



Employee, contractors and workers privacy notice

We are SPRING GYMNASTICS LTD.. We're a company registered in England and Wales with company number 07665333, whose registered address is at Winferling Barn Mile Road Winfarthing, Diss, Norfolk, IP22 2EZ. In this privacy notice we will refer to ourselves as 'we', 'us' or 'our'. We are the Data Controller of the personal information we collect, hold and use about you

We take the privacy, including the security, of personal information we hold about you seriously.

This privacy notice is designed to inform you about how we collect information about you and how we use that information during and after your employment (or other form of working relationship if you are a worker or a contractor) with us. This privacy notice does not form part of your contract of employment (for employees) or contract for services (for workers and contractors) and we are entitled to amend it from time to time, as we consider necessary. We will notify you of any substantial changes.

You should read this privacy notice carefully so that you know and can understand how we use the information we collect and hold about you.

You should also be aware of our data protection policy, which includes details about how we as an organisation, and you as employees or workers, should handle personal information about other people, including information about our customers and suppliers. Our data protection policy includes obligations on you about how you handle personal information of others. Any breach of the data protection policy may result in may result in disciplinary action being taken, which may include dismissal for gross misconduct.

We do not have a data protection officer, but if you have any questions about this privacy notice or issues arising from it, then you should contact Heidi Palmer, who is responsible for matters relating to data protection at our organisation, including any matters in this privacy notice. You can contact them using the following details.

- a. by telephone on 07895 725610;
- b. by email at heidi@spring-gymnastics.co.uk; or
- c. by writing to Winferling Barn Mile Road Winfarthing, Diss, Norfolk, IP22 2EZ.

We may update this privacy notice from time to time and we will provide you with a copy or with access to the revised notice if and when we update it. This version was last updated on 19 July 2021.

1. Key Definitions

- 1.1. The key terms that we use throughout this privacy notice are defined below, for ease:
- 1.2. **Data Controller:** under UK data protection law, this is the organisation or person responsible for deciding how personal information is collected and stored and how it is used. We are the data controller in relation to the information we collect about you during your employment (or other working relationship) with us.
- 1.3. **Data Processor:** a Data Controller may appoint another organisation or person to carry out certain tasks in relation to the personal information on behalf of, and on the written instructions of, the Data Controller. (This might be IT support or payroll administrators).
- 1.4. **Personal Information:** in this privacy notice, we refer to your personal data as 'personal information'. 'Personal information' means any information from which a living individual can be identified. It does not apply to information that has been anonymised.
- 1.5. **Special Information** – certain very sensitive personal information requires extra protection under data protection law. Sensitive data includes information relating to health, racial and ethnic origin, political opinions, religious and similar beliefs, trade union membership, sex life and sexual orientation and also includes genetic information and biometric information.

2. Details of personal information that we collect and hold about you

- 2.1. Set out below are the general categories and in each case the types of personal information that we collect, use and hold about you:

General Category	Types of Personal Data in that category	Retention Periods
Identity Information	This is information relating to your identity such as your name (including any previous names and any titles which you use), gender, family details, marital status, age and date of birth, photographs and images.	During employment or appointment and until seven years after termination of employment or appointment Some basic details such as name and date of birth may be kept for longer in case the employee, worker or contractor should require a reference

Contact Information	This is information relating to your contact details such as email addresses (including private email addresses), addresses, telephone numbers.	During employment or appointment and until seven years after termination of employment or appointment Some basic details may be kept for longer in case the employee, worker or contractor should require a reference
Emergency Information	This is information relating to your next of kin, including their names and contact details.	During employment and until 1 year after termination of employment or appointment
Recruitment Information	This is information relating to your recruitment such as application forms, CVs and covering letters, employment history, interview notes, references, details of your qualifications, details of any professional memberships and details of any assessments you took prior to employment/work.	During employment or appointment and until seven years after termination of employment or appointment
Right-To-Work Information	This is information relating to your ID and rights to work in the UK such as details of ID documents such as passports and driving licence, immigration status, right to work in the UK documentation	During employment or appointment and until three years after termination of employment or appointment
Employment Information	This is information relating to you employment such as employment or services contract, start and end date, job title, working hours, overtime, location, roles and promotions, holiday entitlement and records, attendance records, benefits information, including details about pensions, maternity/paternity and adoption leave, reasons for leaving	During employment or appointment and until seven years after termination of employment or appointment Some basic details such as start and end date and job title may be kept for longer in case the employee, worker or contractor should require a reference
Financial Information	This is information relating to finance and tax including salary and remuneration, bank account details, payroll details, tax status and National Insurance Number	Bank details will be erased after termination of employment or appointment and once the final payment(s) have been made Other financial information will be kept during employment and until seven years after termination of employment or appointment
Performance Information	This is information relating to your performance at work such as target information, performance information, training and CPD records, appraisals, warnings records, disciplinary investigations, grievance investigations	During employment or appointment and until seven years after termination of employment or appointment
Electronic Information	This is information that is collected electronically such as use of the IT and communications system, CCTV images, swipe card/entry records	During employment or appointment and until seven years after termination of employment or appointment

