



Attendance & Absence Management Policy

Introduction

Yorkhill Housing Association recognises that on occasions it may be necessary for employees to be absent from work. However, we also have a duty to provide a reliable service to our customers and thus we need to ensure that we help you maintain the highest possible level of attendance.

This policy is designed to help all employees achieve good attendance, and to ensure that a consistent and fair approach in managing attendance is adopted throughout the organisation.

This policy and the guidelines it contains work in conjunction with but is not limited to other policies such as discipline & grievance, dignity at work, health & safety and managing stress.

Aims of the Policy

- To manage attendance in a way that reflects genuine concern for employees and to develop a positive attitude towards attendance.
- To set clear expectations for standards of attendance that we require from our employees.
- To separate two processes: attendance and absence management and provide guidelines for employees and managers in how to manage these.
- To identify the causes of absence and, where possible, develop a programme of supportive and preventive measures.
- To ensure training and support is available to both managers and employees.

Principles

Yorkhill Housing Association requires good attendance from all employees to meet its objectives.

- If your level of attendance is unsatisfactory you will be informed what improvement is required and possible consequences of failure to do so (which may include disciplinary action, up to and including dismissal).
- The attendance management process is not concerned with reasons for absence but with number of periods of absence/ days absent (excluding underlying health conditions protected under the Equality Act 2010).
- If you have an underlying health condition causing absence(s), then we will consider reasonable adjustments.
- Managers will conduct "return to work" interviews for every period of sickness absence within the spirit of this policy.
- You need to adhere strictly to our absence reporting procedures. Failure to do so may result in disciplinary action and organisational sick pay being withheld.
- Managers will maintain accurate, up-to-date attendance records for all staff to manage absence effectively.

Absence Monitoring

A fundamental feature of good attendance management is the accurate and timely recording of all absences. This is essential for processing the requirements of statutory and occupational sick pay arrangements and the process of managing attendance and absence. Good information allows patterns to be identified and can be an early indication of underlying health conditions. The sooner these issues are identified and acted upon – the more likely a successful conclusion for both you and the organisation can be achieved.

Accurate recording is also an essential element in satisfying potential concerns over the fairness of any actions taken by line managers. EVH matrix is used to record monthly absences and identifies any patterns, as can be seen in Appendix 5.

Sickness records will be maintained by the Chief Executive, who will prepare quarterly reports for the management committee or appropriate Sub-Committee.

The Chief Executive will also prepare quarterly reports on staff overtime, TOIL, flexi and leave balances and present these to the management committee or appropriate Sub Committee.

The information provided by Chief Executive will be presented quarterly to the Management Committee or appropriate Sub Committee with the chief executive's comments as appropriate. Individual staff members will not be identified on committee reports.

Absence Reporting Procedures

Reporting

If you cannot come to work, either due to illness or for any other reason, not already authorised, you must phone and speak to your line manager (or, if not available, another manager) as soon as is reasonably possible. It is expected that you phone as soon as possible before your usual start time, if not possible, within one hour of your starting time. You must fill in a self-certification form, whether or not you are entitled to any sickness allowance and whatever the length or reason for absence.

Fit Notes

If you continue to be absent due to illness or injury for more than seven consecutive calendar days, you must provide a fit note (which can be obtained from your GP) as soon as possible to your line manager.

If the fit note indicates by way of the box for 'may be fit for work' box your line manager will contact you and arrange a meeting with you to discuss any adjustments suggested. Although we are not obliged to follow the doctor's advice, we will do our best to help you return to work and maintain a good attendance record. However, if we cannot agree reasonable adjustments you will remain off sick.

If we agree a phased return to work, the days you are still off sick within the agreed period will count as one period of absence.

You are permitted to return to work before the expiry of your fit note (as long as your GP does not state they wish to see you again before returning to work), even if this is before their fit note expires. You do not need to go back to their doctor first to be signed fit for work. If you come back to work before the expiry of your fit note, we may seek professional advice.

