymised or is collected with your explicit written consent, which can be withdrawn at any time. It is entirely your choice whether to provide such personal information.

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

Change of purpose

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

Who has access to your personal information?

Your personal information may be shared internally within the Aldingbourne Trust, including with project and line managers, members of the HR department, members of the finance department, members of the marketing department, and IT staff if access to your personal information is necessary for the performance of their roles.

The Aldingbourne Trust may also share your personal information with third-party service providers (and their designated agents), including:

- external organisations for the purposes of conducting pre-employment reference and employment background checks
- payroll providers
- benefits providers and benefits administration, including insurers
- pension scheme provider and pension administration
- occupational health providers
- external IT services
- external auditors
- professional advisers, such as lawyers and accountants
- support plan providers
- pharmacists
- the National Health Service

The Aldingbourne Trust may also share your personal information with other third parties in the context of a potential sale or restructuring of some or all of its business. In those circumstances, your personal information will be subject to confidentiality undertakings. We may also need to share your personal information with a regulator or to otherwise comply with the law.

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We may share your personal information with third parties where it is necessary to administer the contract we have entered into with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

How does the Aldingbourne Trust protect your personal information?

The Aldingbourne Trust has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from our Data Controller.

Where your personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

The Aldingbourne Trust also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner’s Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

For how long does the Aldingbourne Trust keep your personal information?

The Aldingbourne Trust will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, tax, health and safety, reporting or accounting requirements.

The Aldingbourne Trust will generally hold your personal information for the duration of your engagement or employment. The exceptions are:

- any personal information supplied as part of the engagement process will not be retained if it has no bearing on the ongoing relationship
- personal information about criminal convictions and offences collected in the course of the recruitment process will be deleted once it has been verified through a DBS criminal record check, unless, in exceptional circumstances, the information has been assessed by the Aldingbourne Trust as relevant to the ongoing relationship.
- it will only be recorded whether a DBS criminal record check has yielded a satisfactory or unsatisfactory result, unless, in exceptional circumstances, the information in the

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criminal record check has been assessed by the Aldingbourne Trust as relevant to the ongoing working relationship

- if it has been assessed as relevant to the ongoing working relationship, a DBS criminal record check will nevertheless be deleted after or once the conviction is “spent” if earlier (unless information about spent convictions may be retained because the role is an excluded occupation or profession)
- disciplinary, grievance and capability records will only be retained until the expiry of any warning given (but a summary disciplinary, grievance or performance management record will still be maintained for the duration of your employment).

Once you have parted company with the Aldingbourne Trust we will generally hold your personal information for one year after the termination of your engagement or employment, but this is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of personal information for up to six years to protect against legal risk, e.g. if they could be relevant to a possible legal claim in a tribunal, County Court or High Court. We will hold payroll, wage and tax records (including salary, bonuses, overtime, expenses, benefits and pension information, National Insurance number, PAYE records, tax code and tax status information) for six years after the termination of your employment or engagement. Overall, this means that we will “thin” the file of personal information that we hold on you one year after the termination of your engagement or employment, so that we only continue to retain for a longer period what is strictly necessary.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

In some circumstances we may anonymise your personal information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

Your rights in connection with your personal information

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes, e.g. you change your home address, during your working relationship with the Aldingbourne Trust so that our records can be updated. The Aldingbourne Trust cannot be held responsible for any errors in your personal information in this regard unless you have notified the Aldingbourne Trust of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it

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- request rectification of your personal information - this enables you to have any inaccurate or incomplete personal information we hold about you corrected
- request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground
- data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact our Data Controller. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided 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. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact our Data Controller. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that the Aldingbourne Trust has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Transferring personal information outside the European Economic Area

The Aldingbourne Trust will not transfer your personal information to countries outside the European Economic Area.

Automated decision making

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Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention.

We do not envisage that any employment decisions will be taken about you based solely on automated decision making, including profiling. However, we will notify you in writing if this position changes.

Changes to this privacy notice

The Aldingbourne Trust reserves the right to update or amend this privacy notice at any time, including where the Aldingbourne Trust intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

Contact

If you have any questions about this privacy notice or how we handle your personal information, please contact our Data Controller.