3. Details of special information that we collect and hold about you

3.1. Special information is explained in section 1 above. We collect and hold the following types of special information about you:

a. health;

3.2. Where we do hold special information about you, then our retention periods are as follows:

During employment or appointment and until seven years after termination of employment or appointment

Some basic details such as start and end date of health related absences may be kept for longer in case the employee, worker or contractor should require a reference

Type of Special Information	Retention Periods
This is information relating to your health and well-being. This will be collected either verbally or in writing via email and may be stored electronically on our admin systems (Googledrive, Club Admin Assistant (CAA), or Email)	

3.3. We do not collect information from you relating to criminal convictions or offences.

4. Details of how and why we use personal information

4.1. We are only able to use your personal information for certain legal reasons set out in data protection law. There are legal reasons under data protection law other than those listed below; but, in most cases, we will use your personal information for the following legal reasons:

a. **Contract Reason:** this is in order to perform our obligations to you under a contract we have entered into with you (which will usually be your contract of employment or contract for services);

b. **Legitimate Interests Reason:** this is where the use of your personal information is necessary for our (or a third party's) legitimate interests, so long as that legitimate interest does not override your fundamental rights, freedoms or interests; and

- c. **Legal Obligation Reason:** this is where we have to use your personal information in order to perform a legal obligation by which we are bound.
- 4.2. As explained in section 3 above, there are more sensitive types of personal data that require higher levels of protection. Where we process such sensitive types of personal data, we will usually do this in the following circumstances:
- We have your explicit consent;
 - Where it is necessary in relation to employment law;
 - Where it is necessary for the purposes of occupational medicine or for assessing your working capacity;
 - Where it is necessary to protect your vital interest of those of another person (and you are not able to give your consent);
 - Where it is necessary in relation to legal claims;
 - Where you have made the personal data public.
- 4.3. If you do not provide us with personal information we need, then we may not be able to carry out our obligations under your employment (or services) contract or we may not be able to meet a legal obligation. For example, if you do not provide us with your bank account details then we will not be able to pay you.
- 4.4. It is important that you keep your personal information up to date. If any of your personal information changes, please contact us as soon as possible to let us know. For example, if you move address and do not tell us, then we may send important documents to your previous address.
- 4.5. One other legal basis for use of personal information is where your consent has been obtained ("**Consent Reason**"). However, it is extremely unlikely that we will rely on consent as the legal reason for using your personal information. If for any reason we do wish to rely on your consent, then we will provide you with details of what we require and why so that you are fully informed. Your employment (or services) contract is not conditional upon you providing your consent. Where we do rely on consent for a specific purpose as the legal reason for collecting and using your personal information, you have the right under data protection law to withdraw your consent at any time. If you do wish to withdraw your consent, please contact us using the details set out at the beginning of this notice. If we receive a request from you withdrawing your consent to a specific purpose, we will stop processing your personal information for that purpose, unless we have another legal reason for processing your personal information, in which case, we will confirm that reason to you.
- 4.6. We have explained below the different purposes for which we use your personal information and, in each case, the legal reason(s) allowing us to use your personal information and we have indicated whether or not those purposes may mean we collect and use Special Categories of personal information about you (and in each case an indication of what those Special Categories might be). Please also note the following:
- if we use the Legitimate Interests Reason as the legal reason for which we can use your personal information, we have also explained what those legitimate interests are; and
 - for some of the purposes we may have listed more than one legal reason on which we can use your personal information, because the legal reason may be different in different circumstances. If you need confirmation of the specific legal reason that we are relying on to use your personal information for that purpose, please contact us using the contact details set out at the start of this privacy notice.