Keeping in Touch

You are responsible for phoning your line manager to let them know the reason for your absence. If, in the event of an emergency you cannot get to a phone on day one of your absence, you should make sure that someone else calls on your behalf. After this, you should contact your line manager as agreed between you and your line manager. **See appendix 2 for more details.**

While keeping in touch we would expect you to let us know: the reason for your absence, the predicted recovery and/or treatment, when you expect to return to work and, contact the best contact details which can be used during your absence.

If you fail to keep in contact as detailed in Appendix 2, we will contact you.

Failure to Comply

Where you do not follow reporting, certification, or keeping-in-touch arrangements we may withhold company sick pay. Failure to comply with these requirements may also lead to disciplinary action against you in accordance with our disciplinary procedure. Similarly, if we suspect that you have falsified your absence or have deliberately misled us, we will investigate this, and it may result in disciplinary action being taken against you. In serious and/or repeated cases, it may lead to a dismissal.

Return to Work

A thorough return to work meeting will be carried out after every period of unplanned sickness absence. The purpose of a return to work interview is to establish if you are fit to return to work. This will be done by your line manager (or another manager if he/she is not available) on the first day of your return to work at the start of your working day or shift. Completed forms will be kept with your absence information. Return to work interview forms contain confidential information and will only be viewed by those authorised to access it, normally your line manager or any other manager who deals with the case.

Statutory Sick Pay (SSP)

If eligible to SSP this is irrespective to your entitlement to company sick pay. The scale of entitlement to SSP is reviewed by the government, normally at the beginning of each tax year. It is not paid for the first three days of absence and runs for 28 weeks after that.

If you are no longer entitled to SSP, you may be entitled to an incapacity benefit. You can enquire about this at your local Department for Work and Pensions (DWP). We will tell you if you are not entitled to SSP and send you the appropriate government form, it is however your responsibility to claim any other Government benefit/s that you may be entitled to.

Company Sick Pay

In any one rolling period of 52 weeks, we will pay a sickness allowance in line with the following:

Continuous service at the date sickness starts	Full allowance paid for:	Half allowance paid for:
Up to 1 year	5 weeks	5 weeks
Over 1 and under 2 years	9 weeks	9 weeks
Over 2 and under 3 years	18 weeks	18 weeks
Over 3 and under 5 years	22 weeks	22 weeks
Over 5 years	26 weeks	26 weeks

(Confirmation of Continuous service will be confirmed with EVH where appropriate).

Statutory Sick Pay (SSP) is not a benefit of employment. It is quite different to the occupational sickness allowances mentioned above, and we pay it on behalf of the Government.

The scale of entitlement to SSP is published by the Government and normally changes in April which is the beginning of the tax year.

If you are not entitled to SSP, we will tell you by sending you the appropriate government form. It is then your responsibility to claim any other State Benefit which you may be entitled to.

Attendance Management

This refers to dealing with unacceptable levels of attendance, with no reference to reasons for absence or medical condition. (see appendix 1 for details about hours of work, Flexitime, Time off in Lieu and obtaining approval for planned absences)

We will aim to assist you in maintaining a good attendance record. This will involve maintaining good records, ensuring return to work meetings are completed and, helping investigate and address any identified underlying causes of absence.

Where this fails to secure a required improvement, we will invoke the terms of the disciplinary procedure. Unsatisfactory attendance reviews can result in disciplinary action, up to and including dismissal.

If at any stage during this process it becomes apparent that an underlying health condition is involved, medical information will be sought, and further discussion will take place prior to deciding on any appropriate action, if any.

Absence periods related to pregnancy or underlying health conditions classed as a disability under the Equality Act 2010 will not be considered for the purpose of attendance management process.

Attendance review triggers

Where an employee has had three periods of unplanned or self-certificated absences within any twelve-month period, the Management Committee may request the circumstances of the individual to be fully investigated.

