

Privacy Notice for Staff

Introduction

Express Solicitors Limited is a law firm operating in the United Kingdom (UK) offering professional legal services to individuals looking to claim compensation in respect of injury or illness and any related losses.

In order to effectively manage your application for employment, period of employment and post employment or work in any non-employed capacity. Express Solicitors Limited must collect and process personal data from you and share your personal data with other parties.

In respect of your personal data, Express Solicitors Limited acts as a Data Controller within the definition of the UK General Data Protection comprising Regulation (EU) 2016/679 and Data Protection Act 2018, hereafter UK GDPR.

This Privacy Notice explains what personal data Express Solicitors Limited collects from you or about you, how that information is collected and processed and for what purpose and the lawful basis on which the processing of your personal data is conducted. This notice also explains your rights in respect of any of your personal data being processed by Express Solicitors.

Express Solicitors Limited's registered address is Resolution House, 319 Palatine Road, Northenden, Manchester, M22 4HH. Telephone: 0161 904 4660. Email: advice@expresssolicitors.co.uk

Express Solicitors Limited is a Private Limited Company registered in England and Wales, registration number 08458462. Express Solicitors Limited is authorised and regulated by the Solicitors Regulation Authority, SRA number 612741.

You can contact our Data Protection Officer by writing to the above registered address or via email at dpo@expresssolicitors.co.uk

Definitions

"Staff" means contracted employees, workers, agency staff and those retained on a temporary or permanent basis and includes, for the purposes of this privacy notice, volunteers, contractors, agents and any individual working under the instruction and supervision of Express Solicitors Limited whose personal data we process.

"Candidates" means applicants to Express Solicitors Limited for a role falling under the definition of Staff above including unsuccessful applicants.

What personal data do we process?

In considering an application for or offer of employment to you, preparing for your employment commencement, managing your employment and maintaining records at the end of any employment period or unsuccessful application, it is necessary to collect and process various personal data. Where you have provided this to us directly you will be aware of what we are processing. Additionally we may receive the following information from other sources:

- Previous Occupational data;
- Health data;
- Criminal records data;
- Disciplinary data (including regulatory action);
- Absence and leave data;
- Training Records;
- Pre-Employment assessment data;
- Performance data;

- Photographs, voice recordings, CCTV footage and other information obtained by electronic means such as door entry system records;
- Start date / leaving date;
- Financial information such as pay and pay records, tax code, tax and benefits contributions, expenses claimed;
- Other operational data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims;
- Recruitment information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff, referral);
- Information about your use of our information and communications systems.

There may be additional information we require relating to you however we will only collect information from you that we feel is necessary for the purposes identified below. If you do not wish to provide data when requested, we will advise whether you have a statutory or contractual obligation to provide the data and of the consequences of not providing the data.

What do we use your data for?

Your personal data is collected and processed for the following purposes:

- Confirming your entitlement to work in the UK. This is a legal obligation we must comply with.
- For considering offers of employment to candidates. We will do this on the basis that it is in our legitimate interests as a prospective employer to consider personal data relating to your suitability for the position.
- For confirming candidate information with previous employers prior to the commencement of employment. We do this on the basis that it is in our legitimate interests to confirm the accuracy of information you have provided in your application and during the interview process to ensure there is no other information that would be prejudicial to the offer of employment.
- To maintain accurate records of employees' contact information. We will do this on the basis that it is in our legitimate interests to be able to contact you if either you are absent unexpectedly, if there is an emergency that needs to be communicated to employees outside of working hours and/or if it is necessary due to the role of the employee for them to be contactable by other employees.
- To record equality and diversity data of employees. We will do this on the basis that we have a legal obligation to report equality and diversity information to regulatory bodies.
- In respect of health related data. We require this for ensuring that we are aware of anything that might affect your employment or any reasonable adjustments that we need to make. We require this data for the performance of your contract. As this data is classed as sensitive we require an extra purpose for processing health data and in we will therefore process health data only to the extent required under English Law in connection with employment and/or where required in the public interest.
- In respect of criminal conviction data, we have a legal obligation to ensure that there is no legal restriction affecting your appointment to a role and/or where there is a duty to disclose criminal conviction data to regulatory bodies. We will require your consent to process criminal conviction data.
- Providing any contractual benefits to you. We offer benefits to employees in the legitimate interests of fostering a positive employer/employee relationship.
- For administering the Death in Service benefit for employees. This forms part of your contract with us and is administered for that purpose.

- Liaising with the pension provider offering workplace pensions for our employees. It is a legal obligation to enrol new employees in a workplace pension scheme.
- Administering the contract we have entered into with you including the administration of salary payments, tax, national insurance and any pension and student loan deductions.
- Management and planning, including accounting and auditing. It is in our legitimate interests to manage the finances of the firm which involves utilising salary, non-protected absence and performance data.
- Monitoring your suitability for your role including potential for promotion and/or any training or development requirements. This will involve using performance, training, qualification and appraisal data. It is in our legitimate interests as an employer to monitor performance.
- Making decisions about remuneration and compensation. We do this on the basis of administering your contract with us.
- Conducting grievance or disciplinary proceedings. This is part of the administration of your contract with us.
- Making decisions about your continued employment or engagement. This forms part of the ongoing management of your contract with us,
- Making arrangements for the termination of our working relationship including notifying any benefit providers where the benefit is linked to your employment. It is in our legitimate interests and the legitimate interests of the benefits providers to ensure that the data is accurate.
- Dealing with legal disputes involving you relating to your contract or performance of your contract.
- Recording details of any accidents at work and related claims. This is in order to comply with legal obligations.
- To prevent fraud, comply with anti-money laundering rules, report to regulators or public bodies as required by law.
- To monitor your use of our information and communication systems, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution. This is a legal obligation.
- To conduct data analytics to review employee retention and attrition rates. It is in our legitimate interests to understand trends in employment within the firm.
- To seek your views or comments. We value feedback from staff in our legitimate interest to create a positive working environment.
- To process a job application. This is in order to prepare for entering into a contract – even if ultimately the application is unsuccessful.
- To provide a reference (factual data only). We do so on the basis that it is in the legitimate interests of your prospective employer to verify the information you have given to them.
- To allow for remuneration payments to be made electronically. We do this as it is in Express Solicitors Limited's legitimate interests to ensure that payments of remuneration are made securely and efficiently.
- Where we receive specific information from third parties imposing a legal obligation (e.g. attachment to earnings instruction);
- Reviewing previous applications by candidates for suitability for current positions. We do this on the basis that it is in our legitimate interests to contact good unsuccessful candidates to see if they are available for similar roles;
- Photographs of staff will be used for promotional material, the company websites and in relation to news of charity activities we are involved in. We will obtain your consent in order to capture and use your likeness as described.

