

## PRIVACY NOTICE FOR STAFF

<b>College Name:</b>	Coulston Sixth Form College
<b>College DPO Contact Details:</b>	Data Protection Lead and Officer <a href="mailto:dpo@coulston.ac.uk">dpo@coulston.ac.uk</a>
<b>Name of Document (DP1):</b>	Privacy Notice For Staff
<b>Topic:</b>	GDPR – Data Protection
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### 1. Why have we given you this privacy notice?

Coulston Sixth Form College is a data controller for the purposes of the General Data Protection Regulations (GDPR) which takes effect on 25 May 2018 and this notice serves to inform staff (directly employed, agency, contract and volunteers) of the legal and lawful basis for which we process personal and sensitive data.

We are required to notify you of how we process your personal data both during the employment relationship and post termination. This notice explains how we collect, process, use, store, transfer and secure your personal data. It is important that you read this notice, together with any other privacy notice we may provide during your employment, this notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

We process, collect and use personal information about staff under “**Article 6**” (public tasks) and “**Article 9**” (public interests) of the General Data Protection Regulation (GDPR).

- **Article 6(1) (b)** processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **Article 9(2) (b)** processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

**Note: We have a legal duty under GDPR to ensure that any personal data we process, collect and use is handled and stored securely**

## **2. What types of data do we collect, use and store about you?**

- Personal information (such as name, address, teacher reference number, national insurance number, contact numbers, and personal email addresses).
- Date of birth and gender.
- Next of kin and emergency contact information.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Employment start date and/or end date.
- Location of employment or workplace.
- Recruitment information (including copies of right to work documentation, 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).
- Performance information (such as appraisal, capability, grievance and disciplinary matters)
- CCTV footage and other information obtained through electronic means such as swipe card records.
- 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, disability and sexual orientation.
- Trade union membership.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

## **3. Why do we collect your personal data?**

The majority of the information you provide to us is mandatory, of legitimate interest and legally required by law for us to carry out our contractual obligations to you. We collect personal data for varied purposes; directly from you at recruitment stage through the application process (or from an employment agency); from a background check provider e.g. Babcock for DBS checks and sometimes, we may collect additional information from third parties including former employers.

Also periodically, whilst you are working with us we may need to collect additional personal information from you not identified on the above list but before doing so we will provide you with a written notice setting out details of the legitimate and lawful basis of why we require the data.

## **4. How do we use your personal data?**

We will use your personal data for one or more of the following legitimate and lawful basis, to:

- Perform the contract we have entered into with you.
- Comply with our legal obligation(s).
- Ensure our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Protect your interests (or someone else's interests).
- Carry out official tasks in the interest of the public.

## **5. How do we use your personal data and/or sensitive personal data?**

Whilst you are employed and after our contractual obligation has ended, we will use your personal information for one or more of the reasons listed below to:

- Collate information required for our central records (including vetting checks and references).
- Check your right to work in the UK.
- Process payments to you including any necessary tax and NI deductions.
- Liaise with your pension provider and make payments on your behalf.
- Carry out business management and work force planning, accounting and auditing.
- Conduct and manage reviews of performance in a timely manner.
- Gather evidence for disciplinary, informal complaint or grievance.
- Make decisions about your continued employment or engagement.
- Formulate arrangements for the termination of our working relationship.
- Educate, train and develop staff professional requisites.
- Oversee and investigate legal disputes including accidents at work.
- Manage sickness absence, ascertain your fitness to work and contact your next of kin.
- Comply with health and safety obligations, complete accident and RIDDOR reporting.
- Prevent fraud through CCTV monitoring.
- Monitor the use of information and communication systems and ensure internal compliance.
- Monitor equality and diversity opportunities.

Any personal data which reveals your, ethnic origin, religious beliefs, trade union membership or sexual orientations can be regarded as special/sensitive personal data and in addition to reasons listed above we also use sensitive personal data:

- Register the status of trade union membership information of a protected employee and to comply with employment law obligations.
- Process legal claims or to protect your vital interests (or someone else's) and where you are not capable of giving your consent or where the relevant information has already been made public.

