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**USING NEW STARTERS LISTS**

**1 “Nobody asked me!”**

“Nobody asked me” is the top reason people give for why they haven’t joined a union. The best time to invite someone to join UNISON is when they start working for a new employer. One sure-fire way of making sure that you ask the question, and at the right time, is by using new starters lists.

**2 Why are new starters lists important?**

Many workplaces are geographically dispersed and some employees don’t even have a fixed workplace. It’s not always possible for reps to introduce themselves to new staff members on their first day and invite them to join the union.

One way of handling this problem is to ask employers to provide lists of new employees on a regular basis.

These lists should include as much detail about people as possible such as their:

* Start date;
* Work location;
* Occupation;

Once you have this basic information you can start to organise an early approach to new starters to invite them to join UNISON either by:

* A personal approach from a local steward; or
* Writing to them.

**3 Using a new starters list**

The first step is to write to the employer and ask for a list. A model letter for making this request is set out in appendix 1 of this document.

Once you have received the information you need a system to manage it effectively:

* **Send a welcome letter** to all new starters as soon as possible to invite them to join the union. A suggested letter is set out in appendix 2.
* **Send a follow-up.** If there hasn’t been a reply from any of the new starters within a month, send a follow-up letter. . A suggested letter is set out in appendix 3.
* **Make sure local reps know who new starters are**. They should introduce themselves and invite them to join the union. Often a personal touch can be more effective than a letter.

**4 What if an employer won’t provide a new starters list?**

Some employers say they can’t disclose information about new starters because of the Data Protection Act 2018 (DPA2018) or the General Data Protection Regulation (GDPR). The model letter in appendix 4 explains to an employer why this is not an obstacle to the provision of information.

**5 Data Protection**

Revealing someone’s trade union membership status (and new starters will likely be non-members by default) is classed as special category data. This means an employer can refuse to provide the information.

In this situation, an alternative approach is to:

* Ask the employer to write to new starters to give them details about UNISON and who to contact for more information;
* Approach HR and ask if they will add a check box to their offer of employment where new employees can agree to their details being passed on to UNISON;
* Suggest putting in place a Data Sharing Agreement with the employer. This is an agreement that details the lawful basis for the data transfer (legitimate interest for purposes of positive industrial relations) and sets out what UNISON will use the data for. These can be useful as a way of reassuring the employer that UNISON will use the data responsibly and in a way that is GDPR compliant. A standard Data Sharing Agreement is set out in appendix 5.

The same approach can be taken when requesting other lists from an employer for bargaining purposes, for example a list of employees impacted by a consultation or TUPE transfer.

**Appendix 1 - Letter to Employer Requesting New Starters Lists**



[UNISON Branch address]

[Employer HR Address]

**Re: New starters lists**

Dear

I am writing to ask if you would provide UNISON with a list of new employees on a regular basis. This will allow us to offer new employees the opportunity to join UNISON.

We would be grateful if you could provide the following information on each employee:

* Name of employee
* Occupation
* Section/Department
* Address of their work location

Since we keep our information on a computer database, we would appreciate the information in electronic format, but would be very willing to accept it in other formats.

We would like the information on a monthly basis if that were practical.

Finally, I would like to re-assure that we are fully aware of our responsibilities under the General Data Protection Regulation 2016 (GDPR)

Data Protection Act 2018 (DPA2018) and will not divulge this information to any third party. I look forward to hearing from you.

Yours sincerely

Branch Secretary

UNISON

**Appendix 2 - Letter to New Starter Inviting Them to Join UNISON**



[UNISON Branch address]

[Employee workplace address]

Dear,

I am writing to invite you to join the trade union UNISON. As the UK’s largest union, we support and protect more than1.3 million working people and offer a huge range of benefits to our members.

As a new member of staff with [name of employer], you will be joining [number of members] of your colleagues in the union.

As a UNISON member you will have:

* Unrivalled protection and representation at work;
* Help with your pay and conditions of service;
* Health and safety guidance and support;
* Confidential welfare services for you and your dependents in difficult times;
* Education and training advice and courses, leading to vocational and professional qualifications;
* Special deals on everything from computers, tax returns, holidays, mortgages, car breakdown services, insurance and credit cards.

I enclose more information and an application form. If you would like to join online or by telephone, please visit our website at <https://join.unison.org.uk/> or ring UNISON\* on 0800 171 2194.

If you would like to discuss any work-related issue or the work of the union, please contact me via email at [email address] or on this number [telephone number].

I look forward to hearing from you

Yours sincerely

Branch Secretary

[UNISON Branch]

\*Lines are open 6am to midnight on weekdays and 9am to 4pm on Saturdays.

**Appendix 3 – Follow-Up Letter to New Starter**



[UNISON Branch address]

[Employee workplace address]

Dear,

I wrote to you about a fortnight ago asking if you would like to join the trade union UNISON. I appreciate that you may not have had time to consider the offer and I hope you do not mind me writing again inviting you to join us.

UNISON is active and influential with your employer and we believe work is a better place because of that influence. As a member, your views will be taken into account and your voice heard.

As a UNISON member you will also have:

* Unrivalled protection and representation at work;
* Help with your pay and conditions of service;
* Health and safety guidance and support;
* Confidential welfare services for you and your dependents in difficult times;
* Education and training advice and courses, leading to vocational and professional qualifications;
* Special deals on everything from computers, tax returns, holidays, mortgages, car breakdown services, insurance and credit cards.

