Society of Operations Engineers

SOE Staff, Workers and Contractors

Data Protection Privacy Notice

Please read this document carefully and sign on the final page to confirm that you have read and understood it.

This data protection notice applies to current and former SOE staff, volunteers, part time employees, workers, contractors and self-employed staff ("**you**" or "**your**").

1. What is the purpose of this document?

The Society of Operations Engineers (company number 03667147 and registered charity 1081753) ("**SOE**", "**we**", "**our**", "**us**"), are committed to protecting the privacy and security of your personal information. This data protection notice describes how we collect and use personal information about you in accordance with the UK GDPR, the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as amended) and all other UK data protection laws (together, the "**Data Protection Legislation**"). You can contact us in writing at 22 Greencoat Place, London, SW1P 1PR, via telephone on +44(0)2076301111 if you have any questions regarding this document.

For the purposes of this document, we are a "data controller". This means that we are responsible for deciding how we hold and use any personal information about you. We are required under the Data Protection Legislation to notify you of the information contained in this document. This notice explains what personal data SOE holds about you, how we share it, how long we keep it and what your legal rights are in relation to it.

2. Data protection principles

We will comply with the Data Protection Legislation. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

3. The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

Employees of SOE

If you are an employee of SOE the categories of personal information that we may collect, store, and use about you include:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Next of kin and emergency contact information.
- Bank account details, payroll records and tax status information (including National Insurance number).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Salary, annual leave, pension and benefits information.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Passport details.
- Copy of driving licence.
- Personal information set out in email correspondence.

We will also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity and nationality.
- Information about your health, including any medical condition or learning difficulty, health and sickness records and disability status.
- **Self-employed staff, workers, volunteers and contractors of SOE (who are not directly employed by us)**

If you are self-employed staff, a worker, volunteer or a contractor of SOE the categories of personal information that we may collect, store, and use about you include.

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Role details.
- Bank account details, payroll records and tax status information, including your unique tax reference number and National Insurance number.
- Personal information set out in email correspondence.
- We will also collect, store and use the following "special categories" of more sensitive personal information:

4. How is your personal information collected?

We typically collect personal information about employees, workers, volunteers, self-employed staff and contactors through the application and recruitment process, usually directly from you. We will collect

additional personal information in the course of job-related activities throughout the period of you working for us.

How will we use information about you

If you are an employee of SOE we will use your personal information as follows:

- To facilitate the delivery of our programmes.

  Our lawful basis for these activities is the pursuit of our legitimate interests of providing members with membership services.

- To carry out our obligations under your employment contract with us.
- To administer your employee file including paying you or providing a benefit.
- To provide you with information about your employment or engagement.
- To manage sickness absence.
- To gather evidence for possible grievance or disciplinary hearings.
- To conduct performance reviews, managing performance and determining performance requirements.
- To assess your qualifications for a particular job or task, including decisions about promotions.
- To deal with legal disputes involving you, or other employees, volunteers, workers and contractors, including accidents at work.
- To manage education, training and development requirements.

Our lawful basis for these activities is necessity for us to perform our contract of employment with you.

- Checking you are legally entitled to work in the UK.
- Ascertaining your fitness to work.
- Complying with health and safety obligations.
- Equal opportunities monitoring.
- To assess your suitability for working with us and participants on our programmes.

  Our lawful basis for these activities is necessity for us to comply with our legal obligations.

If you are self-employed staff, a worker, volunteer or a contractor (not directly employed by SOE) we will use your personal information as follows:

- To facilitate the delivery of our membership programmes.

  Our lawful basis for these activities is the pursuit of our legitimate interests of providing members with membership services.

- To pay you.

Our lawful basis for these activities is necessity for us to perform our contract with you.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We may also use your personal information, typically in an emergency, where this is necessary to protect your vital interests, or someone else's vital interests. In a small number of cases where other lawful bases do not apply, we will seek your consent to other uses of your personal data.

5. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

6. Change of purpose

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 reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

7. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.

2. Where we need to carry out our legal obligations and in line with our data protection policy.

3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our Data Protection Policy.

4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed 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.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

1 We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.

2 We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

3 We will use information about your race or national or ethnic origin to ensure meaningful equal opportunity monitoring and reporting.

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Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

8. Information about criminal convictions

We will 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 carry out our obligations and provided we do so in line with our Data Protection Policy.

We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

9. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.

2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.

3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

10. Data Sharing

If you are self-employed staff, worker, volunteer, or contractor of SOE (not directly employed by SOE), we may pass your personal information on to third party technology providers including Engineering Council, Society for the Environment and IMI & irtec centres.

All our third-party partners/service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party partners/service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may sometimes be obliged to disclose your personal information by law such as by a regulator with appropriate power, or court order or to otherwise comply with the law. Potential recipients include HM Revenue & Customs, the Department for Work and Pensions, District Councils, the Child Support Agency

and Child Maintenance Service. In addition, information held by or for public bodies can be subject to freedom of information requests.

We may transfer your data outside the United Kingdom to countries in the European Union in order to perform our contract with you. There are adequacy regulations in respect of those countries. This means that the countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

11. Data security

We have put in place measures to protect the security of your information and in particular:

- We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

Details of these measures may be obtained from us on request.

12. Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. Details of retention periods for different aspects of your personal information are available in our retention policy which is available on request.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once we no longer require access to your personal information we will retain and securely destroy it in accordance with our data retention policy and applicable laws and regulations.

13. Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

- **Request the transfer** of your personal information to another party.

- **Suspend processing of your personal information**, for example if you want us to establish the accuracy of the data we are processing.

Please be aware that these rights are subject to certain conditions and exceptions as set out in the Data Protection Legislation. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact the Chief Operating Officer in writing and they will explain any conditions that may apply.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Further guidance on your rights is available from the Information Commissioner's Office (https://ico.org.uk/for-the-public/). You have the right to complain to the Information Commissioner's Office at *https://ico.org.uk/concerns/* if you have any concerns in respect of our handling of your personal information.

Changes to this document

We reserve the right to update this document at any time, for example if the law or regulatory requirements change, if technology changes or to make SOE's operations and procedures more efficient, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

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By signing this document, you acknowledge that you have read and understood the contents of this document, including how your personal information will be being processed in accordance with the above.

NAME (PLEASE PRINT): ……..

DATE: ……..

SIGNATURE: ……..