

HRUC GDPR Appendix 3: Privacy Notice Staff

General

The Data Protection Act 1998 (DPA) (the General Data Protection Regulation (GDPR) from May 2018) protects the rights of individuals by setting out certain rules as to what organisations can and cannot do with information about people. A key element to this is the principle to process individuals' data lawfully and fairly. In order to meet the fairness part of this we need to provide information on how we process personal detail.

HRUC is committed to protecting and respecting your privacy. This privacy notice explains how the college may use your personal information. If you have any questions about the way we use your personal data, please contact our Data Protection Officer (DPO):

The College's official contact details are:

Data Protection Officer
HRUC - Uxbridge Campus
Park Road
Uxbridge UB8 1NQ

Tel: +44 (0) 1895 853311

Email: dpo@hcuc.ac.uk

What Information Does HRUC Collect?

The Data Controller of personal information about you is HRUC. This Privacy Notice has been prepared in accordance with the GDPR and Data Protection Act 2018.

HRUC collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender
- the terms and conditions of your employment
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the College
- information about your remuneration, including entitlement to benefits such as pensions and sick pay
- details of your bank account and national insurance number
- information about your marital status, next of kin, dependents and emergency contacts
- information about your nationality and entitlement to work in the UK
- information about your criminal record as detailed within your Enhanced DBS
- details of your schedule (days of work and working hours) and attendance at work
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence
- information about medical or health conditions, including whether or not you have a disability for which the College needs to make reasonable adjustments
- details of trade union membership
- equal opportunities monitoring information, including information about your key protected characteristics.

HRUC collects this information in a variety of ways. For example, data is collected through application forms, or CVs; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, HRUC collects personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in HRUC HR management systems and in other IT systems (including our email system).

Why Does HRUC Process Personal Data?

HRUC needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit and pension entitlements.

In some cases, HRUC needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to meet Keeping Children Safe in Education guidelines, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. It is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, HRUC has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the College to:

- run recruitment and promotion processes including checking your qualifications
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- operate and keep a record of Enhanced DBS checks to ensure Safeguarding requirements are met
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the College complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled
- ensure effective general HR and business administration
- provide references on request for current or former employees
- respond to and defend against legal claims
- maintain and promote equality in the workplace.

Where the College relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Where the College processes other special categories of personal data, such as information about the protected characteristics, this is done for the purposes of equal opportunities monitoring.

Who Has Access to Personal Data?

Your information will be shared internally, including with members of the HR and recruitment team (including payroll), your line manager, managers in the area in which you work and IT staff if access to the data is necessary for performance of their roles.

HRUC shares your data with third parties to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. The College may also share your data with third parties in the context of a sale of some or all its business. In those circumstances, the data will be subject to confidentiality arrangements.

HRUC also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services. Your data is also included in Subject Access Request detail.

Information on the Current Video Surveillance Systems may be shared with a limited group as detailed in the CCTV Policy.

The College will not transfer your data to countries outside the European Economic Area.

How Does the College Protect Personal Data?

HRUC takes the security of your data seriously. There are internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. The College takes the following security measures to protect your information:

- Limiting access to our buildings to those that we believe are entitled to be there (by use of passes, key card access and other related technologies)
- Implementing access controls to our information technology, such as firewalls, ID verification and logical segmentation and/ or physical separation of our systems and information
- Ensuring that paper based data is kept securely.

Where HRUC engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For How Long Does the College Keep Data?

HRUC will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in the Retention Policy that can be found on the intranet.

Your Rights

As a Data Subject, you have several rights. You can:

- access and obtain a copy of your data on request
- require HRUC to change incorrect or incomplete data
- require HRUC to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- object to the processing of your data where HRUC is relying on its legitimate interests as the legal ground for processing
- ask HRUC to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the Data Protection Officer, HRUC, Uxbridge Campus, Park Road, Uxbridge, UB8 1NQ. You can make a Subject Access Request by completing the organisation's form which is found within the HRUC Data Protection Policy.

What If You Do Not Provide Personal Data?

You have some obligations under your employment contract to provide HRUC with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide HRUC with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the College to enter a contract of employment with you. If you do not provide other information, this will hinder the College's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Transfer of Data Abroad

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

How to complain

If you have a data protection concern that cannot or has not been resolved by the College, you have the right to raise it with the Information Commissioner's Office, the governing body for privacy and data protection. Complaints should be directed to the Information Commissioner by one of these methods:

Post: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Telephone: 0303 123 1113.

Email through their website www.ico.org.uk