



# Variation to Terms and Conditions Policy

2018-2019



**European Union**  
European  
Social Fund



**Education & Skills  
Funding Agency**

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LINE MANAGER RESPONSIBLE:	Director of Operations
LAST REVIEW DATE:	August 2018
NEXT REVIEW DATE:	August 2019

# 1.0 Purpose

The purpose of this policy is to provide important information about changes to your current employment documentation due to the introduction of new data protection laws

The General Data Protection Regulation (GDPR) will come into force in the UK on 25th May 2018 through a new Data Protection Act. We are committed to the principles of data security outlined in the GDPR and ensuring our compliance with our data protection obligations.

We have set out below some changes that are required because of the new laws, including a set of new policies that will come into effect on 25th May 2018.

## 2.0 Changes to your employment documentation

We have reviewed our current position in relation to GDPR and have identified new policies which are needed, or which must replace existing ones. This law, and the UK's own new Data Protection Act, will replace current data protection laws. Therefore, any references to the Data Protection Act 1998 in your current contractual documentation are, by way of this document, replaced with a reference to the General Data Protection Regulation and the Data Protection Act in force from time to time.

Our new policies are set out below and will come into effect from 25th May 2018:

- Data protection policy
- Communications policy
- Subject access request policy

We have also implemented new privacy notices to be effective from 25th May 2018, which set out what personal data we use and how we use it:

- Privacy notice for employees

# 3.0 Changes in Employee Handbook

1. The following clause in your employee handbook:

## ***DATA PROTECTION ACT 1998***

The above act was introduced to regulate personal data held either on computer or within a manual filing system. As an employer it is our responsibility to ensure that the documentation held is relevant, accurate and where necessary, kept up to date. Any data held shall be processed fairly and lawfully and in accordance with the rights of data subjects under the Act. As an employee you will have the right, upon written request, to be told what personal data about you is being processed. You will also have the right to be informed of the source of the data and to whom it may be disclosed.

We are not obliged to supply this information unless you make a written request and for such requests, a fee will be payable.

is, with effect from 25th May 2018, replaced with:

## ***DATA PROTECTION***

The General Data Protection Regulation (GDPR) and the current Data Protection Act regulate our use of your personal data. As an employer it is our responsibility to ensure that the personal data we process in relation to you is done so in accordance with the required principles. Any data held shall be processed fairly and lawfully and in accordance with the rights of data subjects.

We will process data in line with our privacy notices in relation to both job applicants and employees.

You have several rights in relation to your data. More information about these rights is available in our "Policy on your rights in relation to your data". We commit to ensuring that your rights are upheld in accordance with the law and have appropriate mechanisms for dealing with such.

We may ask for your consent for processing certain types of personal data. In these circumstances, you will be fully informed as to the personal data we wish to process and the reason for the processing.

You may choose to provide or withhold your consent. Once consent is provided, you are able to withdraw consent at any time.

You are required to comply with all company policies and procedures in relation to processing data.

Failure to do so may result in disciplinary action up to and including dismissal.

2. The following clause in your employee handbook:

***THIRD PARTY INVOLVEMENT***

We reserve the right to allow third parties to chair any meeting, for example disciplinary, capability, grievance, this is not an exhaustive list. You agree to permit us to share any relevant sensitive data where it is necessary for the purposes of that hearing.

is, with effect from 25th May 2018, replaced with:

***THIRD PARTY INVOLVEMENT***

We reserve the right to allow third parties to chair any meeting, for example disciplinary, capability, grievance, this is not an exhaustive list. We will seek your consent at the relevant time to share relevant 'special categories of data' where it is necessary for the purposes of that hearing.

3. Any reference to the term "sensitive data" contained in your employment documentation is, with effect from 25th May 2018, replaced with "special categories of data".