Lawes Agricultural Trust

Rothamsted
West Common
Harpenden
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AL5 2JQ

Telephone: +44 (0)1582 938440

Employee Privacy Notice

The Trust is aware of its obligations under the UK General Data Protection Regulation (UK GDPR) and related domestic data protection legislation and is committed to processing your data securely and transparently in compliance with the law. This privacy notice sets out the types of data that we process about you as an employee of the Trust. It also sets out how we use that information, how long we keep it for and other relevant information about our data processing activities.

This notice applies to current and former employees and all other types of workers.

Data controller details
The Trust is a data controller, meaning that it determines the personal data to be used and the purposes for processing it. Our contact details for any queries about this Privacy Notice are as follows: Peter Oxley, peter.oxley@lawestrust.org, 01582 938 440.

Data protection principles
In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for specified reasons during your employment;
- only use or collect what we need to for those specified reasons;
- ensure it is kept correct and up to date;
- keep your data for only as long as we need it to achieve our specified reasons; and
- process it in a way that always ensures its integrity, availability, access restriction (to only those who need to always see it), and security.

Types of data we process
As your employer, we hold many types of data about you, some of which we need to manage our working relationship with you, and some of which you may share with us voluntarily, including

- your personal details including your name, address, date of birth, personal email address, and home or personal mobile phone numbers.
- your photograph.
- information about your gender, or gender identity.
- your marital status or information about your family circumstances.
- details about your dependants, next of kin and their contact numbers.
- medical or health information, including whether you require reasonable adjustments in the workplace as the result of a disability.
- information used for equal opportunities monitoring about your sexual orientation, religion or belief, and your ethnic origin.
- information included on your CV including references, education history, employment history, and any professional networking profiles e.g. LinkedIn.
- documentation relating to your right to work in the UK, such as passport and visa status.

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- where relevant to driving for work purposes in your own or a Company vehicle, details about your driving licence, including any driving penalties, your vehicle's V5C, and your insurance if you drive your own or Trust vehicle on Trust business.
- your bank details, so that we can pay your salary.
- tax codes, which we may receive from HMRC, and your National Insurance Number for payroll purposes, your current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment/engagement with us.
- any letters of concern, formal warnings and other documentation about disciplinary proceedings or, in the case of workers, confirmation of other discussions about your conduct.
- internal performance information including measurements against targets, formal warnings and related documentation regarding capability procedures, appraisal forms or, in the case of workers, confirmation of other discussions about your performance.
- leave records including annual leave, family leave, sickness absence etc.
- training details for mandatory and voluntary training and development during your employment with us.
- CCTV footage and building entry card records, where relevant for security monitoring or related employment purposes for Trust offices, hired meeting room locations, or campus sites.
- Use of Trust-provided assets, including mobile phones, laptops, and other mobile devices, CRM data bases, web applications and company email accounts which have been set up and managed by the Trust specifically for the purpose of carrying out Trust business.
- timesheets and other records relating to your employment, where relevant.

How we collect your data

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise, where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our recruiting officers during a recruitment interview.

Further information will be collected directly when you complete forms at the start of your employment/engagement, for example, your bank and next of kin or emergency contact details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references, DBS checks, or credit reference agencies.

Personal data is kept in secure personnel files or within the Company's HR system (Breathe HR) and IT systems (Unit 4).

Why we process your data

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The law on data protection allows us to process your data for certain reasons; the justifications we rely on for personal data processing of employees and workers are that it is necessary to do so:

- to perform the employment contract that we are party to.
- to carry out legally required duties.
- for us to carry out activities that are in our legitimate interests as a registered business.
- to protect your vital interests (such as in times of medical or other emergencies).
- where we are carrying out tasks that are in the public interest.
- where we have obtained your consent.

For example, we need to collect your personal data to:

- carry out the employment contract that we have entered into with you; and
- ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- ensuring tax and National Insurance is paid;
- carrying out checks in relation to your right to work in the UK; and
- making reasonable adjustments to your role or workplace, e.g. related to disabled individuals.

