



Explore Learning Employee GDPR Privacy Notice

Our Commitment to keeping your data safe.

Explore Learning is committed to protecting the privacy and security of your personal information. This privacy notice explains how we collect and use your personal information during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all job applicants and employees at Explore Learning.

Explore Learning is a “data controller” and a ‘data processor” under the GDPR. This means that we take our responsibility seriously, recognising the importance of keeping your personal information safe and secure.

This notice applies to job applicants, current and former employees. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with GDPR law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth
- Gender



- Marital status and dependants
 - Next of kin and emergency contact information
 - Beneficiaries
 - National Insurance number
 - Bank account details, payroll records and tax status information
 - Salary, annual leave, pension and benefits information
 - Start date
 - Location of employment or workplace
 - Copy of driving licence
 - Recruitment information (including copies of right to work documentation, qualification certification, 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)
 - Compensation history
 - Performance information
 - Disciplinary and grievance information
 - CCTV footage and other information obtained through electronic means
 - Information about your use of our information and communications systems
 - Photographs
- We may also collect, store and use the following “special categories” of more sensitive personal information:
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
 - Information about your health, including any medical condition, health and sickness records
 - Information about criminal convictions and offences

How is your personal information collected?

We collect personal information about job applicants, employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers or other background check/ vetting agencies e.g. EBULK Capita HR Solutions Disclosure Barring Services (DBS).

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.



We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest [or for official purposes].

Situations in which we will use your personal information

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing the following benefits to you: Cycle to Work Scheme, Life Assurance, Private Healthcare, Child Care Vouchers, Maternity & Paternity, Payroll Giving, Referral Bonus
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- 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.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- 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.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our employees).



Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, 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 provide benefits.
- We will use information about your gender, race or national or ethnic origin, to ensure meaningful equal opportunity monitoring and reporting.



Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and to meet our Ofsted/Care Inspectorate registration requirements. We will do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may hold information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you during the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- To determine your suitability to fulfil the requirements of the role.

Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so e.g. EBULK Capita HR Solutions (DBS) & Ofsted/Care Inspectorate.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group.



The following activities are carried out by third-party service providers:

GTI – Applicant Tracking system for recruitment & selection purposes
Payroll – Access Group (Select HR and Select Pay Bureau)
Disclosure Barring Services – EBULK Capita HR Solutions
Pension – Standard Life
Vitality & Health insurance – Pru Health
Life Assurance - One Pension Consultancy
Prodeceo – Training Platform
Ofsted – Voluntary Childcare Register & Safeguarding
Care Inspectorate – Scottish Childcare & Safeguarding
Edenred – Childcare Vouchers
Tastecard – Explore & Tastecard corporate offer
Cycle to Work – CycleScheme
Exploremail – Web Fusion
Give as you Earn – Charity Aid Foundation (CAF)
Careers iPad App – Adam Chester

Job applicants – when you express interest in working for Explore Learning, we will collect & process the following data from you;

- Your name
- Email address – this will be used to send you information about employment opportunities at Explore Learning

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When you register to apply for a role, Explore Learning will use the information you provide to process your application for employment. This may include verifying educational background, employment history and for any other purposes involved in the recruitment procedure.

Your personal details may be held, processed and disclosed to third parties, both electronically and manually, by Explore Learning or by our subsidiaries and affiliates for purposes which include:

1. Explore Learning administration and management of its employees, prospective employees and our business.
2. For compliance with applicable procedures, laws and regulations to which Explore Learning is subject.
3. For the purposes of obtaining confidential feedback from you on the recruitment system process for purposes of future system improvement.

If your application is unsuccessful, Explore may hold your application and the information contained therein for up to 3 years.



Cookies

A cookie is a small text file that we store on your device. Our website uses cookies to distinguish you from other users of our website. Cookies also provide us with information about how this website is used so we can keep it as up to date, relevant and error-free as possible. Our use of cookies also allows registered users to be presented with a personalised version of the site, carry out transactions and have access to information about their account.

Most browsers will allow you to turn off cookies. If you want to know how to do this, please look at the menu on your browser or look at the instruction on www.allaboutcookies.org. Please note however that turning off cookies will restrict your use of our website. Further information about the types of cookies that may be used on this website is set out in the list below.

- Strictly necessary cookies – these are cookies that are essential to the operation of our website
- Analytical/performance cookies. These cookies allow us to recognise and count the number of visitors to our website.
- Functionality cookies – These cookies are used to recognise you when you return to our website.
- Targeting Cookies – These cookies record your visit to our website, the pages you have visited and the links you have followed.

We may monitor traffic to our site and collect the following information:

- The IP address of your computer
- The referring website from which you have got to our website from

The reasons for this are:

- To make ongoing improvements to our website based on this data
- To see our most popular sources of applications

Data security

We have put in place measures to protect the security of your information. Details of these measures are available in our Policies and Procedures found on the bubble (intranet).

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.



Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Details of retention periods for different aspects of your personal information are available in our policies & procedures found on the bubble (employee files need to be retained for 3 years from the end of their employment).

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

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. 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 our data retention policy **OR** applicable laws and regulations.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **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 deletion** 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 which 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 the HR Team via hr@explorellearning.co.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). 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.

What we may need from you

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.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact careers@explorellearning.co.uk or hr@explorellearning.co.uk

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data protection officer

We have appointed a task force of data privacy champions to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact careers@explorellearning.co.uk or hr@explorellearning.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact hr@explorellearning.co.uk