

S. Wilkinson HR Consulting Privacy Policy

1. Who we are

S. Wilkinson HR Consulting Ltd provides HR consultancy, people strategy, employee relations, independent investigation, recruitment and related HR support services to businesses, organisations and professional advisers.

For the purposes of this privacy policy:

Data Controller: S. Wilkinson HR Consulting Ltd

Contact: Sarah Wilkinson

ICO Registration Number: ZA837333

Address: 2 Montgomery Road, Cheltenham, GL51 3LB

Telephone: 07891 698981

Email: sarah@swchr.co.uk

This privacy policy explains how we collect, use, store and share personal data when you use our website, contact us, become a client or are involved in HR services we provide to our clients.

2. When this privacy policy applies

This privacy policy applies to personal data we process about individuals, which may include:

- Clients and prospective clients;
- Business contacts and professional advisers;
- Website visitors and people who contact us through the website, email, telephone, LinkedIn or other channels;
- Suppliers and service providers;
- Employees, workers, job applicants, former employees, witnesses or other individuals connected with HR services we provide to our clients; and
- Individuals involved in workplace investigations, grievances, disciplinary matters, restructures, redundancy processes, performance, absence or other employee relations matters.

Depending on the circumstances, S. Wilkinson HR Consulting Ltd may act as a data controller, a data processor, or in limited circumstances a joint controller.

Where we act as a data processor, we process personal data on behalf of our client and in accordance with our client's documented instructions and our contractual obligations. In those circumstances, the client will usually be the data controller, and their own privacy notice may also apply.

Where we act as a data controller, we decide why and how personal data is processed. This may include, for example, managing our own client relationships, handling enquiries, maintaining business records, undertaking certain independent investigation work, managing our professional obligations and operating our website.

3. The personal data we collect

The personal data we collect will depend on the nature of our relationship with you and the services we are providing. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

We may collect and process the following types of personal data, where relevant:

- Name, job title and contact details;
- Business contact information;
- Correspondence and records of communications;
- Information provided through our website, email, telephone, LinkedIn or other communication channels;
- Client account, billing and payment information;
- Employment information, such as job title, employment history, contractual terms, working hours, salary, benefits, payroll-related information including bank account details and national insurance number where relevant, absence, performance, conduct, grievances, disciplinary matters, capability, redundancy, consultation records and other HR-related information;
- Recruitment information, such as CVs, application details, interview notes, references, right to work information and background check information, where relevant;
- Information provided as part of workplace investigations, including allegations, witness evidence, interview notes, reports, findings, recommendations and related correspondence;
- Information about family leave, dependants, emergency contacts or next of kin, where relevant to the HR services being provided;
- Information about health, sickness absence, disability or reasonable adjustments, where relevant;
- Equality, diversity and inclusion information, where relevant and appropriate;
- Information relating to legal claims, potential claims, settlement discussions or employment disputes; and
- Technical information relating to your use of our website, where applicable, such as IP address, browser type, device information and cookies.

We will only collect personal data that is relevant and necessary for the purpose for which it is being processed.

4. Special category personal data

Some of the information we process may be special category personal data. This may include information about:

- Health or medical conditions;
- Disability;
- Racial or ethnic origin;
- Religious or philosophical beliefs;
- Trade union membership;
- Sex life or sexual orientation; or
- Other sensitive information that may arise in the context of HR advice, employee relations matters, workplace investigations or employment disputes.

We will only process special category personal data where we have a lawful basis under UK GDPR and an additional condition for processing under Article 9 UK GDPR. This may include where processing is necessary for employment law obligations, occupational health, equality monitoring, legal claims, safeguarding, or where explicit consent has been obtained, where appropriate.

5. Criminal offence data

We may process criminal offence data where it is relevant, lawful and necessary for the HR services being provided. This may include, for example, recruitment checks, safeguarding, workplace investigations, disciplinary matters, regulatory requirements or legal claims.

Criminal offence data will only be processed where permitted under UK data protection law and where an appropriate condition applies.

6. How we collect personal data

We may collect personal data from:

- You directly;
- Our clients;
- Employees, workers, managers, witnesses or representatives involved in HR matters;
- Solicitors, occupational health providers, payroll providers, pension providers, benefits providers, insurers or other professional advisers;
- Publicly available sources, such as LinkedIn, Companies House or business websites;

- Our website, email, telephone, meetings, video calls or other communication channels; and
- Documents, forms, CVs, contracts, policies, correspondence, notes, reports and other HR records provided to us.

Where we receive personal data from a client, the client is responsible for ensuring that appropriate privacy information has been provided to the individuals concerned, unless otherwise agreed.

7. Why we use personal data

We may use personal data for the following purposes:

- Responding to enquiries;
- Providing HR consultancy and advice;
- Managing client relationships;
- Providing employee relations support;
- Carrying out independent workplace investigations;
- Supporting recruitment, onboarding, performance, absence, conduct, grievance, disciplinary, redundancy, restructuring and consultation processes;
- Drafting, reviewing or updating employment contracts, policies, handbooks, letters, reports and related HR documents;
- Providing HR strategy, organisational development, culture, engagement and management capability support;
- Supporting employment law compliance;
- Maintaining accurate business, client and financial records;
- Managing billing, accounting and tax obligations;
- Communicating with clients, professional advisers and other relevant parties;
- Responding to or defending legal claims;
- Complying with legal, regulatory and professional obligations;
- Managing risk and protecting our business; and
- Improving our services and website.

