



## **1 Introduction**

- 1.1 This statement explains how Mount Kelly handles and uses data we collect about employees of, or those applying to join, the Foundation and should be read in conjunction with the Foundation's Privacy Notice.

## **2 How the Foundation uses your data**

- 2.1 Personal data will be processed for recruitment, employment, safeguarding, payroll, pensions, benefits administration, performance management, health and safety, regulatory compliance and other purposes relating to the management of the employment relationship. Depending on the activity concerned, the Foundation processes personal data because it is necessary:
- to take steps before entering into an employment contract;
  - for the performance of an employment contract;
  - to comply with legal obligations;
  - for the Foundation's legitimate interests; or
  - with your consent where this is specifically required.
- 2.2 Where special category personal data or criminal records information is processed, this will be done in accordance with applicable data protection legislation, safeguarding obligations, employment law requirements and the conditions set out in the Data Protection Act 2018.
- 2.3 We will generally obtain personal data directly from you. We may also obtain information from third parties such as referees, former employers, recruitment agencies, occupational health providers, the Disclosure and Barring Service (DBS), professional bodies or regulatory authorities where appropriate and lawful to do so. Where required by law, we will inform you when personal data has been obtained from another source.
- 2.4 The provision of certain personal data is necessary to enable the Foundation to administer recruitment, fulfil contractual obligations, comply with legal requirements and manage the employment relationship throughout your employment.
- 2.5 The Foundation does not currently undertake solely automated decision-making that produces legal or similarly significant effects on applicants or employees.
- 2.6 The Foundation may share personal data with carefully selected service providers and professional advisers who process data on our behalf, including payroll providers, pension administrators, occupational health providers, IT service providers, insurers, legal advisers and regulatory bodies where required. Appropriate contractual and security measures are in place to protect personal data.
- 2.7 We do not sell personal data to third parties under any circumstances, or permit third parties to sell on the data we have shared with them.

- 2.8 Personal data may occasionally be processed outside the United Kingdom through carefully selected service providers or where this is necessary in connection with international travel. Where personal data is transferred outside the United Kingdom, the Foundation will ensure that appropriate safeguards are in place in accordance with UK data protection legislation.
- 2.9 Personal data will be retained in accordance with the Foundation's Records Retention Schedule. Retention periods vary depending on the type of information concerned and applicable legal, safeguarding, regulatory, tax and employment requirements. Where an application for employment is unsuccessful, recruitment records will be retained in accordance with the Foundation's Records Retention Schedule unless a longer retention period is required by law.

### **3 Your rights**

- 3.1 Depending on the processing activity, the Foundation relies on one or more of the following lawful bases:
- performance of a contract;
  - taking steps prior to entering into a contract;
  - compliance with legal obligations;
  - legitimate interests; and
  - consent where this is specifically required.
- 3.2 Special category and criminal records data will be processed only where an additional lawful condition applies under data protection legislation.
- 3.3 You have the right to withdraw your consent to data processing at any time, however this will only apply to certain groups of data for which you have given particular consent.
- 3.4 Subject to applicable legal exemptions and restrictions, and in addition to the rights described in the Foundation's Privacy Notice, you may have the right to:
- request access to your personal data;
  - request correction of inaccurate data;
  - request erasure of personal data in certain circumstances;
  - request restriction of processing;
  - object to certain types of processing; and
  - request the transfer of applicable personal data to another organisation.
- 3.5 If you have concerns about how the Foundation has handled your personal data, we encourage you to contact us first so that we can try to resolve the issue. You also have the right to lodge a complaint with the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

### **4 Questions and further statutory information**

- 4.1 The controller for your personal data is the Mount Kelly Foundation.

- 4.2 The Privacy Officer is responsible for monitoring compliance with relevant legislation in relation to the protection of personal data, and can be contacted at [privacy@mountkelly.com](mailto:privacy@mountkelly.com).
- 4.3 Please contact us through the address given above if you have any concerns or questions about the above information. Where you have specific requests relating to how we manage your data, we will endeavour to resolve these, but please note that there may be circumstances where we cannot comply with your specific request.