



Employee Consent and Privacy Policy

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Optindigo Instructions

What does this document do?

This document provides templates for employee consent forms and privacy policies.

Do I need to complete this document?

You need to review this document if you have full-time or part-time employees, contractors, volunteers, or other people working in your organisation.

Where can I get more help?

You can call, email or chat to us about Optindigo during office hours. For more helpful advice or guidance check out our Optindigo useful links page.

How often do I need to update this document?

You should review this document every 3 months to ensure you meet the GDPR and these terms meet your business requirements.

Introduction

The GDPR specifies regulations on how you manage your data. This of course includes data about your employees, volunteers, contractors and other staff. This data often includes personal information and in some cases sensitive data such as religion, medical information, family details and financial information. As such, it is vital that this information is handled carefully and in line with the GDPR regulations.

This document includes templates for an employee consent form plus privacy policy. You can use these documents as the basis of your companies' employment documents.

Example Privacy Notice

How your information will be used

Sparkles Escorts take the privacy and security of your personal data very seriously.

1. As your employer, the Company needs to keep and process information about you for normal employment purposes. We may update this notice at any time and we may provide you with an additional privacy notice from time to time. The information we hold and process will be used for our management and administrative use only. We will store and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue the legitimate interests of the Company and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

2. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

3. As a company pursuing Escort Agency activities, we may sometimes need to process your data to pursue our legitimate business interests, for example to prevent fraud, for administrative purposes or reporting potential crimes. The nature of our legitimate interests are *INSERT NATURE OF LEGITIMATE INTERESTS*. We will never willingly process your data where these interests are overridden by your own interests. We aim to process your personal data lawfully, fairly and in a transparent way.

- To collect your personal data only for valid purposes that we have advised you about and to not use your personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so)
- To only process your personal data to the extent necessary for the purposes we have advised you about
- To keep your personal data accurate and kept up to date
- To keep your personal data only as long as necessary for the purposes we have told you about
- To keep your personal data secure
- Most of the information we hold will have been provided by you. However, some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees

We will collect, store, and use the following categories of personal data about you:

- Personal contact details such as name, title, date of birth, gender, addresses, telephone numbers and personal email addresses
- Marital status and dependents
- Next of kin and emergency contact information
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information, national insurance number
- Location of employment or workplace and start date
- Copy of driving license/passport
- Recruitment information (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)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Details of your existing and previous salary
- Performance information and disciplinary and grievance information
- CCTV footage and other information obtained through electronic means such as electronic key card records
- Information about your use of our information and communications systems
- Photographs/ID passes

PURPOSES FOR WHICH WE PROCESS YOUR PERSONAL DATA

We will process your personal data for the following purposes:

- Making a decision about your recruitment or appointment
- Payroll and deducting employee's National Insurance and tax
- Providing certain benefits to you
- Liaising with your pension provider
- Administering your contract
- 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, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- Preventing fraud
- 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

4. The sort of information we hold includes your application form and references, your contract of employment and any amendments to it; correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary, information needed for payroll, benefits and expenses purposes, contact and emergency contact details, records of holiday, sickness and other absence, information needed for equal opportunities monitoring policy and records relating to your career history, such as training records, appraisals, other performance measures and where appropriate, disciplinary and grievance records *INSERT ANY FURTHER CATEGORIES HERE*.

5. Inevitably, you will, of course be referred to in many company documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the company.

6. Where necessary, we may keep information relating to your health that could include reasons for absence and GP reports and notes. This information will be used in order to comply with our company health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage statutory and company sick pay, *ADD BENEFITS e.g. health insurance or life insurance policies*.

7. Where we process special categories of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation, we will always obtain your explicit consent to those activities unless this is not required by

law or the information is required to protect your health in an emergency. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

8. In addition, we monitor computer (and telephone/mobile telephone) use, as detailed in our computer/telephone/electronic communications/expenses policy, available (in the company handbook/on the intranet). We also keep records of your hours of work by way of our clocking on and off system, as detailed in the company handbook/intranet.

9. Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to Not Required, pension or health insurance schemes.

10. We may transfer information about you to other group companies for purposes connected with your employment or the management of the company's business.