Purpose	Legal Reason(s) for using the personal information	Does this involve Special Categories of Personal Information?
To decide whether to recruit or employ you	Contract Reason	No
To make decisions about the terms of your contract with us, including how much to pay you	Contract Reason	No
To ensure that you are legally entitled to work in the UK	Contract Reason Legal Obligations Reason	No
To carry out our obligations to you under your contract with us, including to pay you, to provide you with benefits (including pensions) and in respect of any termination of the contract	Contract Reason Legal Obligations Reason	Yes Health information
To pay tax and make National Insurance contributions	Contract Reason Legal Obligations Reason	No
To liaise with and provide information to pensions, insurance and other benefits providers	Contract Reason Legal Obligations Reason	Yes Health information
To provide you with training opportunities	Contract Reason Legitimate Interests Reason (in order to ensure our staff are trained and to improve performance) Legal Obligations Reason	Yes Health information

To monitor your performance and behaviour at work, including to monitor any periods of absence	Contract Reason Legitimate Interests Reason (in order to ensure our staff are trained and to improve performance)	Yes Health information
To monitor your use of our systems	Contract Reason Legal Obligations Reason Legitimate Interests Reason (to ensure our systems are being used correctly, appropriately and in line with our policies)	No
To make decisions about pay rises, bonuses and promotions	Contract Reason Legitimate Interests Reason (in order to grow our business and motivate and reward our employees (and workers and contractors))	No
To manage our business including to make plans for the future of the business	Legitimate Interests Reason (in order to grow our business)	No
To manage workforce, including recruitment and ongoing workforce demands and requirements	Legitimate Interests Reason (in order to grow our business and to ensure it can meet demands)	No
To maintain employment records for business administration purposes, including for accounting and auditing reasons	Legal Obligations Reason	No
To make reasonable adjustments and ensure you are fit for work in respect of any health-related matter or disability	Legal Obligations Reason	Yes Health information
To ensure the health and safety of you, other staff, visitors, customers and others	Legal Obligations Reason Contract Reason	Yes Health information
To prevent and detect fraud and criminal offences	Legal Obligations Reason	Yes
To comply with relevant laws that are applicable to us including employment laws, tax laws and health and safety laws	Legal Obligations Reason	Yes Health information
To conduct disciplinary, grievance and similar investigations	Contract Reason Legal Obligations Reason	No
To monitor compliance with our policies	Contract Reason Legal Obligations Reason	No
To monitor compliance with contractual obligations	Contract Reason Legal Obligations Reason	No
To provide references (where requested to do so)	Contract Reason Legal Obligations Reason Legitimate Interests Reason (in order to assist another prospective employer in the recruitment process and the assessment of candidates) Consent Reason	No
To investigate, claim and/or defend us in respect of any legal claim or dispute or to comply with any order of a court or authority	Contract Reason Legal Obligations Reason Legitimate Interests Reason (in order to make claims or defend our business)	Yes Health information
To manage and assess your continued employment or appointment with us	Contract Reason Legal Obligations Reason	No
To manage the termination of your employment or appointment	Contract Reason Legal Obligations Reason	No

- 4.7. We can use your personal information without your knowledge and without your consent where this is legally required or allowed.
- 4.8. Under data protection laws, we can only use your personal information for the purposes we have collected it, unless we consider that the new purpose is compatible with the purpose(s) for which we collected it. If we want to use your personal information for a different purpose that we do not think is compatible with the purpose(s) for which we collected it, then we will contact you to explain this and what legal reason is in place to allow us to do this.
- 4.9. Sometimes we may anonymise personal information so that you can no longer be identified from it and use this for our own purposes. In addition, sometimes we may use some of your personal information together with other people's personal information to give us statistical information for our own purposes. Because this is grouped together with other personal information and you are not identifiable from that combined data, we are able to use this.

5. Details of how we collect personal information and special information

- 5.1. We will usually collect information about you during recruitment directly from you (whether by application form, CVs, interviews or otherwise), but we may also collect information from third parties such as agencies, suppliers of background checks (including criminal records checks) and references from your former employers.
- 5.2. During the course of your employment or working relationship with us, we may collect additional information about you, much of which we will collect directly from you.
- 5.3. We may also collect personal information about you from third parties (such as doctors and pension trustees).
- 5.4. During the course of your employment or working relationship with us, we may create and use personal information about you, which may include information from management and other staff.

