

# Buttle UK Privacy Policy: How we use Applicant's, Employee's, Volunteer's and Contractor's data

At Buttle UK we respect your privacy, and we protect your personal information. This Privacy Policy describes how we collect and process your data when you work with us, volunteer for us or apply to work with us. We only collect personal data from you that we need to work with you, and we use your data in ways that you would reasonably expect us to.

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## Who we are

We are Buttle UK, a charity registered with the Charities Commission in England & Wales (registration number 313007) and the Office of the Scottish Charity Regulator in Scotland (registration number SC037997). We are a charitable trust and so the Trustees of Buttle UK control and are responsible for your personal data. Our address is 15 Greycoat Place, London SW1P 1SB.

## The data we collect about you

Personal information is any information that can be used to identify a living person. We may currently collect and process the following information about you depending on your role with us:

- **Contact data** such as name, title, addresses, telephone numbers, and personal email addresses.
- **Relevant Personal Data** including gender, date of birth, next of kin and emergency contact information.
- **Financial Data** including National Insurance number, Bank account details, payroll records, tax status information, salary, annual leave, pension and benefits information.
- **Data related to recruitment** 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 and a copy of the photo page of your passport to prove we have checked your 'Right to Work in the UK'.
- **Work related data** including location of employment or workplace, employment records (including job titles, work history, working hours, training records and professional memberships), Performance and Development reports, disciplinary and grievance information, DBS certificate outcome and number, if applicable

**We may also collect, store and use the following “special categories” of more sensitive personal information:**

- As part of our EDI Monitoring in our recruitment process, we ask for information including: ethnicity, sexual orientation, and religious belief. This information is collected separately from anything that names you as an individual and on a separate survey monkey link from any application form. It is therefore aggregated data.
- Information about your health, including sickness records and any medical conditions you have disclosed to your Line Manager and/or the Buttle UK First Aiders.

## Aggregated Data

- We also collect, use and share **Aggregated Data**, for example EDI monitoring form information to understand the diversity of our recruitment processes at each stage.

- Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity.
- However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in line with this privacy notice.

## How we get your personal information

We collect data from and about you in different ways, depending on whether you are successful/unsuccessful in your application as an employee or volunteer of Buttle UK.

Employee/Volunteer Applicant	Recruited employee/volunteer
<p>Applications are made via our application form or via a CV and covering letter sent to us or via a recruitment agency. We collect data including:</p> <ul style="list-style-type: none"> <li>● Contact Data</li> <li>● Communications Data</li> <li>● Relevant Personal Data</li> <li>● Data related to recruitment</li> <li>● Special Category Data</li> </ul>	<p>If you are successful in your application and become an employee or volunteer of Buttle UK we will store data including:</p> <ul style="list-style-type: none"> <li>● Contact Data</li> <li>● Communications Data</li> <li>● Relevant Personal Data</li> <li>● Data related to recruitment</li> <li>● Work related Data</li> <li>● Financial Data</li> <li>● Special Category Data</li> <li>● Criminal Offence or related data</li> </ul>
<p><b>Automated technologies or interactions:</b> As you interact with our website and or apply for a position using our 'work for us' page we may automatically collect Technical and Usage Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies.</p>	

## Why we collect your data and how we use it

We only use your personal data when the law allows us to, in ways you would reasonably expect from us. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

## Situations in which we will use your personal information

We need all the categories of information in the list above (see The Data We Collect About You) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. Some of the grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

The situations in which we will most commonly process your personal information are listed below.

- Contacting you and making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Liaising with your pension provider.
- Administering the contract we have entered into with you (if employed or contracted by us).
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, volunteers and contractors, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.

- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.

## 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.

## 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 Privacy Standard.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our Data Privacy Standard.
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. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

## Our obligations as an employer

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

- 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.

- 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.
- We will use information that you have supplied, about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. This information is sent by you, separated from any recruitment application and is anonymized.

## 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.

## Information About Criminal Convictions

We may 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 Privacy Standard.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.

We may also process such information about current or former employees, volunteers and contractors in the course of legitimate business activities with the appropriate safeguards.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

## Data sharing and third parties

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These third parties support us with our:

- pension administration

- payroll systems and processes
- IT services and systems including Google who provide our cloud service.
- HR and health & safety provision

We require all third parties to keep your personal data safe and secure and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only allow them to process your personal data for specified purposes and in accordance with our instructions.

Where the data may be transferred outside the EEA, we ensure personal data is given a similar degree of protection as data transfers within the EEA by having contractual obligations in place with our service providers.

## How we store your personal information

### Data security

Your information is securely stored in the EEA apart from data we transfer to Google's Cloud Service systems, which is stored in the US.

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

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

### Data retention and deletion

We will only keep your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

In some circumstances you can ask us to delete your data. For specific information about our data retention policies, please contact us on [privacy@buttleuk.org](mailto:privacy@buttleuk.org).

## Your data protection rights

You have several rights under data protection law and you normally do not need to pay a fee for exercising your rights.

- 1. Your right of access (data subject access request):** You have the right to ask us for copies of your personal information and to check that we are lawfully processing it.
- 2. Your right to rectification:** You have the right to ask us to correct personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. We may need to verify the accuracy of the new data you give us.
- 3. Your right to erasure:** You have the right to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. We may not always be able to comply with your request of erasure for specific legal reasons which we will tell you, if applicable, at the time of your request.
- 4. Your right to object to processing:** You have the right to object to the processing of your personal information where we are relying on a legitimate interest (or those of a third party) but you feel that us processing this data will impact on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes, which is an absolute right so we must stop processing if you object. In some cases, we may show that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- 5. Your right to restriction of processing:** You have the right to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- 6. Your right to data portability:** You have the right to ask us to transfer the personal information you gave us to another organisation, or to you, in certain circumstances. We will provide you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. This right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you. Where we rely on legitimate interests to process your personal data, this right does not apply.

If you make a request against any of the rights listed above, we have one month to respond to you. Occasionally it may take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will tell you and keep you informed.



We might ask you for specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

To make a request, please contact us at [privacy@buttleuk.org](mailto:privacy@buttleuk.org) or phone us on 020 7828 7311.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. You will also find further information about your personal data rights under the current UK General Data Protection Regulation (UK GDPR) at the ICO's website: <https://ico.org.uk/>.

## How to contact us

We do our best to keep the information we hold about you accurate and up to date. If you have any questions about your personal data that are not explained here, please feel free to contact us at [privacy@buttleuk.org](mailto:privacy@buttleuk.org).

## Changes to this privacy notice

This privacy policy was last updated on 5 May 2022.