11. In limited and necessary circumstances, your information may be transferred outside of the EEA or to an international organisation to comply with our legal or contractual requirements. We have in place safeguards including *LIST OF SAFEGUARDS* to ensure the security of your data. A copy of the safeguards can be obtained from *INSERT HERE*.

12. We do use automated decision making (including profiling) in limited circumstances including to *INSERT DETAILS. INCLUDE INFORMATION ABOUT THE LOGIC INVOLVED, THE SIGNIFICANCE AND ENVISAGED CONSEQUENCES OF THAT PROCESSING*.

13. Your personal data will be stored for a period of *INSERT PERIOD HERE* or the criteria used for determining how long your data will be stored for is *INSERT CRITERIA HERE*.

14. If in the future we intend to process your personal data for a purpose other than that which it was collected for, we will provide you with information on that purpose and any other relevant information.

Your Rights

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA) you have a number of rights with regard to your personal data

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have

exercised your right to object to processing (see below)

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it
- **Request the transfer** of your personal information to another party

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact [dpo name] in writing.

You will not have to pay a fee to access your personal data or to exercise any of the other rights under data protection laws. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

15. You have the right to lodge a complaint with the Information Commissioner's Office if you believe that we have not complied with the requirements of the GDPR or DPA with regard to your personal data.

Identity and contact details of controller and data protection officer

Sparkles Escorts is the controller (and processor) of data for the purposes of the DPA and GDPR.

If you have any concerns as to how your data is processed you can contact:

[dpo name] Data Protection Officer at [dpo email]

Insert details of any other relevant contacts

Or you can write to these individuals using the address of 18 Grayson House, Radnor Street, London, EC1V 3SR

Signed _____ Date _____

GDPR Checklist For Employers

Take a look at this checklist to confirm that you have reviewed your contracts and associated documentation to include the appropriate privacy notice and consent forms.

Action	Comments	Completed?
EMPLOYEE INFORMATION AUDIT		
Identify what personal data you hold about employees and candidates (and where it came from)		
Identify all the ways in which you process personal data and the purposes of the processing		
Verify how long you currently retain the personal data and how long you need to keep the personal data for the purpose for which it is collected		
Identify any parties to whom you transfer personal data, including any international data transfers, for example, payroll and benefits providers and other group entities		
Review any associated contracts		
Identify any automated decision-making within HR processes, for example, in recruitment (automated rejection and short-listing), triggers for sickness absence or disciplinary action, attendance bonuses, shift and holiday roster, and employee monitoring		
Ensure the audit is properly documented		
Identify lawful basis for		

processing employee personal data under current data protection laws		
This will likely be employee consent, possibly obtained via a clause in the employment contract [NOTE: it is UNLIKELY to be consent under GDPR]		
Confirm current basis for processing “sensitive personal data” (including details of criminal convictions and offences)		
Identify lawful basis for processing employee personal data under GDPR		
One of the following must apply:		
The employee gives valid consent (NOTE that for most purposes consent will not be deemed freely given due to the imbalance of power in the employer/employee relationship but it might be appropriate for things like surveys)		
Necessary to carry out the employment contract (eg taking financial data so you can pay them inc special leave/benefits)		
Necessary for the employer to comply with a legal obligation (eg taking social security data so that you can pay employer taxes, TU fees)		
Necessary to protect the vital interests of the employee or another person (eg to protect physical/mental health/disability status. To monitor sickness absences/fitness for work)		

Necessary in the public interest or if the employer is exercising official authority		
Necessary for a legitimate interest of the employer or a third party which is not overridden by the interests or fundamental rights and freedoms of the employee		
Identify lawful basis for processing special categories of employee personal data (sensitive data) under GDPR		
One of the following must apply:		
Valid explicit employee consent		
Necessary for carrying out employment rights and obligations, it is authorised by domestic or EU law and the employer has an appropriate policy document in place		
Necessary to protect the vital interests of the employee or another person where the employee is incapable of giving consent		
Processing by a foundation, association or not-for-profit with a political, philosophical, religious or trade union aim		
If the employee has made the personal data public		
Necessary for the employer to establish or defend legal claims		
Necessary for reasons of substantial public interest (including the processing of personal data revealing race, religious beliefs, health or sexual orientation for the		