We also collect data so that we can carry out activities which are in the legitimate interests of the Trust. We have set these out below:

- making decisions about who to offer initial employment/engagement to, and subsequent internal appointments, promotions etc;
- making decisions about salary and other benefits;
- providing contractual benefits to you, including fulfilling our pension auto-enrolment obligations;
- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained;
- if you are an employee, effectively monitoring both your conduct and your performance and to undertake procedures regarding both if the need arises;
- if you are an employee, offering a method of recourse for you against decisions made about you via a grievance procedure;
- assessing your training and development needs, and ensuring any relevant industry certifications you may hold that are relevant to your job role are current and up to date;
- implementing an effective sickness absence management system, including monitoring the amount of leave and subsequent actions to be taken, and including making reasonable adjustments;

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- gaining expert medical opinion when making decisions about your fitness for work, to support phased return to work programs, or to assist in planning any reasonable adjustments that may arise from time to time;
- managing statutory leave and pay systems such as maternity leave and pay etc;
- business planning and restructuring exercises;
- dealing with legal claims made against us;
- preventing fraud;
- ensuring our administrative and IT systems are secure and robust against unauthorised access;
- including details about our employees in Company newsletters and social media posts;
- registering and managing corporate subscriptions and access for staff on behalf of the Company.

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data

We must process special categories of data in accordance with more stringent justification under law, and the application of enhanced security and access restriction protocols. Most commonly, we may process special categories of data when the following applies:

- it is necessary for purposes in the field of employment or social security / protection law.
- It is necessary for preventative occupational medicine or health reasons, including seeking expert advice from medical professionals.
- we must process the data to carry out our legal obligations or to exercise a legal defence.
- we must process data for reasons of substantial public interest.
- you have already made the data public.
- you have given your explicit consent to the processing.

We may use your special category data:

- for the purposes of equal opportunities monitoring;
- in our sickness absence management procedures;
- to determine reasonable adjustments in the workplace under equality legislation;
- to fulfil our duty of care for your health, safety and wellbeing;
- where we carry out automated, semi-automated or biometric processing – see the section below on ‘Automated Decision Making’ for more information;
- to include your photograph when we feature your professional profile on our Company website or social media platforms; and

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- when booking travel, accommodation or catering to consider accessibility or dietary requirements.

We generally do not need your consent in the majority of circumstances where we use special categories of personal data as your employer. Our justifications include where it's necessary to process this data to carry out our legal obligations, as part of a contract we have with you, or where we are exercise specific rights and obligations as an employer under employment law.

However, we may ask for your consent to allow us to process certain particularly sensitive data, such as using your photograph for business purposes, or requesting access to medical records by referring you to an Occupational Health specialist. If this occurs, you will be made fully aware of the reasons for the processing.

As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld or withdrawn. Consent, once given, may be withdrawn at any time.

If you do not provide your data to us
One of the main reasons for processing your data is to allow us to carry out our duties in line with your employment contract with us. If you do not provide us with the data needed to do this, we will be unable to perform those duties, including ensuring that you are paid correctly. We may also be legally prevented from confirming or continuing your employment/engagement with us if you do not provide us with this information e.g. confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a criminal records check.

Sharing your data
Your data will be shared with colleagues within the Company where it is necessary for them to undertake their duties, such as collaborating with you, contacting you, fulfilling necessary operational activities, and generally functioning as a team. This includes, for example, your line manager for their management of you, the HR department for maintaining personnel records and the payroll department for administering payment under your contract.

Third Party	Purpose
Redway HR	Seeking professional advice around people management and providing benefits such as pension and life assurance. This can include obtaining or providing employment references as part of the recruitment process, engaging mediation or occupational health specialists, coaches, mentors or other types of business consultants.
Breathe HR	Storing of employee data and management of employee lifecycle processes including but not limited to Performance Reviews, Flexible Working Requests and Holiday Requests.
Streets UK	Providing payroll services in order to pay employees on a monthly basis including the calculation of tax and national insurance.
Unit 4 & Rothamsted Research	Management of IT accounts including email accounts, Teams, Sharepoint and server access.

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Rothamsted Research and Rothamsted Enterprises	Provision of site access to the Rothamsted Estate including building security passes.

Depending on your role, your details will also be shared appropriately with our clients, suppliers and business partners, as applicable.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us.