Where the Chief Executive or Management Committee have concerns in relation to the impact that any prolonged absence will have on the section, a temporary replacement may be appointed.

Frequent short-term absences will be investigated in the first instance by the Chief Executive and may be the subject of formal disciplinary action.

Absence Management

Yorkhill Housing Association will adopt a sympathetic approach to employees with a long-term and/or underlying health condition. If you find yourself in such a position, you should be confident that your manager will support you.

The following points will always be considered in relation to long-term absence:

- The nature of the illness and any contributing factors
- The likely duration and/or frequency of your absence(s)
- Any actions that can be taken by you
- Any reasonable adjustments that we could make
- Any possible redeployment opportunities
- The nature of the duties in relation to your health conditions
- Our business needs and the impact that your absence may have upon these
- Your entitlement to statutory and company sick pay

If a medical professional makes suggestions for any reasonable adjustments, these will be discussed prior to your return to work to determine if these can be accommodated, along with any suggestions you or we may also have made. Although we are not bound by the doctor's suggestions, we will make all possible efforts to accommodate your prompt return and good attendance. If we agree, any reasonable adjustments, we will also set time scales and reviews to assess if they are still required and suitable.

When managing a long-term absence, it is possible that early retirement or termination of employment for the reason of ill health capability may be considered where all other options have been exhausted, and the organisation can no longer sustain the absence. We will ensure that we seek the appropriate advice if and when necessary.

If you are off on long-term sick leave of more than 6 months, we may reduce your annual leave pay to the statutory minimum entitlement of 5.6 weeks. We would only do this after speaking to you and taking account of all the facts. If it is not possible to take the annual leave you have within the year it is accrued due to sickness absence, we will transfer any remaining balance to the next year's entitlement.

Dishonest Absence

If you are found to falsify or exaggerate your absence, this will be treated as gross misconduct. An investigation will be carried out in accordance with our disciplinary procedure and disciplinary action may be instigated, including dismissal or future withdrawal of the company sick pay benefit.

Other Provisions

Absence and holidays

If during an authorised period of annual leave you fall ill, and you produce a self-certificate or fit note we may count the period as sick leave and not as annual leave. You must speak to your manager on the first day of your return to work or earlier if possible and provide them with the necessary certification.

If there is a public or general holiday during your period of sickness, and you provide a self-certificate or fit note this will be counted as sick leave and you will receive the holiday at another time.

If your illness prevents you from taking your holiday entitlement, we will carry over the remainder to the next holiday year.

If you are on sick leave and go on holiday you should contact your line manager to seek authorisation and to let them know how long you will be away for and to ensure communication resumes upon your return.

Doctor/hospital/dental appointments

Doctor, hospital and dental appointments should be arranged out with working hours. If it is not possible, you should request time off from your line manager. Arrangements could include using annual leave, TOIL/flexi or unpaid leave. In some circumstances, managers could also use their discretion and consider giving paid time off.

Conduct whilst off sick

When on sick leave, you are still bound by your contract of employment with us and all our policies including Code of Conduct and your duty of fidelity. We also expect that you do not participate in activities that would be at odds with the reason for your absence. Any breach in respect of this will be dealt with under the disciplinary procedure. This includes conduct on social networking sites and any other publicly made remarks regarding our customers, work colleagues, partners and anyone else who is connected with us.

Cosmetic procedures

Absence due to cosmetic procedures (whether carried out in the UK or abroad) will not fall under the sick leave or pay unless it is recommended by health professionals. Employees should therefore request time off and agree with their line manager how the absence will be processed, e.g. annual leave or unpaid leave.

IVF treatment

Absences relating to IVF treatment will not be processed as sick leave or pay. The same applies to a partner of a person that is undergoing such treatment. Instead, you should discuss with your line manager how time off for the treatment could be accommodated, e.g. annual leave, flexi time or unpaid leave. Absences relating to IVF treatment will also not be treated as relating to pregnancy unless the employee actually falls pregnant.

