

# Privacy Notice - How we use Staff members' Information

**The categories of information that we collect, hold and share on you as a member of staff at our College include:**

- Personal information (such as name, address, telephone numbers, employment history, qualifications, bank details)
- Characteristics such as ethnicity, disability, nationality, age, sexuality (where you have provided this information)
- Information about your job and contract of employment (such as job title, salary, contractual status, working hours and absences)
- Medical information if this has been disclosed to us and information about sickness absences
- Outcomes of pre-employment checks obtained for Safeguarding purposes
- Performance and development information such as Performance and Development Review data, training attended, teaching outcomes, lesson observation information
- Details of any disciplinary or grievance procedures you have been involved in
- Biometric information to operate our cashless catering system (where you have opted in to this)
- In certain circumstances, information about your partner or family member e.g. where you have provided their details as an emergency contact or taken Shared Parental Leave

## Why we collect and use this information

The most common reasons we use your data are:

- to fulfil a contract of employment with you (e.g. collecting personal information, processing information about your job and contract, medical information, and performance and development information)
- to meet relevant legal obligations, primarily under employment legislation and safeguarding statutory requirements, (e.g. performing pre-employment checks, collecting personal information, processing medical information)
- to pursue a legitimate interest for example to ensure the highest standards of safeguarding are upheld and we provide a high standard of service to our students (e.g. processing disciplinary and grievance information, pre-employment checks, training information, performance information, capturing CCTV images, monitoring IT access)

From time to time we also use your data with your consent. An example of this would be when we provide contact details to colleagues who wish to contact you outside of college where you have indicated we may do so.

## The lawful basis on which we use this information

Under GDPR Article 6 (1), the lawful basis on which we rely when processing your data may be one or more of the following:

- you have given consent to the processing of your personal data for one or more specific purposes;
- processing is necessary for the performance of your employment contract or in order to take steps at the request of the data subject prior to entering into this contract;

- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.

Under GDPR Article 9, the lawful basis on which we rely when processing your sensitive data such as data on ethnic origin, or data concerning health may be one or more of the following:

- you have given explicit consent to the processing of those personal data for one or more specified purposes;
- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the College or of you in the field of employment and social security and social protection law;
- processing relates to personal data which are manifestly made public by you;
- processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- processing is necessary for the purposes of occupational medicine, for the assessment of your working capacity, medical diagnosis, the provision of health or social care or treatment or pursuant to contract with a health professional.

### **Your rights as a data subject**

While we are in the possession of, or processing your personal data, you have the following rights:

- Access – you can request a copy of the information that we hold about you.
- Erasure – in certain circumstances you can ask for the data we hold about you to be erased. This right is not absolute.
- Rectification – you have the right to have data we hold about you corrected if it is inaccurate or incomplete. In some cases, this can be done through the student portal.
- Restrict processing – you have the right to ask us to restrict the processing of your personal data if there is a particular reason for wanting the restriction. This right is not absolute.
- Be informed – you have the right to be informed about how we use your data.
- Object – you have the right to object to the processing of your personal data at any time. This right is not absolute.
- Data portability – the right to have data transferred to certain organisations in certain circumstances.
- Rights related to automated decision-making including profiling – you have the right to object to automated decision making or profiling being undertaken about yourself.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/>

### **Collecting staff information**

The majority of the information we hold about members of staff is provided to us by the member of staff, either when they are recruited or during their employment. Other information may be provided

by managers e.g. performance information, or ex-managers e.g. reference information. It may also be received from government bodies such as the DBS, HMRC, DfE, or pension providers.

## **Storing staff data**

Retention of staff records is based on the principle that your personal data will not normally be kept for longer than is broadly necessary.

Once you are employed, we hold your data for six years following you leaving the College in hard copy and electronic format, at which point it will be destroyed, or anonymised, and we will no longer be able to access this even if it is requested.

## **Who we share staff information with**

We routinely share your information with:

- our payroll provider (currently East Riding of Yorkshire Council)
- pension scheme providers (Teachers' Pensions or LGPS/ERPF)
- our H.R. system provider (currently IRIS Cascade)
- future employers where a reference is requested
- Occupational Health (following discussion with you)
- Auditors when required
- Data Processors who enable the College to provide services, such as Janet Text, Parent Pay, Uniware for cashless catering). Wyke College keep a full register of all data processors.
- Government departments and agencies where we are required to e.g. HMRC, ONS, DfE, the Home Office, the DBS

## **Sharing staff information**

We do not share information about our members of staff with anyone without consent unless the law and our policies allow us to do so.

Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and otherwise within the law.

## **Requesting access to your personal data**

Under data protection legislation, members of staff have the right to request access to information about them that we hold. To make a request for your personal information please email [subjectaccess@wyke.ac.uk](mailto:subjectaccess@wyke.ac.uk)

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:

John Applegate, Data Protection Officer 01482 346347 [dpo@wyke.ac.uk](mailto:dpo@wyke.ac.uk) or

Jenny Anderson, HR Manager, 01482 346347 [jenny.anderson@wyke.ac.uk](mailto:jenny.anderson@wyke.ac.uk)

*We will continually review and update this privacy notice to reflect changes in our practices and, when appropriate, in response to feedback from the public, as well as to take into account changes in the law.*