## **6. What happens if you fail to provide information?**

We will ask you to provide information which we believe is necessary for our contractual (for example bank account details to pay you) and/or our associated legal obligations (for example giving salary information to HMRC). If you fail to provide certain information when requested we may not be able to meet our contractual and/or legal obligations to you.

## **7. What happens if we need to use your personal data for a new purpose?**

The majority of the information you provide to us is mandatory, of legitimate and legal basis required by law for us to carry out our contractual obligations to you. However, sometimes we may ask for your consent to acquire specific and unambiguous information and there may be special circumstances where we have to process your personal data without your knowledge or consent, where this is required by law and in compliance in the interest of our business and safety of our students.

More importantly, we may request your written consent to allow us to process your sensitive personal data. For example, when protecting your interest, we may need to instruct a medical practitioner to prepare a medical report or administer treatment.

## **Criminal convictions**

We may need to hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and duties you will perform and where we are legally entitled to do so.

Nonetheless, it is important to note that we do not share information about our staff with anyone without consent unless the law and our policies allow us to do so.

### **8. When and which third party service providers will we share your personal data with?**

In order to meet our legal obligations it is necessary to share your personal information with certain third parties (see below). We also need to share your data when we have legitimate reasons for doing so and where it is necessary to perform your contract. The following third-party service providers process personal information about you for the following purposes:

- Surrey County Council for payroll administration
- Teachers Pensions and the Local Government Pension Scheme for pension administration
- Tax Office for tax administration
- The College's bank for payment of salary
- Babcock International for processing of DBS checks
- Medwyn Occupational Health Service for health clearance checks
- SFCA and other professional bodies for workforce survey purposes and benchmarking
- Office for National Statistics for workforce survey purposes

### **9. Will we transfer your personal data outside of the European Economic Area (EEA)?**

We do not transfer personal data outside the EEA.

### **10. How do we ensure your personal data is secure?**

We take your privacy and protection of data very seriously. Consequently, we have put in place appropriate security measures to prevent unauthorised use of your personal data. Details of the measures which are in place can be obtained by emailing your request to [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) and we will notify you and any regulator of suspected breach of unauthorised use of your personal data.

### **11. How long will we keep your personal data?**

We will retain your personal data for as long as is necessary to fulfil the purposes for which it was collected for. When your employment relationship comes to an end with the College we will either retain or securely destroy your personal data in accordance with our data retention policy or other applicable laws and regulations.

In order that we can ensure that the personal data we hold in relation to you is accurate, it is important that you keep us informed of any changes to that data.

### **12. What rights do you have in respect of how we use your personal data?**

Subject to legal limitations you have the right to request or object in writing to:

- Access the personal data that we hold about you;
- Amend or update your data if you think your personal data is incomplete and/or inaccurate;

- Erase your data if you consider there is no lawful basis for us to continue processing your information;
- Object our lawful basis for processing your data in relation to our legitimate business interest (or third party interest);
- Freeze/restrict your information if you are concerned that we have processed your information without lawful reason;
- Transfer your personal data to a third party;

If you have any concern(s) about the way we collect or use personal data, please email us at [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) clearly outlining your concerns.

### **13. Will I have to pay a fee?**

You will not be expected to pay a fee to obtain your personal data unless we consider that your request for access to data is unfounded or excessive. In these circumstances we may charge you a reasonable fee or refuse to comply with your request.

### **Confirmation of identity**

Whenever you make a request for access to personal data, we may request specific information to confirm your identity. This is usually done to ensure that we are releasing personal data to the correct person.

### **Right to withdraw your consent**

We hold staff data throughout your period of employment or engagement through a contract or voluntary arrangement, and for 6 years after the cessation of your employment. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, we will shred or incinerate paper-based records, and override electronic files. We may also use an outside company to safely dispose of electronic records.

If we have asked for your written consent to obtain information, you have the right to withdraw your consent at any time. To withdraw your consent please email [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) and once we receive your notice of withdrawal we will cease processing your data unless we have any other lawful basis on which to continue processing that data.

### **Important information about this privacy notice**

We reserve the right to amend or update this privacy notice at any time. We will provide you with a new notice when we make any updates.

### **Complaints**

To exercise all relevant rights, queries or complaints please email [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) and if we are unable to resolve your complaint, you have the right to lodge a complaint with the Information Commissioners Office on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.