8. Our lawful bases for processing

Where we act as a data controller, we rely on one or more of the following lawful bases:

Contract

Where processing is necessary to enter into or perform a contract with you or your organisation.

Legitimate interests

Where processing is necessary for our legitimate business interests, including providing HR consultancy services, managing client relationships, responding to enquiries, maintaining records, supporting clients with HR matters and operating our business.

Legal obligation

Where processing is necessary to comply with a legal obligation, such as tax, accounting, regulatory or statutory obligations.

Legal claims

We may also process personal data where necessary to establish, exercise or defend legal claims. Where this involves special category personal data, we will rely on an appropriate Article 9 condition.

Consent

Where we rely on your consent, for example for certain optional communications or where consent is the appropriate basis for a specific type of processing. Where we rely on consent, you can withdraw it at any time.

Where we act as a data processor, our client will usually determine the lawful basis for the processing. We will process the personal data in accordance with our client's documented instructions and our contractual obligations.

9. Who we share personal data with

We may share personal data where necessary and appropriate with:

- Our clients;
- Employees, managers or witnesses involved in HR processes, where appropriate;
- Solicitors, barristers and other professional advisers;
- Occupational health providers;
- Payroll, pension, benefits, insurance or accounting providers;
- HR system providers and other software or cloud service providers;
- IT, email, website hosting and document storage providers;
- Regulatory authorities, courts, tribunals, HMRC, the ICO or other public bodies where required; and
- Other third parties where necessary to provide our services, comply with legal obligations or protect our legitimate interests.

We will only share personal data where there is a proper reason to do so and, where appropriate, subject to confidentiality and data protection obligations.

10. How we store and protect personal data

We take appropriate technical and organisational measures to protect personal data against unauthorised access, loss, misuse, alteration or disclosure.

Personal data may be stored in secure cloud-based systems, including Microsoft 365 and Google Drive/Google Workspace, as well as in email, document management and business administration systems.

Where paper documents are used, they are stored securely and disposed of confidentially when no longer required.

Where personal data is transferred outside the UK, we will ensure that appropriate safeguards are in place, where required by data protection law.

11. How long we keep personal data

We will only keep personal data for as long as necessary for the purposes for which it was collected, including to meet legal, accounting, reporting, contractual or professional obligations, and to respond to or defend legal claims.

As a general guide:

Type of information	Typical retention period
Client contract, billing and accounting records	Up to 7 years
HR advice records and client matter files	Usually up to 7 years after the matter closes
Workplace investigation records	Usually up to 7 years after the matter closes, unless a longer period is required
Website enquiries that do not become client matters	Usually up to 24 months
Supplier and professional contact records	For as long as the relationship continues, then up to 7 years where required
Marketing contacts	Until you unsubscribe or ask us to remove you
Personal data processed on behalf of clients	In accordance with the client's instructions and our contractual obligations

In some cases, we may keep data for longer where necessary in connection with legal claims, regulatory requirements, safeguarding issues, ongoing disputes or legitimate business reasons.

When personal data is no longer required, it will be securely deleted, destroyed or anonymised.

12. Cookies and website data

Our website may use cookies or similar technologies to help it function properly, improve user experience and understand how visitors use the site.

Where required, we will ask for your consent before using non-essential cookies. You can usually manage cookies through your browser settings.

If we use third-party analytics or website tools, those providers may collect information about your use of the website in accordance with their own privacy and cookie policies.

13. Marketing communications

We may use your contact details to send you relevant updates, newsletters, event information or information about our services where we have a lawful basis to do so.

You can opt out of receiving marketing communications at any time by contacting us at sarah@swchr.co.uk or by using the unsubscribe option where one is provided.

We will not sell your personal data to third parties.

14. Automated decision-making

We do not make decisions about individuals based solely on automated decision-making.

15. Your data protection rights

Under data protection law, you may have the following rights:

- The right to access your personal data;
- The right to ask us to correct inaccurate or incomplete personal data;
- The right to ask us to erase your personal data in certain circumstances;
- The right to ask us to restrict processing in certain circumstances;
- The right to object to processing in certain circumstances;
- The right to data portability in certain circumstances - you have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances; and
- The right to withdraw consent where we rely on consent as our lawful basis.

You are not required to pay any charge for exercising your rights. If you make a request, we will usually respond within one month.

You can exercise any of the rights listed above by contacting:



S. WILKINSON
HR CONSULTING LTD

Sarah Wilkinson

Email: sarah@swchr.co.uk

Telephone: 07891 698981

If we process your personal data on behalf of one of our clients as their data processor, we may need to refer your request to that client.

16. Complaints

If you have concerns about how we process your personal data, please contact us first so that we can try to resolve the issue.

You also have the right to complain to the Information Commissioner's Office:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline: 0303 123 1113

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

17. Changes to this privacy policy

We may update this privacy policy from time to time to reflect changes in our services, legal requirements or how we process personal data.

The latest version will be available on our website.