Stress management

Stress is not an illness. It can result from an illness or lead to one but it is not an illness itself. The same relates to "nervous debility" or any other diagnosis of that type. If you go off sick with stress, your manager will endeavour to find out the underlying cause so that an appropriate action can be taken (if any) and in particular to determine whether conditions at work cause or contribute to stress and whether something could be done to help the situation. We will follow procedures as outlined in the stress management policy. If your absence is certified by a doctor, your manager may ask your doctor to clarify the underlying cause for stress.

Data Protection

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in Yorkhill Housing Association's employee data transparency statement. See appendix 6.

Appendix 1

1. Hours of Work

- 1.1 Hours of work and service cover references throughout these procedures are relevant to both home and office working.
- 1.2 All full time employees are required to work a standard working week of 35 hours. Unless otherwise stated in the contract of employment or letter of appointment, these hours will be accumulated during Monday to Friday between 8am and 6pm.
- 1.3 Part time staff work in accordance with the terms of appointment, with leave entitlement, salaries and hours calculated on a pro rata basis.
- 1.4 Unless otherwise specified, all work undertaken after 6pm or on a Saturday or Sunday is unpaid overtime unless otherwise agreed in advance by the Chief Executive or the Management Committee. Remuneration for such overtime will be in the form of time off in lieu (TOIL) All overtime must have the prior written approval of the Chief Executive.
- 1.5 All employees working a full day must take a lunch break of no less than 30 minutes between 12 noon and 1.30pm.
- 1.6 All employees remaining at work for an evening session must take a break of no less than 30 minutes between 5pm and 6.30pm.

2. Office Hours and Staff Cover

- 2.1 The Association's normal office opening hours are 9am to 5pm from Monday to Thursday and 9am to 4pm on Friday.
- 2.2 During service provision times, staff are expected to provide cover for all direct service sections i.e. Phone manning, Maintenance and Housing Management.

3. Flexitime

- 3.1 All office based staff are included in the flexible hours system subject to suitable cover arrangement. In a small organisation it has to be appreciated by all staff that service provision is the primary consideration, and that flexitime arrangements cannot be available at all times to all positions. Individuals should always confirm service cover arrangements with appropriate line managers before starting or finishing within service provision time zones.
It should be understood by all staff that flexible hours are subject to withdrawal by the Management Committee or Chief Executive should their operation affect service efficiency or effectiveness.

3.2 The flexitime structure comprises time bands of 'core time' and 'flexi time' as follows:

8 am	to	10 am	Flexi time	Flexible starting times
10 am	to	12 noon	Core time	Mandatory working times
12 noon	to	2 pm	Flexi time	Flexible stopping/starting times
2 pm	to	4 pm	Core time	Mandatory working times
4 pm	to	6 pm	Flexi time	Flexible stopping times
3.3	All starting and stopping times will be recorded daily and totalled weekly. Flexible credits and debits may be carried over from one four weekly accounting period to the next. Monthly carry over balances should be signed off by the Line Manager and reported to the Chief Executive at least quarterly. The maximum credit allowable for full time staff is 14 hours. Part time staff may accrue a credit up to 40% of their weekly contracted hours. Flexible hours should not be used as a method of systematically accruing additional days off; if there is a regular accumulation of surplus hours, the employee should adjust stopping and starting times accordingly. It is accepted that there may be short periods where staff will be unable to work full contracted hours and therefore a debit balance of up to 7 hours will be permitted for staff who are contracted to work a 35 hour week. Part time staff are permitted a debit balance of up to 20% of their normal weekly hours. No debit balance beyond this limit will be permitted. It is not permissible for a member of staff to use this debit facility to take a full day off work. In exceptional circumstances, the Chief Executive may authorise the transfer of a credit balance in excess of 14 hours with an arrangement for the excess to be taken as soon as reasonably possible.			
3.4	In the event of difficulties arising over the use of flexitime, the Chief Executive has authority to remove individual employees from the system. In these circumstances, an employee so affected would be required to work a standard 35 hour week (or the appropriate contracted hours for part time staff), Monday to Thursday, 9am to 1pm, 2pm to 5pm and Friday 9am to 1pm, 2pm to 4pm. Overtime hours would remain within the TOIL system.			

