

Data Protection *at Work*

What your employer can collect and monitor, your right to access your data, UK GDPR at work, and how to raise a complaint with the ICO.

 Last reviewed: August 2026

 UK GDPR · Data Protection Act 2018

 Applies across the UK

ukworkrights.co.uk

Your data protection rights at work

- **Right of access (SAR):** you can request a copy of all personal data your employer holds about you — free of charge, within 1 month
- **Right to rectification:** incorrect personal data must be corrected
- **Right to erasure:** in some circumstances you can request deletion of your data
- **Right to object:** you can object to certain types of processing
- **Right to restrict processing:** you can ask for data use to be limited while a dispute is resolved
- **Special category data** (health, biometrics, trade union membership, ethnicity) gets **stronger protection** — your employer needs a lawful basis and additional justification to process it

SUBJECT ACCESS REQUEST

You can request everything — emails about you, performance notes, HR records, CCTV footage. Your employer has 1 month to respond. No charge unless the request is excessive.

What can your employer monitor?

✓ LAWFUL MONITORING (WITH TRANSPARENCY)

- Email and internet use on work devices — if clearly disclosed in policy
- CCTV in communal/public areas — must be signposted
- Call recording for training or quality purposes — must be disclosed
- Access logs, timekeeping systems

▲ GENERALLY UNLAWFUL

- Covert monitoring of personal devices
- Surveillance in changing rooms or toilets
- Monitoring without telling employees — proportionality required
- Accessing private emails or messages without consent

✓ KEY PRINCIPLE

Monitoring must be **proportionate, transparent and necessary**.
Your employer must have a monitoring policy and tell you what they monitor.

What to do if your data rights are breached

1

Submit a Subject Access Request (SAR)

Send it in writing to HR. Your employer must respond within 1 month. If they refuse or delay, that is itself a breach.

2

Raise it internally

If data has been misused or shared without lawful basis, raise a formal grievance with HR or your employer's Data Protection Officer (DPO).

3

Report to the ICO

The Information Commissioner's Office investigates data protection breaches. Report at ico.org.uk or call 0303 123 1113. Free and confidential.

4

Claim compensation

You can bring a claim in the courts for compensation if you've suffered damage (financial or non-financial) from a data protection breach. Seek legal advice.

Frequently asked questions

Q Can my employer share my data with third parties?

Only with a lawful basis — for example, your consent, a legal obligation, or a legitimate interest that outweighs your privacy rights. They must tell you about third-party sharing in their privacy notice. Sharing for any other purpose is likely unlawful.

Q Can I be monitored working from home?

Your employer can monitor work devices and work systems at home — but must tell you what they monitor. Covert monitoring of your home or personal devices is not lawful. Any monitoring must be proportionate and documented in a clear policy.

Q What is a Data Protection Officer (DPO)?

Larger employers and those processing sensitive data must appoint a DPO. You can contact your DPO directly with data protection concerns — they must respond and are independent of your employer.

Q Can my employer keep my data after I leave?

Yes, but only for as long as necessary and for a legitimate purpose (e.g. legal obligation to retain payroll records for 6 years). After that, it must be deleted. You can request deletion once the retention period has passed.

FREE RIGHTS GUIDANCE

Check your data *protection rights*

Get plain-English guidance on your rights and your employer's legal duties.

ICO — DATA PROTECTION

0303 123 1113

ico.org.uk

ACAS

0300 123 1100

acas.org.uk

CITIZENS ADVICE

0800 144 8848

citizensadvice.org.uk

UK WORK RIGHTS — FREE GUIDE

**How Do I Make a Subject Access
Request? 2026 UK Guide**

ukworkrights.co.uk/guide-subject-access-requests.html

General rights guidance only — not legal advice · © UK Work Rights Ltd · Company No. 17228507 · ICO Registration No. ZC239465 · Registered office: 71–75 Shelton Street, Covent Garden, London, WC2H 9JQ ·
hello@ukworkrights.co.uk

Published by UK Work Rights Ltd

Drafted with AI assistance, using official sources.

Contains public sector information licensed under the [Open Government Licence v3.0](#).

KEEP GOING

More free *toolbox talks*

TOOLBOX TALK

DBS Checks

ukworkrights.co.uk/toolbox-dbs.html

TOOLBOX TALK

Whistleblowing

ukworkrights.co.uk/toolbox-whistleblowing.html

TOOLBOX TALK

Discrimination at Work

ukworkrights.co.uk/toolbox-discrimination.html

FREE GUIDE

Data protection and your rights

ukworkrights.co.uk/guide-data-protection.html