

# **Beechwood Childcare Limited**

## **Data Protection Policy**

### **4. DATA PROTECTION (GDPR)**

The employer has a statutory duty to ensure that all personal information relating to employees is kept confidential under the Data Protection Act 2018 and the EU General Data Protection Regulation.

The employer may require an employee, the 'data subject', to provide certain personal information in order that the employer may properly carry out its duties, rights and obligations as an employer. This policy should be read in conjunction with the employee's contract of employment and any other notice the Company issue to you from time to time in relation to your data. Personal data does not include any data which is anonymised.

Personal data might be provided to us by you or by someone and is created during the recruitment process, during the course of the contract of employment, or after its termination. The employer will process and control data principally for personnel, administrative and payroll purposes. For the purpose of this policy, processing means any operation which is performed on personal data.

The employer will process your personal data (including special categories of personal data) in accordance with our obligations under the Data Protection Act 2018. The Company will use personal data for:

- The performance of the employee's contract of employment
- The compliance with any legal obligation, or
- If it is necessary for the employer's legitimate interests (or for the legitimate interests of someone else). The Company can only do this if the individual's interests do not override ours (or theirs). The employee has the right to challenge the employer's legitimate interests and request that the Company stop this processing.

The Company can process your personal data for these purposes without your knowledge or consent. The Company will not use your personal data for an unrelated purpose without telling you about it and the legal basis that the Company intend to rely on for processing it.

Sometimes the Company might share your personal data with group companies or our contractors and agents to carry out our obligations under our contract with you or for our legitimate interests. In such circumstances, the Company require those companies to keep your personal data confidential and secure and protect it in accordance with and/or our policies and the law.

Personnel information will be kept on file during an individual's employment with the employer and for a period of up to six years following the termination of their employment.

Everyone who works for, or on behalf of, the employer has some responsibility for ensuring data is collected, stored and handled appropriately in line with all relevant Company policies. This includes ensuring that all information containing personal data for employees and children alike is locked away or password encrypted. The employer's allocated Data Protection Officer, for details of who this is please contact a Director, is responsible for reviewing and updating this policy. Should an employee be made aware of a potential breach of this policy, then this should be reported immediately to the employer's Data Protection Officer.

The employee is entitled to request a description of the personal data held on their personnel file, the purposes for which the data is being processed and the persons to whom the data may be disclosed (e.g. Inland Revenue). The request should be made in writing to their Line Manager or to the Data Protection Officer. If the request is considered to be unfounded or excessive, the Company may charge a reasonable administrative fee or refuse to respond to the request.

It is a statutory duty under the Data Protection legislation for the employer to maintain accurate personnel records. It is the employee's responsibility to inform the employer of any change to their personal details.

Employees have the right to request for the employer to erase their personal data where the Company is not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. Employees also have the right to object to data processing where the Company is relying on a legitimate interest to do so and you think that your rights and interests outweigh the Company's. The employee must contact their Line Manager or to the Data Protection Officer to do this.