



Employee Privacy Notice

Who does this notice apply to:

All employees, volunteers and those undertaking work experience at Heart of Worcestershire College.

Revision Date: September 2021

Who is the Data controller?

Heart of Worcestershire College

Address: Peakman Campus, Peakman Street, Redditch, Worcestershire B98 8DW

Web: www.howcollege.ac.uk

Email: dataprotection@howcollege.ac.uk

Why do we collect personal information?

The College collects and processes personal data relating to its employees to manage the employment relationship. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

During the course of your employment with the College it may be necessary to capture personal data in relation to College HR policies and processes, either informally or formally. Examples of this would be; investigations as part of any disciplinary proceedings or probationary action plans. Any data collected as a result of any HR processes, will be kept in accordance with the GDPR regulations.

What information does the College collect?

We collect the following personal data under GDPR Article 6c (Legal Obligation), and 6e (Public Task) in order to meet our legal obligations. They are also necessary in order for us to carry out our legal duties under employment law.

- 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
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants check third party and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record; e-safe/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 any periods of unpaid leave, 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, performance improvement plans and related correspondence; including probation, capability and lesson observations.
- information about medical or health conditions, including whether or not you have a disability for which the College needs to make reasonable adjustments; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- Photos and images

How is this collected?

The College will collect this information in a variety of ways. For example, through your completed application form and CV; from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

At HoW College we will collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks permitted by law.

Where do we store data?

Data will be stored in a range of different places, including in your personnel file (paper based and electronic), in the College's HR/Payroll management systems and in other IT systems (including the College's email system).

Why does the College process personal data?

HoW College needs to process data to enter into employment contracts and to meet its obligations under your employment. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your contract and to administer any relevant benefits and pension.

In some cases, the College 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 comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the College 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:

- operate recruitment and promotion processes;
- 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 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.
- Process your pensions contributions
- Report through to the Corporation statistical information regarding staff (all anonymised)
- Report through to the AoC and other educational bodies statistical information regarding staff (all anonymised)
- Provide information to the recognised trade unions, Government and the College's insurers details of staff who may be at risk of redundancy (all anonymised)

The college will take photos of employees which will be used to maintain security and to assist staff in carrying out their tasks. Photos or videos taken for marketing or education purposes will not be published without consent.

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).

Where the College processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

Who has access to data?

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

Where HoW College engages non-statutory third parties to process personal data on its behalf, we require them to 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.

The organisation shares your data with third parties where there is a legal obligation, including DBS, LGPS, TPS, HMRC.

The College may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

Do we process data outside the EEA?

HoW College will not store your data in countries outside the European Economic Area. Data stored outside the UK but in the EEA is currently offered the same protection as data stored in the UK, under BREXIT arrangements. HoWC will monitor this situation in case of changes in the future. In rare cases where a support team from outside the EEA needs access to data to rectify a software

fault, we have strict agreements which involve anonymisation of data, and deletion of any personal data as soon as the problem is rectified.

How does the College protect data?

The College takes the security of your data seriously. The College has internal policies and controls in place to try 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 Data Protection (GDPR) Policy is available to view on our website, or can be obtained in a paper version by contacting the HR Team.

Where the College 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 administrative measures to ensure the security of data.

For how long does the College keep data?

The College 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 Data Retention policy.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the College to change incorrect or incomplete data;
- require the College to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the College is relying on its legitimate interests as the legal ground for processing.

If you leave our employment, we will delete all personal data which is no longer needed such as emergency contacts and bank account details. However we are required to keep much of the data for a number of years for legal reasons, e.g. in case of a legal claim, or to demonstrate compliance with employment laws. Full details are provided in our data retention policy which is available on our website.

If you would like to exercise any of these rights, please contact the Data Protection Officer at dataprotection@howcollege.ac.uk or contact the Reception.

Who can I complain to?

If you believe that the College has not complied with your data protection rights, you can complain to the Information Commissioner. Link provided below:

<https://ico.org.uk/>

What if you do not provide personal data?

You have some obligations under your employment contract to provide the College 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 the College 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.