4.	Time Off In Lieu (TOIL)
4.1	In normal circumstances, all time worked beyond 6pm or at weekends should be taken hour for hour at a time suitable to both the individual and the organisation.
4.2	All hours worked will be recorded and totalled alongside flexitime, using the same four weekly accounting periods.

4.3	TOIL balances may be transferred from one accounting period to the next with a maximum permitted credit of 21 hours. Transfers of hours in excess of this limit should have the Chief Executive prior authorisation, otherwise the excess will be disallowed.
4.4	Negative TOIL balances are not permitted.
5.	Recording of Timekeeping, Attendances and Absences
5.1	All employees are required to keep timesheets in SAGE HR recording all information relating to starting and stopping times, overtime and absences.
5.2	The accounting period for time sheets will be 4 weeks
5.3	Each employee is responsible for the accuracy and validity of his or her own electronic time sheet in SAGE HR. It is the line manager's responsibility to ensure that all summary totals are checked and countersigned at the end of each accounting period.
5.4	The Chief Executive's time sheet be checked and countersigned by a cheque signatory or office bearer of the Management Committee.
5.5	All employees will use the prescribed recording and accounting method.
6.	Authorised Absences
6.1	Authorised absences are those which are planned and approved in advance or subsequently recorded when the absence has been due to unforeseen circumstances.
6.2	An authorised absence may be paid or unpaid.
6.3	Paid absences will be in one of the following categories: a) Annual Leave b) TOIL c) Flexi Leave d) Special Leave e) Sick Leave

6.4	In certain circumstances, it may be appropriate for the Chief Executive or Management Committee to authorise a period of unpaid leave.
6.5	The Chief Executive is responsible for authorising special leave in accordance with Conditions of Service
6.6	Unexplained, unplanned or unauthorised absences will be the subject of investigation by the Chief Executive and could lead to disciplinary action.
7.	Obtaining Approval for Planned Absences
7.1	Staff are required to obtain prior approval for all periods of annual, flexi or toil leave to ensure that adequate cover arrangements are made.
	While it is accepted that unplanned absences may arise from time to time, it is expected that such absences will be rare.
7.2	Requests for leave will not be unreasonably refused, but all staff must bear in mind that during exceptionally busy work periods or school holiday dates, the organisation may not be able to accommodate the wishes of everyone. Employees should ensure that approval for leave is obtained prior to making holiday or other commitments. It should be noted that having made a holiday commitment prior to obtaining leave does not entitle an employee to having the leave request approved.
7.3	All leave requests should be made to the Line Manager. Cover arrangements where appropriate should be confirmed. All approved leave should be entered in the Outlook Diary and SAGE HR.
7.4	In the absence of the Chief Executive, leave requests may be approved by a section head or a cheque signatory of the Management Committee.
7.5	Annual leave is recorded in SAGE HR and shows balance available further to approved leave requests.
7.6	The leave year runs from 1 st April to 31 st March. A maximum of 5 days is transferable to the new leave year. In exceptional circumstances, the Chief Executive may authorise a transfer of a balance in excess of this limit if such a request is made prior to the end of the leave year.

Appendix 2

Keeping in touch

1. Following an unplanned absence, the employee should confirm the reason for absence in writing to the Chief Executive within two days of the return to work. If the absence has been due to illness, a YHA self-certification form must be completed. (Available from the X Drive). This form must be completed whether or not a medical certificate has been provided.
2. Where the reason for absence is not illness, the employee shall provide a written statement explaining the circumstances. All correspondence of this nature is in confidence to the Chief Executive, although all unplanned absences will be included within the audit reports to Committee.
3. During extended periods of absence (in excess of 5 working days) the Association should be contacted weekly to report progress.