<p>purposes of promoting equality of treatment, and including processing necessary to determine eligibility for or benefits payable under an occupational pension scheme which can reasonably be carried out without the employee's consent), and the employer has an appropriate policy document in place</p>		
<p>Necessary for the assessment of the employee's working capacity either on the basis of domestic or EU law or pursuant to a contract with a health professional, and subject to confidentiality safeguards</p>		
<p>Identify lawful basis for processing of employee personal data relating to criminal convictions and offences under GDPR</p>		
<p>The processing must be authorised by domestic or EU law and, if authorised by domestic law, one of the following must apply: Necessary for carrying out employment rights and obligations and the employer has an appropriate policy document in place</p>		
<p>Valid employee consent (although consent will not be valid where there is a clear imbalance between the data subject and data controller, such as in an employment context)</p>		
<p>Necessary to protect the vital interests of the</p>		
<p>employee or another person</p>		

where the employee is incapable of giving consent		
Processing by a foundation, association or not-for-profit with a political, philosophical, religious or trade union aim		
If the employee has made the personal data public		
Necessary for the employer to establish or defend legal claims		
DATA CLEANSING		
Update data retention policy based on results of audit and apply it (see the data retention policy in the pack)		
Securely delete or de-personalise all employee personal data where there is no lawful basis for the processing under GDPR		
Amend HR policies and processes		
For example, procedures relating to recruitment, promotions, compensation, disciplinary, grievances, performance management, sickness absence, employee monitoring and references, Conduct a data protection impact assessment (DPIA) if required		
Notify employees of changes to policies/handbook		
Automated decision-making (including profiling)		
Identify the lawful basis allowing you to take decisions that significantly affect an employee based on automated processing:		
Necessary to carry out the employment contract		
The employer notifies the		

employee in writing of a decision based on automated processing and allows the employee the right to request a reconsideration within 21 days		
Valid explicit employee consent		
Ensure that suitable measures to safeguard the employee's rights and freedoms and legitimate interests are in place, including the right to obtain human intervention, the right to express the employee's point of view and the right to appeal any automated decision		
Automated decision-making on the basis of special categories of personal data must be permitted by valid, explicit employee consent or in the substantial public interest, with suitable measures to safeguard the employee's rights and freedoms and legitimate interests		
Data transfers to third parties (other group entities and service providers)		
Identify lawful basis for all data transfers, including in particular any cross-border data transfers		
Put processor agreements in place where necessary		
Update procedures so that GDPR compliance forms part of due diligence when entering into a new contract with an HR supplier		
Notify employees of the		

processing of personal data		
Draft new privacy notice for employees (use employee privacy notice not the website privacy notice)		
Ensure that procedures are updated so that the privacy notice is provided to employees and candidates when required as future personal data is collected or when the purpose of processing changes		
Data subject rights		
Update SAR policy and procedures: new timeline, free of charge unless request is manifestly unfounded or excessive, new information requirements		
Arrange updated training for all staff who handle SARs		
Establish procedures for dealing with the exercise of employee rights		
Data protection officer (DPO)		
Establish whether you are required to appoint a DPO		
If so, appoint a DPO, scope the role in accordance with GDPR requirements and provide them with the necessary training and resources		
If a DPO is not mandatory, consider designating a senior individual as having responsibility for data protection		
Training and review		
Arrange updated training for all staff who handle personal data		

Ensure that all arrangements and privacy notice are subject to regular review for continued compliance		
Ensure any policy document relating to the processing of special categories of personal data or criminal convictions is subject to regular review and updated where appropriate		

Consent Statement Example

As part of your relationship with this company we will collect, store, and process details about you, your next of kin, your employment history, medical condition, and other information as described in the attached privacy policy. We will not share you information other than as described in the privacy policy. We will maintain and then delete your data as described.

We respect your rights under the GDPR and will always respond to requests to withdraw consent, forget your details, correct your details, stop processing or port your data as requested.

Important: You can object to processing, withdraw or amend your consent at any time, simply contact:

The Data Controller
Sparkles Escorts
18 Grayson House, Radnor Street, London, EC1V 3SR
07932329810
info@sparklesescorts.com

If you agree to the privacy policy and consent to us processing your data as described please provide signature and date below:

Signed _____ Date _____

Our Privacy Policy describes exactly how we collect, process, and store your information. This is an important document and you should take time to read it. Please sign and date below to confirm that you have received and understand the privacy statement

Signed _____ Date _____

End of document.