Overseas data sharing
We share your data with bodies located outside of the United Kingdom, e.g. including the USA / EU, because some of our service providers are owned and operated from the USA or other countries (e.g. Microsoft Inc., Meta Platforms Inc (WhatsApp)) and this is where their headquarters, service or support departments, or cloud servers are located. We assess such overseas entities carefully before deciding to use their products or appoint them as service providers, to ensure that they meet the UK's legal requirements for equal data protection and individual rights. In some instances, we have put the following measures in place to ensure that your data is transferred securely and that the bodies who receive the data that we have transferred process it in a way required by UK data protection laws:

- By abiding by Binding Corporate Rules in place within a Group of globally diverse locations;
- By reliance on a declaration of adequacy from the UK Government for the target country in which the transferring organisation is located;
- By assuring ourselves through due diligence checking that appropriate data sharing or data processing agreements are implemented between our organisation and the recipient of the personal data.

Protecting your data
We are aware of the requirement to ensure your data is protected against accidental or unauthorised access, loss, disclosure, alteration, destruction or abuse. We have implemented processes to guard against such.

Where we share your data with third parties, we provide written instructions to them via a data processing agreement to ensure that your data are held securely and in line with current data protection requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data, and we regularly review agreements and third-party practices to ensure this remains in place to our satisfaction.

How long we keep your data for
In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us, though in some cases we are obliged to keep some of your data for a period after your employment has ended. Retention periods can vary depending on why we need your data, as set out in our Retention Schedule, which we regularly

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review, and update as required by law of operational changes – for more information please ask to see a copy of our latest Retention Schedule.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Some of these semi- and fully automated processing activities may look at patterns, behaviours, trends or unique identifiers about you; this meets the definition of biometric data processing. An example of this might be the use of psychometric assessments, or a review of building or site entry and exit patterns unique to your issued swipe card.

Where these biometric or profiling activities might have an impact on your rights or are involved in any business or management decisions made about you, you have a right to ask for human intervention and a full explanation of why these processes were used rather than a non-automated or less intrusive solution.

Your rights in relation to your data
The law on data protection gives you certain rights in relation to the data we process about you. These rights are not always absolute, and are dependent on the lawful basis justification for processing, but the following is a useful list for guidance on what these rights mean:

- **the right to be informed.** This means that we must tell you how we use your data, and this is the purpose of this privacy notice.
- **the right of access.** You have the right to access the data that we hold about you. To do so, you can make a subject access request. You can read more about this in our subject access request policy which is available from Peter Oxley, peter.oxley@lawestrust.org, 01582 938 440.
- **the right for any inaccuracies to be corrected.** If any data that we hold about you is incomplete or inaccurate, you can ask us to correct it.
- **the right to have information deleted.** If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it – please note that this is not an absolute right, and depends on the lawful bases we rely on to justify processing your personal data in the first place.
- **the right to restrict our processing of your data.** For example, if you believe the data we hold is incorrect, you can ask us to stop actively processing the data until we have ensured that the data is correct.
- **the right to portability.** This only applies to automated processing of data you gave to us yourself, that is carried out based on either your consent or for the purpose of contract performance between us, with the aim of ensuring that data is transmitted directly from one data controller to another. From an employment perspective there are limited instances when this right will apply.

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- **the right to object.** You have the right to object to the way we use your data in some instances, such as where we are using it for our legitimate interests.
- **the right to not to be subject to any decisions based solely on automated processing, including profiling.** You have a right not to be subject to automated decision making or profiling that may produce legal or adverse effects on you or impact your legal rights. This doesn't apply if the processing is necessary for performing or entering into a contract with you, or is necessary to meet legal obligations, or is based on your explicit consent (though you can withdraw consent at any time).

Where you have provided consent to our use of your data, as previously outlined you have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use for a specified purpose.

If you wish to exercise any of the rights explained above, please contact Peter Oxley, peter.oxley@lawestrust.org, 01582 938 440.

Making a complaint
We would hope that any complaints will be brought to us through informal discussions, or by using the Trust's formal Grievance Procedure.

However, where we are unable to resolve your complaint, you may raise the issue with the supervisory authority in the UK for data protection matters, the Information Commissioner's Office (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint directly to the ICO.

Data Protection Officer
Peter Oxley, peter.oxley@lawestrust.org, 01582 938 440
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