Appendix 3

SICKNESS ABSENCE AND SELF – CERTIFICATION FORM

Required following any absence from work due to sickness.

Name _____ **Section** _____

Day and date sickness started _____

First day and date of absence _____

Day and date of return to work _____

Total number of days absent _____

Brief description of illness / sickness / incapacity

Did you visit a doctor / hospital?

If so, when?

Was a medical certificate supplied? _____

Name and address of doctor / hospital attended _____

Was your sickness or incapacity related to an accident or injury at work? _____

If yes, please give details of when and where reported _____

Was your sickness or incapacity related to your participation in another occupation or sport as a profession? _____

Were you carrying out any other form of paid work during your absence? _____

Declaration

I declare that the information provided by me on this form is accurate and truthful. I fully understand that the provision of any false or misleading information or any other abuse of the Sickness Benefit Scheme will be regarded as Gross Misconduct which could result in disciplinary action being taken against me.

Signed

Signature of Manager

Date

Appendix 4 – Return to work Interview form

Yorkhill HA - Return to Work Interview Record Form

This Return-to-Work Interview Form is designed as a guide for the line manager when meeting with employees on their return to work from sickness absence. The meeting should be formal, polite and relaxed with the manager encouraging discussion; listening as much as talking.

Employee Name:	
Post:	
Department:	
Date of discussion:	
Person conducting interview	

Section 1: Absence Details

1. Date of absence	From:	To:
2. Date of return to work		
3. Did the employee follow the correct absence reporting procedure? (if not, why not)		
4. Has a Self-Certificate form been completed?	Yes: ☐	No: ☐
5. If absence if more than 7 days has a Doctor's note been received	Yes: ☐	No: ☐
6. What was the reason for absence given in initial phone call?		
7. Dates of absence in last rolling 12-month period		

Section 2: The interview

8. How are you now?

9. Are you able to carry out your normal hours and duties?

10. What was the cause of your absence?

11. Was the absence related to an accident at work?

12. If Yes to Section 11, was an accident or incident report form completed.

13. Did you consult a Doctor or other medical practitioner? (please give details of when)

14. Are you on any medication which may affect your performance, full details should be provided including type of medication, duration of prescription etc?

15. If yes what effect could this have (positive or negatively)

16. Do you require any additional support?

17. Are there any issues which the employee wishes to raise following their recent absence?

18. Managers should give an update to employee on issues affecting department during absence e.g. change of work/staff positions

Section 3: Next steps

19. Has employee met trigger points as outlined in the Sickness Absence Policy within any twelve-month period: 3 periods of sickness absence Regular absence on certain days A combination of odd days, longer periods and patterns of absence cause the line manager concern	Yes ☐ If yes consider referral to Occupational Health	No ☐
20. Has the employee been made aware of future actions in accordance with the Associations Sickness Absence Policy?	Yes ☐	No ☐
21. Is a follow up Doctor's/consultants appointment required if so please give details	Yes ☐	No ☐
22. Does a referral to Occupational Health need to be made?*	Yes ☐	No ☐
23. Does a Stress Questionnaire need to be completed?	Yes ☐	No ☐

Summary of action points agreed and any other comments			
Review date for agreed action			
Employee's signature		Date	
Interviewer's signature		Date	

Please notify finance of days of sickness absence for pay records

** If you wish to make a referral to Occupational Health please discuss this with the CEO*

A copy of this form should be kept on the employee's SAGE HR records.

