Privacy Notice – Staff

LINLITHGOW AND AVON VALLEY
CHURCH OF SCOTLAND

Purpose of this Notice

The Employer (Linlithgow and Avon Valley Church of Scotland) collects and processes personal data relating to its employees to manage the employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

What information do we collect?

We collect and process a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions, childcare vouchers or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

We collect this information in a variety of ways. For example, data is collected through application forms, CVs or resumés; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of, or during employment; from correspondence with you; or through interviews, meetings or other assessments.

We also collect personal data about you from third parties, such as references supplied by former employers and, where applicable, information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file and on our IT systems (including the email system).

Basis for processing personal data

We need to process data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pension and benefit entitlements.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us to:

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that we comply with duties in relation to individuals with disabilities, meet our obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that we comply with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of employees or workers and have concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed to allow us to operate check-off for union subscriptions.

We process other special categories of personal data, such as information about ethnic origin, sexual orientation, health, or religion or belief. This is done for the purposes of equal opportunities monitoring. Data that we use for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Your information will be shared internally, including with your line manager, the Ministry Team and Human Resources. In particular circumstances, if required, your information will be shared with the Kirk Session, as your employer.

We share your data with third parties to obtain pre-employment references from other employers and obtain necessary criminal records checks from Disclosure Scotland.

We also share your data with third parties that process data on our behalf in connection with payroll and the provision of occupational health services.

How do we protect data?

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by those in the performance of their duties.

Where we engage third parties to process personal data on our behalf, we do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long do we keep data?

We will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in the Data Retention Policy.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require us to change incorrect or incomplete data;
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;

- object to the processing of your data where we are relying on our legitimate interests as the legal ground for processing; and
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the Congregation's Data Protection Co-ordinator on dataprotection@linavonchurch.org.uk.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner. You can contact the ICO through its website at www.ico.org.uk, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or The Information Commissioner's Office – Scotland, Queen Elizabeth House, Sibbald Walk, Edinburgh, EH8 8FT, email Scotland@ico.org.uk.

What if you do not provide personal data?

You have some obligations under your employment contract to provide us with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable us to enter a contract of employment with you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Adopted by the Kirk Session of Linlithgow and Avon Valley Church of Scotland
11 February 2025
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