



# OAK TREE HOUSING ASSOCIATION (OTHA) EMPLOYEE PRIVACY NOTICE

## How we use your personal information

### Introduction

The Housing Association controls and processes a range of personal information about you. In this Privacy Notice your 'personal information' means your personal data i.e. information about you from which you can be identified. Your personal information does not include data where your identity has been removed (anonymous data). It is important that the personal information that we hold and process about you is accurate and up to date. Please keep us informed if your personal information changes during your engagement with us.

This notice explains what personal information we collect, when we collect it, how we process it and how we use this. During the course of our activities, we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner.

The purpose of this Privacy Notice is to explain to you the reasons why we may hold and use your personal data and explain your rights under the current data protection laws.

We may collect and process personal data relating to you to manage our contract/agreement, including pre-contract/agreement negotiations, with you. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you.

This notice does not form part of your contract of employment or agreement with us. It applies to all our employees, workers, volunteers, apprenticeships, and consultants (including applicants), regardless of length of service, and may be amended at any time. If any amendments are required in the future, we will notify you as is appropriate.

Your personal information will be processed by:

Oak Tree Housing Association of: 40 West Stewart Street, Greenock, PA15 1SH

We are registered as a data controller with the Information Commission ('IC') and our registered number is Z6295637 and take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act of 2018

(the 2018 Act) and the UK General Data Protection Regulation (UK GDPR), the Data (Use and Access) Act 2025 together with any domestic laws subsequently enacted.

## **Where does your personal information come from?**

The Association may collect information in several ways which include:

- Personal data which you have provided to us
- Recruitment processes including information obtained from agencies
- Your identification documents you have given us
- Background checks conditional for your engagement with us (if relevant)
- PVG/Disclosure/DVLA checks relating to criminal convictions/offences
- Former employers or other individuals whom you have given us permission to contact to provide us with a reference
- Medical professionals provide us with appropriate health information in order that we can manage any health- related situations that may have an impact on your ability to work with us.
- Membership with professional bodies that confirm membership
- Qualifications/training bodies that provide us information relating to you
- Web browsing history and email exchanges can be routinely monitored for the purposes of maintaining the IT infrastructure
- HMRC
- Trade Union
- Government agencies and other public authorities
- Debt agencies
- Line managers and colleagues

## **What Information do we collect?**

This includes:

- Your name, address, and contact details including email address and telephone number, date of birth and gender
- Information supplied through our application process
- The terms and conditions of your employment or engagement with us, including financial information such as salaries, pension and other payroll requirements
- Details of your qualifications, skills, experience and work history, including start and end dates with previous employers and workplaces
- Information about your remuneration, including entitlement to benefits such as, pay, pension and holidays
- Details of your bank account, tax code 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 any criminal convictions if relevant for your job.
- Details of your work pattern (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
- 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, performance improvement plans and related correspondence

- Information about medical or health conditions, including if you have a disability for which the organisation needs to make reasonable adjustments
- Equal opportunities monitoring information including protected characteristics
- CCTV imagery
- Telephone call recordings
- Complaint details as a result of any lodged complaints from our tenants/owners

The personal data we hold about you will be kept in your personnel file which is stored securely and access to the files is restricted. The information will only be held for the periods outlined in the Housing Association's Retention Policy.

### **What are the legal bases for us processing your personal data?**

We will only process your personal data on one or more of the following legal bases:

- Contract, including pre-contract negotiations
- Consent
- Vital interests
- The performance of a task carried out in the public interest and / or with official authority
- Where we have a legal obligation to do so
- Our legitimate interests (including early stages of the recruitment selection process, CCTV recordings, telephone call recordings, maintenance of disaster recovery plans, recording next of kin details, etc)
- Where there is a recognised legitimate interest, as defined under the Data (Use and Access) Act 2025 and by the relevant Secretary of state for example for the purposes of national security, public security, defence, responding to emergencies, preventing or detecting crime, safeguarding children or individuals at risk

### **Processing Special Category Personal Data**

Special categories of information means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purposes of uniquely identifying you.

The special categories of personal information referred to above require higher levels of protection. We need to meet additional legal requirements for collecting, storing and using this type of personal information.