If you would like more information or another application form, please visit our website at <https://join.unison.org.uk/> or ring UNISON\* on 0800 171 219. Lines are open 6am to midnight on weekdays and 9am to 4pm on Saturdays.

If I can answer any questions, please do not hesitate to contact me. Me email address is [email address] and my telephone number is [telephone number].

I look forward to hearing from you.

Yours sincerely

Branch Secretary

[UNISON Branch]

**Appendix 4 - Letter to Employer Where Initial Approach Has Been Refused**



[UNISON Branch address]

[Employer HR Address]

**Re: New starters lists**

Dear

I am replying to your letter about our request for a list of new employees.

We feel your rejection of our request to provide information on new starters is based on an incorrect interpretation of the law

UNISON Centre is clear that employers may disclose personnel data that is necessary for the pursuit of our legitimate interests, which includes information on new employees for the purpose of offering them the opportunity to join UNISON.

Again, I would like to re-assure you that we are fully aware of our responsibilities under data protection legislation. We will not divulge this information to any third party or misuse of it in any way.

We would be willing to enter into a Data Sharing Agreement with yourselves to formalise how we will use the data and how long we will retain it for.

I look forward to hearing from you.

Yours sincerely

Branch Secretary

[UNISON Branch]

**Appendix 5 – Data Sharing Agreement**

**Data Sharing Agreement**

**This Agreement is made between:**

**UNISON, UNISON Centre, 130 Euston Road, London, NW1 2AY “The Union”**

**and**

**<Name of employer> - “The Employer”**

**Introduction**

**1.1 Basis for sharing**

The data is shared by the Employer with the Union for the following purpose/s:

(*Delete as applicable*)

* A list of newly employed staff so that the Union can seek to recruit new members.
* A list of staff that have left the organisation to aid the Union in ensuring that its membership records are kept accurate.
* A list of staff that are impacted by a restructure so that the Union can put suitable representational measures in place.
* A list of staff that are to be included in TUPE transfers so that the Union can put suitable representational measures in place.

The Employer is the data controller until point of transfer. The Union then becomes the data controller because, from then on, the Union determines how the data is processed.

The lawful basis for the data transfer is legitimate interest for the purposes of good industrial relations'.

**1.2 Purpose for the sharing**

The data sharing is necessary for the Union to record who has paid subscription via DOCAS and is therefore in membership.

**1.3 Length of agreement**
This agreement will commence on *[Date]* and will remain in place until terminated by either party.

**1.4 Key Contacts**

**The Union**

|  |  |
| --- | --- |
| Name |  |
| Position |  |
| Signature |  |
| Date |  |

**The Employer**

|  |  |
| --- | --- |
| Name |  |
| Position |  |
| Signature |  |
| Date |  |

**2. Information Sharing**

**2.1 Type of information that may be shared**

*Delete as applicable – NB minimum required is payroll number, forename, surname, subscription amount*

* Payroll number
* Forename
* Surname
* Subscription amount
* National insurance number
* Date of birth
* Address
* Email address

**2.2 How the information will be shared**

The information will be shared by: (*Delete as applicable*)

* Email to [insert UNISON email address]
* Encrypted email to [insert UNISON email address]
* Secure FTP

Information will be shared on a strict need to know basis only and the data will only be processed by fully trained staff in order for them to perform their duties.

Under no circumstances should personal data be processed in any way that is unsecure or left unattended.

It is the responsibility of the sender to ensure that the method of transfer is secure and that they have the correct contact details for the receiver.

**2.3 Recipients and other organisations that the information may be shared with**

The Union will not routinely share the data with any third parties.

**2.4 Data Quality**

The Employer is responsible for ensuring the data provided is:

* Adequate for the purposes outlined in section 1.1;
* Relevant for the purposes outlined in section 1.1 and not excessive;
* Accurate and up to date.

**2.5 Retention and destruction**

The data will be retained in accordance with UNISON’s record retention schedule.

**2.6 Data subject rights**

Data subjects have the following rights regarding this data processing:

The right to be informed – this is done in the Union’s privacy policy.

The right of access – as this is a data controller to data controller transfer, whichever organisation receives the request is responsible for its own response.

The right to rectification – if incorrect data is provided by the Employer, the individual has the right to ask for this to be rectified.

The right to erasure - as this is a data controller to data controller transfer, whichever organisation receives the request is responsible for its own response.

The right to restrict processing – the data subject has a right to ask for processing to be restricted.

The right to object – the data subject has a right to object to the data transfer.

* 1. **Data Security**

Both parties will fully comply with the obligations set out in the “integrity and confidentiality” principle of the GDPR by taking:

* appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data; and
* reasonable steps to ensure the reliability of any of its employees who have access to the personal data

Confidential information will only be made available by the parties to those of their staff and agents who have a reasonable need to know of it.

**3. Signatures**

Signed for and on behalf of the Union

|  |  |
| --- | --- |
| Name |  |
| Position |  |
| Signature |  |
| Date |  |

Signed for and on behalf of the Employer

|  |  |
| --- | --- |
| Name |  |
| Position |  |
| Signature |  |
| Date |  |