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Data protection privacy notice

A summary of the main points of our data protection policy

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SEND Operations Manager and Designated Safeguarding Lead

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Introduction

This non-contractual notice explains what personal data (personal information) we hold about you, how we collect it, and how we use and may share personal information during your employment, or period of freelancer agreement, and after it ends. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time.

Who collects the personal information

The company is a 'data controller' and gathers and uses certain personal information about you.

Data protection principles

The data protection principles which we will apply when gathering and using personal information are that:

- We will process personal information lawfully, fairly and in a transparent manner;
- We will collect personal information for specified, explicit and legitimate purposes only, and will not process it in a way that is incompatible with those legitimate purposes;
- We will only process the personal information that is adequate, relevant and necessary for the relevant purposes;
- We will keep accurate and up to date personal information, and take reasonable steps to ensure that inaccurate personal information is deleted or corrected without delay;
- We will keep personal information for no longer than is necessary for the purposes for which the information is processed; and
- We will take appropriate technical and organisational measures to ensure that personal information is kept secure and protected against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

What information we may collect

We may collect the following information during your agreement/employment if applicable:

- Your name and contact details (including emergency contact);
- Information collected during the recruitment/onboarding process that we retain during your agreement/employment;
- Employment contract information;
- Details of salary and benefits, bank/building society, National Insurance and tax information, your age;
- Details of your spouse/partner and any dependants;
- Your nationality and immigration status and information from related documents, such as your passport;
- A copy of your driving licence, if you hold a driving role;

- Details of your pension arrangements (if applicable), and all information necessary to implement and administer them;
- Medical information and your sickness and absence records (including sensitive personal information regarding your physical and/or mental health)*;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs*;
- Your trade union membership*;
- Information on grievances raised by or involving you;
- Information on conduct and/or other disciplinary issues involving you;
- Details of your performance eg appraisals, reviews and improvement plans;
- Details of your time and attendance records (including your physical features if required by our systems*);
- Information in applications you make for other positions within our organisation;
- Information about your use of our systems and other monitoring information;
- Your image, in photographic and video form;
- Details of your use of business-related social media, such as LinkedIn;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within our organisation);
- Details in references about you that we give to others; and Criminal records information, including the results of Disclosure and Barring Service (DBS) checks.

How we collect the information

We may collect this information from you, your personnel records, the Home Office, DVLA, pension administrators, your doctors, from medical and occupational health professionals we engage, interested third parties, from our insurance benefit administrators, DBS, time recording and entry systems, CCTV, website, telephone and IT monitoring, your trade union, other employees, consultants and other professionals we may engage, eg to advise us generally and/or in relation to any grievance, conduct appraisal or performance review procedure.

Why we collect the information and how we use it

We will typically collect and use this information for the following purposes:

- For the performance of a contract with you, or to take steps to enter into a contract;
- For compliance with a legal obligation (eg such as health safety and employment legislation);
- Substantial public interest (eg equal opportunities);
- For the purposes of our legitimate interests or those of a third party (such as insurance and benefits providers), but only if these are not overridden by your interests, rights or freedoms.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

How we may share the information

Personal information may be shared with other parties, such as group companies and/or affiliated companies, external contractors and our professional advisers, including legal and financial advisors, HR advisors and payroll providers, the Home Office, HMRC, DVLA, pension & benefit providers, your doctors, medical and occupational health professionals we engage, our insurers, your trade union, our bank, our clients, recipients of references, interested third parties and potential purchasers of some or all of our business or on a re-structuring. The recipient of the personal information will be bound by confidentiality obligations. We may also be required to share some personal information to comply with the law.

Where personal information may be held

Personal information may be held at our offices and third-party agencies, service providers, representatives and agents as described above and in cloud based IT services. In the event that we use cloud based IT services, personal information may be transferred internationally to other countries around the world, including countries that do not have data protection laws equivalent to those in the UK, for the reasons described above. We have security measures in place to seek to ensure that there is appropriate security for personal information we hold.

How long we keep your personal information

We keep personal information during and after your employment/term of agreement for no longer than is necessary and in the majority of cases for no more than 6 years after the end of your employment.

Your rights to correct and access your personal information and to ask for it to be erased

Please contact our Data Protection Officer: Phil Janssen (Bedazzle Director) if (in accordance with applicable law) you would like to correct or request access to personal information that we hold or if you have any questions about this notice. You also have the right to ask our Data Protection Contact for some, but not all, of the personal information we hold and process to be erased (the 'right to be forgotten') in certain circumstances.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing personal information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Sensitive Personal Information

Before processing any sensitive personal information, staff must notify the data protection contact of the proposed processing, in order that the data protection contact may assess whether the processing complies with the special conditions for processing sensitive personal information.

Criminal records information

We may carry out Disclosure and Barring Service (DBS) checks (including requesting a criminal record certificate, enhanced criminal record certificate or a search of the children's or adults' barred list) where we feel that a DBS check is proportionate and relevant for your role. A record that the DBS check was completed and whether it was satisfactory will be kept; however, the check itself will usually be disposed of securely unless we feel it is relevant to the ongoing employment relationship, in which case it will be kept securely for six months (unless relevant for regulatory inspections in which case it will be retained until the next inspection).

How to complain

We hope that we can resolve any query or concern you raise about our use of your personal information. If not, contact the Information Commissioner at ico.org.uk/concerns/ or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.