Our legal bases for processing your special category data are:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law);
- (h) Health or social care (with a basis in law);
- (i) Public health (with a basis in law)

### **Our Processing of Special Category Personal Data:**

We may use your special category personal information, including but not limited to the following ways:

- We will use information relating to leave of absence, which may include sickness absence or family related leave, 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 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.
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

If relevant for your job role, we will process criminal convictions data provided by Disclosure Scotland.

### **Who might my data be shared with, or seen by?**

We may disclose your personal data to any of our employees, officers, contractors, insurers, professional advisors, agents, suppliers or subcontractors, government agencies and regulators and healthcare providers so far as reasonably necessary, and in accordance with data protection legislation.

We may also disclose your personal data:

- with your consent;
- to the extent that we are required to do so by law;
- to comply with any regulatory requirements
- to protect the rights, property and safety of us, our tenants, users of our websites and other persons;
- in connection with any ongoing or prospective legal proceedings;
- If we are investigating a complaint, information may be disclosed to solicitors, independent investigators such as auditors, the Scottish Housing Regulator and other regulatory body involved in any complaint, whether investigating the complaint or otherwise;
- to the purchaser (or prospective purchaser) of any business or asset that we are (or are contemplating) selling;
- to another organisation if we enter a joint venture or merge with another organisation.

### **Employee Monitoring**

We will carry out the following monitoring exercises:

- CCTV – images and footage recorded of any person visiting our premises. This is used for employee safety, security and the prevention (detection) of crime. Footage is currently retained for 30 days
- Wi-fi Browsing – Our IT provider can monitor web browsing history and email exchanges for the purposes of maintaining the IT infrastructure
- Phone records of Association mobile users with regards to call history and length of calls. Recordings are retained for 3 months

### **Where do we keep your data?**

Your information will only be processed within the UK, except, where international transfers are authorised by law.

### **How do we keep your data safe?**

When you give us information, we take steps to make sure that your personal information is kept secure and safe. All personal data is processed in accordance with Oak Tree Housing Association's data protection policies and procedures. Our systems are password protected and all electronic data is stored securely. All paper files are kept in locked cabinets.

### **How long do we keep your data?**

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law and in accordance with our Data Retention Policy and Schedule.

### **If you do not wish to provide your personal data**

You have obligations under your employment contract or other agreement with us (including any potential contracts of employment/other agreements) to provide us with requested personal data. This may include name, qualifications and experience, contact details, your right to work in the UK and payment details. If you do not provide the requested information, this may mean that we cannot enter into a contract/agreement with you. You may also have to provide us with personal information in order to exercise your statutory rights, such as in relation to statutory leave entitlements.

### **Your Rights**

You have the right at any time to request to exercise your data subjects' rights in relation to the following:

- the right to be informed
- the right to access
- the right to rectification
- the right to object to processing
- rights in relation to automated decision making and profiling
- the right to be forgotten
- the right to data portability
- the rights to restrict processing

If you would like to exercise any of your rights above please contact Kirsty Davis:  
[kdavis@oaktreeha.org.uk](mailto:kdavis@oaktreeha.org.uk)

We will respond without delay and within one month of your request in writing.

When you make a request, we are required to verify your identity and may ask you for specific information to fulfil this purpose. Normally, you will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You should note that not all rights under the UK GDPR and Data Protection Act 2018 are absolute and are subject to qualification

## Queries and Complaints

If you are not satisfied with our handling of your request or have any other data protection related issue, in the first instance, you have the right to contact us with your complaint so that we can investigate, any complaints should be marked 'GDPR Complaint' and should be sent to Kirsty Davis: [kdavis@oaktreeha.org.uk](mailto:kdavis@oaktreeha.org.uk) or by telephoning 01475 807000

If you still remain unsatisfied after your complaint has been processed by us, you also have the right to complain to the Information Commission in relation to our use of your information. The Information Commission contact details are noted below:

Telephone: 0303 123 1113

Online: [Make a complaint | ICO](#)

Our Data Protection Officer is provided by RGDP LLP and can be contacted either via 0131 222 3239 or [info@rgdp.co.uk](mailto:info@rgdp.co.uk)

This Privacy Notice was last updated on 22/07/2025