Sources of your personal data

In addition to personal data that you provide to us directly, we will also collect information from third parties.

It is not possible to identify all specific third parties in advance however the following are the categories of third parties we most commonly collect or receive information from:

- Recruitment Agencies;
- Existing or former employees;
- Former Employers or other personal or academic referees;
- Regulatory bodies;
- DBS services suppliers;
- Public bodies e.g. HMRC;
- Academic accreditation bodies and educational institutions;
- Professional accreditation bodies.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers and processors where it is necessary for the performance of the data controller or processors tasks or where you first give us your prior consent. It is likely we need to share your data with:

- Our agents, suppliers and contractors. For example we may ask a commercial provider to manage our HR / payroll functions, or to maintain database software;
- Other data controllers such as HMRC, our pension provider et al;
- Former and prospective employers;
- DBS services suppliers;
- Payroll services providers;
- Recruitment agencies;
- Professional advisors;
- Professional bodies such as the Solicitors Regulation Authority and the Law Society;
- Professional accreditation bodies.

There are also organisations who will have access to your data due to the services they provide to Express Solicitors Limited such as IT support companies, email and phone service providers and external auditors. While we may not actively share your specific data with these firms we will ensure that when providing access to any data systems, the security of that data is considered and protected at all times.

Sharing your data outside the United Kingdom

Your data will not ordinarily be shared with recipients outside of the United Kingdom (UK).

In the event that a transfer of your data outside of the UK is required, we will check whether the country or international organisation has been deemed as adequate for the transfer of data by the UK. The finding of adequacy means that the recipient of the data is governed by a data protection framework offering adequate protection of your personal data.

In the absence of an adequacy decision we will obtain your explicit consent before transferring any information to a recipient outside the UK and advise you of any potential risks involved.

How long will we keep your data?

Our standard retention policy is 10 years for staff records from the end of any employment period. For candidates who are unsuccessful we will retain application related documents including interview notes for 2 years.

Your personal data rights

In respect of your personal data being processed by Express Solicitors Limited:

- You have the right to ask us what personal data we are processing about you and request access to or copies of that information.
- You have the right to request that your personal data which is inaccurate, or incomplete is rectified.
- You have the right to request that your personal data is deleted however we may have the right to continue processing your data in certain circumstances.
- You have the right to request that your data is given to you in a format that can be used by another controller and where possible that this is sent directly to the other controller by us.
- Where the processing relies upon your consent you have the right to withdraw this at any time.
- You have the right to object to the processing of your data where the grounds we rely upon are our legitimate interests or the legitimate interests of a third party. Upon receiving an expression of objection, we will review the grounds for processing and respond accordingly. Where we are processing for direct marketing purposes you have the right to object at any time and we will cease processing for such purposes where an objection is received.
- You have the right not to be subject to automated decision-making processes including profiling however Express Solicitors Limited does not employ any automated decision-making processes.
- You have the right to restrict the processing of your personal data:
 - where the accuracy is contested while this is investigated;
 - where the processing is unlawful, but you do not want the data to be deleted;
 - where we no longer need to process the data, but you would like us to store it without further processing for the establishment, exercise or defence of legal claims;
 - where you have objected to the processing and we are processing for our legitimate interests while it is established if our interests override your rights.

We will respond to your request in relation to any of the above rights within one month of us receiving your request unless there is likely to be a delay providing the information or response in which case we will notify you within one month of receiving the request. There will be no fee payable for us to provide you with the information requested unless the request is for duplicate copies of documents previously provided to you or we feel the request is manifestly unfounded or excessive. If a request is manifestly unfounded or excessive we may refuse to provide the data rather than charging a fee. Where a fee is charged it will reflect the administrative costs involved in providing you with the information.

We may require identification from you for security purposes before providing any information or acting on requests. Where this is required we will notify you within one month of receipt of your request.

Where you make a request to us electronically we will endeavour to respond electronically. If you would prefer not to receive the information electronically you should request this.

If we are unable to comply with your request, we will inform you within one month of receipt of your request providing the reasons and advising you of your options to escalate the matter further.

All requests in relation to the above should be addressed to our Data Protection Officer, Laura Edgeley, by email to dpo@expresssolicitors.co.uk or in writing to: Data Protection Officer, Express Solicitors, Resolution House, 319 Palatine Road, Northenden, Manchester, M22 4HH.

You have the right to lodge a complaint with the Information Commissioners Office who regulate Data Protection compliance in the UK if you are not satisfied with any response provided by Express Solicitors Limited in relation to the exercise of your rights under the relevant English Data Protection law.

Changes to this Privacy Notice

This Privacy Notice will be reviewed and updated in line with changes to data protection laws and internal policy.

This document was revised 31st March 2022.