6. Details about who personal information may be shared with

- 6.1. We may need to share your personal information with other organisations or people. These organisations include:
 - a. Third parties who may include:
 - i. Suppliers: such as contractors, agents, IT support services, payroll providers, administration providers, pensions administrators, parties who administer benefits (such as insurers) ;
 - ii. Government bodies and regulatory bodies: such as HMRC, fraud prevention agencies ;
 - iii. Our advisors: such as lawyers, accountants, auditors, insurance companies ;
 - iv. Our bankers ;
 - b. any organisations that propose to purchase our business and assets – in which case, we may disclose your personal information to the potential purchaser.
- 6.2. Depending on the circumstances, the organisations or people who we share your personal information with will be acting as either Data Processors or Data Controllers. Where we share your personal information with third parties, we require them to keep your personal information confidential, to keep it secure and to only use it for the agreed purposes. Where we share your personal information with a Data Processor, we will ensure that we have in place contracts that set out the responsibilities and obligations of us and them.

7. Details about transfers to countries outside of the EEA

- 7.1. We do not transfer your personal information outside of the EEA.

8. Details about how long we will hold your personal information

- 8.1. We will only hold your personal data for as long as is necessary. How long is necessary will depend upon the purposes for which we collected the personal information (see section 4 above) and whether we are under any legal obligation to keep the personal information (such as in relation to accounting or auditing records or for tax reasons). We may also need to keep personal information in case of any legal claims.
- 8.2. We have set out above the details of our retention periods for different types of data. You can find them in in section 2 and also in section 3.

9. Automated decision making

- 9.1. 'Automated decision making' is where a decision is automatically made without any human involvement. Under data protection laws, this includes profiling. 'Profiling' is the automated processing of personal data to evaluate or analyse certain personal aspects of a person (such as their behaviour, characteristics, interests and preferences).
- 9.2. Data protection laws place restrictions upon us if we carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you.
- 9.3. We do not carry out any automated decision making (including profiling) that produces a legal effect or similarly significant effect on you. If we do decide to do this, then we will notify you and we will inform you of the legal reason we are able to do this.

10. Your rights under data protection law

- 10.1. Under data protection laws, you have certain rights in relation to your personal information, as follows:
 - a. **Right to request access:** (this is often called 'subject access'). This is the right to obtain from us a copy of the personal information that we hold about you. We must also provide you with certain other information in response to these requests to help you understand how your personal information is being used.
 - b. **Right to correction:** this is the right to request that any incorrect personal data is corrected, and that any incomplete personal data is completed.

- c. **Right to erasure:** (this is often called the 'right to be forgotten'). This right only applies in certain circumstances. Where it does apply, you have the right to request us to erase your personal information.
 - d. **Right to restrict processing:** this right only applies in certain circumstances. Where it does apply, you have the right to request us to restrict the processing of your personal information.
 - e. **Right to data portability:** this right allows you to request us to transfer your personal information to someone else.
 - f. **Right to object:** you have the right to object to us processing your personal information for direct marketing purposes. You also have the right to object to us processing personal information where our legal reason for doing so is the Legitimate Interests Reason (see section 4 above) and there is something about your particular situation that means that you want to object to us processing your personal information. In certain circumstances, you have the right to object to processing where such processing consists of profiling (including profiling for direct marketing).
- 10.2. In addition to the rights set out in section 10.1, where we rely on consent as the legal reason for using your personal information, you have the **right to withdraw your consent**. Further details about this are set out in section 4.5.
- 10.3. If you want to exercise any of the above rights in relation to your personal information, please contact us in writing (which includes email) using the details set out at the beginning of this notice. If you do make a request then please note:
- a. we may need certain information from you so that we can verify your identity;
 - b. we do not charge a fee for exercising your rights unless your request is unfounded or excessive; and
 - c. if your request is unfounded or excessive, we may refuse to deal with your request.

11. Complaints

If you are unhappy about the way that we have handled or used your personal information, you have the right to complain to the UK supervisory authority for data protection, which is the Information Commissioner's Office (**ICO**). Please do contact us in the first instance if you wish to raise any queries or make a complaint in respect of our handling or use of your personal information, so that we have the opportunity to discuss this with you and to take steps to resolve the position. You can contact us using the details set out at the beginning of this privacy notice.