Appendix 5 EVH Matrix to monitor absence patterns

		Days absence														Periods of absence														
Employee	Contracted Hours Per week													Total number of days absence in 12 months													Total number of periods of absence in 12 months	Any relevant comments in relation to the absence during the reference period - note LTS		
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep				
EXAMPLE	35		2	2		1		1		10				16		1	2		1		1		2				7			
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Appendix 6

YORKHILL HOUSING ASSOCIATION

HOW WE USE YOUR PERSONAL INFORMATION (EMPLOYEES)

We, Yorkhill Housing Association, are the controller of the personal information that we hold about you. This means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information. This includes providing you with the details contained within this statement of how we hold and use your personal information, who we may share it with and your rights in relation to your personal information.

We have appointed a Data Protection Officer (DPO), Daradjeet Jagpal, who ensures we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO by: e-mail at daradjeet@infolawsolutions.co.uk; telephone on 07852 905 779; or writing to: Data Protection Officer, Yorkhill Housing Association, 1271 Argyle Street, Glasgow, G3 8TH.

You can also contact us by: e-mail at administration@yorkhillha.org; telephone on 0141 285 7910; or writing to: Yorkhill Housing Association, 1271 Argyle Street, Glasgow, G3 8TH.

Your attention is particularly drawn to section 3 of this statement, which confirms that you consent to your personal information and special category personal information being held and used by us as described in section 2 of this statement.

1. What personal information do we hold and use about you?

As part of your employment contract with us, we hold and use the personal information that you provide to us and / or other personal information that we may obtain about you from you and from third parties on an ongoing basis. This includes your:

- name;
- contact information, including emergency contact / next of kin information;
- date of birth;
- gender;
- financial information, including salary, benefits, pension arrangements, bank account details, National Insurance and tax information;
- marital status and any dependents;
- photograph (to identify you on our website, if applicable);
- nationality, immigration status and information from related documents, such as your passport or other immigration-related information;
- DVLA checks, driving licence, vehicle insurance, MOT status (if applicable) and tax, if you need to drive a vehicle as part of your employment with us;
- recruitment information;
- biographical information (if applicable to your employment with us);

- recognition and awards;
- sickness and other leave records;
- special category personal information about your racial or ethnic origin, sexual orientation, your physical and / or mental health, trade union membership and / or religious or other similar beliefs (where you choose to share this with us);
- criminal records information, including Disclosure Scotland and / or Protecting Vulnerable Groups scheme checks (if applicable to your employment with us);
- grievances and / or complaints raised by you or involving you and / or conduct or disciplinary issues involving you;
- appraisals and performance reviews;
- qualifications and training records;
- membership of professional bodies;
- your location information (if applicable to your employment with us);
- time and attendance records;
- declarations of interest;
- signature (including electronic signature);
- references that we provide to others (on your request);
- clothing and footwear sizes (if the provision of clothing and footwear is applicable to your employment with us); and
- your biometric data in the form of your fingerprint scan and / or facial ID.

If you do not provide us with the above personal information, we may not be able to continue to employ you or to provide you with the benefits described in section 2 of this statement. We may also be prevented from complying with the laws that apply to us, for example, to ensure your health and safety.

2. Why do we hold and use this personal information about you?

We use such personal information to:

- meet our responsibilities under the employment contract between us;
- pay your salary and benefits and deduct tax, National Insurance and pension contributions;
- comply with taxation, reporting and regulatory requirements;
- make decisions about salary reviews, promotions and your continued employment;
- record absences, including the reason(s) for such absences;
- administer sick pay entitlement;
- determine your fitness to work, **or to determine whether any reasonable adjustments require to be made to enable you to do your job;**
- carry out right to work and other required statutory checks;
- deal with disciplinary and grievance matters;
- monitor and manage staff performance, conduct and attendance;
- protect your vital interests, for example, to notify your next of kin and / or obtain emergency medical assistance in the case of an accident involving you;
- deliver education and training;
- provide you with protective clothing and equipment;
- maintain our register of interests;
- check driving licence and vehicle status and insurance arrangements;

- comply with our legal duties and obligations as your employer and to comply with employment law requirements and our equal opportunity monitoring obligations;
- protect our personal information and systems and ensure business continuity;
- include information about you on our website and within other publications;
- undertake business management and planning, including accounting and auditing;
- check that you comply with restrictions on your activities that apply after your employment with us has terminated (if applicable);
- securely authenticate you for time recording and clocking in purposes;
- securely authenticate you on mobile devices via finger print or facial ID;
- comply with the terms of our loan agreements with our lenders;
- provide you with a reference; and
- protect and defend our legal rights in the case of a dispute between us.

3. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information. Our legal reasons include:

- compliance with the employment contract between us;
- compliance with the laws which apply to us as an employer;
- protection of your vital interests; and
- protection of our legitimate interests – in the highly unlikely event that we do not have another legal reason, we may consider that we have a legitimate interest in handling and using your personal information, for example, to maintain employment records and to protect and defend our legal rights. In those circumstances, we will always consider your legitimate interests in the protection of your personal information, and will balance those against our own legitimate interests in handling and using your personal information for the purposes described in section 2 of this statement.

In very limited circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and special category personal information (including your racial or ethnic origin, sexual orientation, your physical and / or mental health, your trade union membership and / or religious or other similar beliefs) and the personal information and special category personal information of other individuals (for example, your emergency contact / next of kin or dependents), you:

- consent to it being used by us as described in section 2 of this statement; and
- confirm that you have informed the other individuals if they are of 12 years old and above of the content of this statement and they have provided their consent to their personal information and special category personal information being used by us as described in section 2 of this statement.

You and the individuals have the right to withdraw your consent to us holding and using your and their personal information and special category personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and special category personal information for the purpose(s) set out in section 2 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

4. Who do we share your personal information with?

We may share your personal information with the following organisations for the purposes described in section 2 of this statement:

- Scottish Housing Regulator;
- HM Revenue and Customs;
- Home Office;
- Disclosure Scotland;
- our advisers, consultants, payroll providers and IT service providers;
- our solicitors;
- our pension providers;
- our insurers;
- your doctor and other medical professionals;
- occupational health professionals;
- our clothing and footwear suppliers;
- our lenders;
- Police Scotland (in the case of actual or suspected criminal activity); and
- any other organisation that you authorise us to disclose your personal information to.

5. Where is your personal information transferred to?

Some of the organisations we share your personal information with (listed in section 4 of this statement) may be based or may make use of data storage facilities that are located outside the United Kingdom. Their handling and use of your personal information will involve us and / or them transferring it outside the United Kingdom. When we and / or they do this, we will ensure similar protection is afforded to it by:

- only transferring it or permitting its transfer to countries that have been deemed to provide an adequate level of protection for personal information under data protection laws; or
- using specific contracts with such organisations, which are approved for use in the United Kingdom, and which give your personal information the same protection it has in the United Kingdom after it is transferred.

Please contact our DPO for further information on the specific mechanism used by us when transferring your personal information outside the United Kingdom.

6. How long do we keep your personal information?

We will only keep your personal information for as long as we need to for the purposes described in section 2 of this statement, including to meet any legal, accounting, reporting or regulatory requirements. More information is contained in our data retention policy, which is available by contacting our DPO.

7. What rights do you have in relation to your personal information that we hold and use?

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information we hold about you.
- Deletion of your personal information where there is no reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).
- Temporarily suspend the use of your personal information, for example, if you want us to check it is correct or the reason for processing it or to stop us from using your personal information altogether if we have breached data protection laws.
- The transfer of your personal information to another organisation, for example, the transfer of your training record to a future employer.
- That you are not subject to a decision solely taken by computer which produces legal consequences for or otherwise significantly affects you.

You can also object to us holding and using your personal information where our legal reason is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. 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.

8. Feedback and complaints

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/concerns/>

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

9. Updates to this statement

We may update this statement at any time, and we will provide you with an updated version when required to do so by law.

Last updated: July 2024

