

## Contractor Privacy Notice

The Culture, Health & Wellbeing Alliance (CHWA) collects and processes personal data relating to its contractors to manage the contracting relationship. CHWA is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This Privacy Notice aims to provide you with a clear explanation of the personal data which CHWA holds and the purposes for which it is held.

This document is not intended to form part of the contractual relationship between you and CHWA.

### What information does CHWA collect?

Certain information, such as contact details and payment details, have to be provided to enable CHWA to enter into a contract for services with you. If you do not provide other information, this will hinder CHWA's ability to administer the rights and obligations arising as a result of the working relationship efficiently.

CHWA collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- your nationality and information about your entitlement to contract in the UK;
- the terms and conditions of your engagement including your commencement date and the services you are contracted to provide;
- details of your qualifications, skills, experience and work history, including start and end dates, with previous employers and organisations;
- an assessment of your suitability for the activity you are contracting to do;
- your invoices and details of you or your Company bank/building society account;
- details of your availability for contracting and attendance; [and]
- anonymised equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief

In line with our Procurement Policy we may also ask for information about contractors' work to ensure CHWA does not procure goods or services from any organisation or individual directly involved in activities that run contrary to CHWA's overall vision, mission and values. In particular CHWA does not work with organisations or individuals involved with any of the following activities: Animal testing; genetic engineering; human rights abuses; intensive farming; manufacture of environmentally hazardous products or chemicals; military contracts; fossil fuel industries including mining; nuclear power; third world debt; third world marketing; the manufacture of tobacco; and water pollution – we may ask for Contractors to clarify whether they work in these and other areas which could

compromise our exclusion and inclusion criteria given on our Procurement Policy, which is available at <https://www.culturehealthandwellbeing.org.uk/policies-procedures>.

CHWA may collect this information in a variety of ways. For example, data might be collected through CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during contracting (such as contact detail forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, CHWA may collect personal data about you from third parties, such as references from previous employers or organisations who have engaged you as a contractor and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in your contracting file and in other IT systems (including the organisation's email system).

### **Why does CHWA process personal data?**

CHWA needs to process data to enter into a contract for services with you and to meet its obligations under your contract. For example, it needs to process your data to provide you with a contract and to pay you.

CHWA also needs to process data to ensure that it is complying with its legal obligations. For example to comply with health and safety laws.

In other cases, CHWA may have a legitimate interest in processing personal data before, during and after the end of the contract for services.

Processing contractor data allows CHWA to:

- run contractor recruitment and appointment processes;
- maintain accurate and up-to-date contractor records and contact details (including details of who to contact in the event of an emergency);
- obtain appropriate legal or HR advice, to ensure that it interprets and complies with duties in relation to legislation and its own policies, processes and procedures in a fair and reasonable manner;
- to ensure outputs of the contract for service are being delivered to the satisfaction of CHWA and on time;
- ensure that contractors are receiving appropriate payment and reimbursement of expenses;
- ensure effective general business administration;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Where CHWA processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that is used for these purposes is anonymised or is collected with the express consent of contractors, which can be withdrawn at any time.

Contractors are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. In some circumstances however we may ask for your consent to allow us to process certain particularly sensitive data. In these circumstances we will provide you with sufficient information about how your data will be used for you to make a choice about whether to provide your consent. You will have full control over your decision to give or withhold consent, and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time, with no consequences.

### **Who has access to your data?**

Your data will be shared with colleagues within CHWA where it is necessary for them to undertake their duties. This includes, for example, relevant managers for the purposes of contract managing, the HR representative for maintaining personnel records, finance for processing payment of invoices and expenses and IT staff.

CHWA shares your data with third parties in order to obtain references from other organisations and obtain necessary criminal records checks from the Disclosure and Barring Service.

CHWA also shares your data with third parties that process data on its behalf in connection with HR and accountancy services. These arrangements are also governed by a duty of confidentiality.

CHWA will not share your data with third parties for any other purpose without your express consent.

Your data will not be transferred outside of the UK.

### **How does CHWA protect data?**

CHWA takes the security of your data seriously. CHWA has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties.

Where CHWA engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

### **For how long does CHWA keep data?**

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 you contracting with us.

In some cases, we will keep your data for a period after your contracting relationship has ended. Retention periods can vary depending on why we need your data. This may be determined by law. The periods for which your data is held after the end of contracting are set out in our data retention protocols.

## **Automated decision-making**

Contracting decisions are not based solely on automated decision-making.

## **Your rights**

As a data subject, you have a number of rights. These are:

- 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 on you and to receive a copy of your data and information about where it was sourced. To do so, you should make a subject access request. You can read more about this in our Data Protection Policy which is available from Victoria Hume, Executive Director.
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it;
- the right to ask CHWA for your data to be erased, for example if you believe there is no longer any need for your data to be held for its original purpose, or if you decide to withdraw any consent that you have given for your data to be processed;
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct;
- the right to portability. You may transfer the data that we hold on you to another organisation for your own purposes;
- you may have the right to object to the way we use your data if you do not agree that we are using it for our legitimate interests; and
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in ways that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also 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. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you would like to exercise any of these rights, please contact Victoria Hume, Executive Director.

If you believe that CHWA has not complied with your data protection rights, you can complain to the Information Commissioner. Their contact details can be found on their website ([www.ico.org.uk](http://www.ico.org.uk)).