

Capel Manor College

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Privacy Notice for Staff at the College

Notice about how we use your personal information

This notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during your employment and after it ends. We are required to notify you of this information under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

We are the data controller of personal information about you. We are Capel Manor College. Our address is: Capel Manor College, Bullsmoor Lane, Enfield, Middlesex EN1 4RQ.

Our Data Controller Officer is Richard Davies, Head of MIS. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Controller Officer at Capel Manor College, Bullsmoor Lane, Enfield, Middlesex EN1 4RQ, 0303 003 1234 ext. 1174 or by email at richard.davies@capel.ac.uk

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 (“**GDPR**”) and the Data Protection Act 2018.

This notice sets out how we use your personal information as your employer or when you apply for a job with us and in particular:

- data protection principles
- the information we collect;
- how we collect the information
- why we collect the information and how we use it;
- the legal basis on which we collect and use your personal information;
- how long we keep your personal information;
- how we share your personal information;
- keeping your personal information secure;
- how we transfer your personal information outside of Europe; and
- your rights over your personal information.

DATA PROTECTION PRINCIPLES

The College is committed to complying with the data protection principles when gathering and using personal information, as set out in our data protection policy.

THE INFORMATION WE COLLECT

We will collect personal information from you when you apply for a job with us up to and including the shortlisting stage of the recruitment process. This may include your: name and contact details (i.e. address; phone number; email); date of birth; DofE number; NI number; current employment details including job title, start and end dates, current salary, notice period, reason for leaving; all past employment details; education details; interests; racial or ethnic origin, sex and sexual orientation, religious or similar beliefs, whether you are related to any personnel of the College or Governing Body; references; special arrangement details for interview].

We may collect the following information after the shortlisting stage, and before making a final decision to recruit: information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers; information regarding your academic and professional qualifications; information regarding your criminal record, in criminal record certificates and enhanced criminal records certificates; your nationality and immigration status and information from related documents such as your passport or other identification and immigration information; a copy of your driving licence; information from suitability for work checks including prohibition from management check, prohibition from teaching check and check of Barred List / List 99; information from a pre-employment health questionnaire or medical report. You are required (by law or in order to enter into your contract of employment) to provide these categories of information in order to enable us to verify your right to work and suitability for the position.

We will collect personal information from you when you are a new starter and become an employee of the College and during the course of your employment. This may include your: name; marital status; previous surname(s); address; date of birth; occupation/department; type of employment; phone number; email addresses; NI number; tax information; start date; next of kin and contact details; bank details; pension details and arrangements; statement about employment; student loan details; information collected during the recruitment process that we retain during your employment; offer letters; employment terms and conditions; changes to your terms and conditions; certifications/qualifications, disciplinary, grievance, capability, job descriptions, sickness absences, maternity/paternity/adoption information; accidents and injuries at work; working time information; annual leave records; recruitment information; photo; payroll details (details of your salary and benefits); gender; flexible working; exit interviews; return to work notifications; parental leave request forms; appraisal/performance; bank account number; sort code; disqualification information; sickness absences; medical information; thumb print; racial or ethnic origin, sex and sexual orientation, religious or similar beliefs; a copy of your driving licence; criminal records information; information in applications you make for other positions within our organisation; information about your use of our IT, communication and other systems and other monitoring information; your image in photographic form; details of your use of business-related social media, such as LinkedIn; your use of public social media (only in very limited circumstances, to check specific risks for specific functions within our organisation, you will be notified separately if this is to occur); details in references about you that we give to others].

Certain categories above may not apply to you if you are, for example, a worker, agency worker, independent contractor, volunteer or intern.

HOW WE COLLECT THE INFORMATION

We may collect this information from you, your referees (details of whom you will have provided), your education provider, the relevant professional body, the Disclosure and Barring Service, the Home Office, your personnel records, pension administrators, your doctors, from medical and occupational health professionals we engage and from our insurance benefit administrators, other employees, consultants and other professionals we may engage e.g. to advise us generally and/or in relation to any grievance conduct appraisal or performance review procedure, e.g. door entry systems, swipe card systems, and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, remote access systems, email and instant messaging systems, intranet and Internet facilities, telephones, voicemail, mobile phone records.

WHY WE COLLECT THE INFORMATION AND HOW WE USE IT

We will typically collect and use your personal information set out above for the following purposes (other purposes that may also apply are explained in our data protection policy):

- for the recruitment process and for carrying out pre-employment checks;
- to fulfil our obligations for the contract of employment;
- for safeguarding students;
- for checking your identity and right to work in UK;
- for checking your qualifications;
- to check your suitability for work;
- to keep an audit trail of the checks we have made and our relationship with you in case of employment claims;
- to set up payroll and pension and to reimburse expenses;
- for dealing with HMRC;
- for providing and administering benefits (including statutory sick pay, pension, voluntary healthcare schemes, salary sacrifice schemes and others);
- to undertake performance appraisals and reviews;
- for policy and internal governance, requirement and compliance;
- for internal audit and data collection purposes;
- for paying and reviewing salary and other remuneration and benefits;
- for legal compliance, requirements and obligations;
- for ensuring legalities of your employment contract and relationship;
- to maintain sickness and other absence records;
- to provide references and information to future employers and, if necessary, governmental bodies;

- to make referrals to the Occupational Health service;
- to make any necessary arrangements or adjustments to the workplace in the case of disability;
- to process information regarding equality of opportunity and treatment of data subjects in line with the monitoring of equal opportunities and access;
- for communicating with you, including for marketing purposes;
- for carrying out our role as your employer or potential employer.

We treat your personal information with confidentiality. We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

We collect and use your personal information on the basis that it is necessary for performing our employment contract with you, or it is necessary to take steps before entering into the contract with you. We also collect and use your personal information on the basis that we need to do so in order to comply with our legal obligations, for performance of a task carried out in the public interest and for the purposes of our legitimate interests or those of a third party (such as a benefits provider), but only if these are not overridden by your interests, rights or freedoms.

We may collect your special category personal information in limited circumstances, with your explicit consent or otherwise on the basis that it is necessary for the purposes of carrying out our legal obligations or exercise rights in connection with employment or where it is needed in the public interest, such as for equal opportunities monitoring. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. Special categories of personal data are personal data that reveal a person's racial or ethnic origin, political opinions, religions or philosophical beliefs, trade union membership, genetic or biometric data (i.e. information about their inherited or acquired genetic characteristics, information about their physical, physiological or behavioural characteristics (such as facial images and fingerprints), physical or mental health, sexual life or sexual orientation).

Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our data protection policy and criminal records information policy available from the Data Controller Officer.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Information may be held at the College and the offices of third party agencies, service providers, representatives and agents.

We will not keep your personal information for longer than we need it for the purposes we have explained above. How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be

destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment.

We keep information during and after your employment for no longer than is necessary for the purposes for which the personal information is processed.

Further details on our approach to information retention and destruction are available in our records retention policy.

HOW WE SHARE YOUR PERSONAL INFORMATION

We may need to share some of the personal information with other parties such as:

- external contractors
- HR consultants
- professional advisers
- potential purchasers of some or all of our business or on a re-structuring
- your family
- your associates and representatives
- your current, past or prospective employers
- healthcare, social and welfare organisations
- educators and examining bodies
- suppliers and service providers
- student union
- financial organisations
- debt collection and tracing agencies
- auditors
- police forces and security organisations
- courts and tribunals
- prison and probation services
- legal representatives
- local and central government
- consultants and professional advisers
- trade union and staff associations

- survey and research organisations
- press and the media
- voluntary and charitable organisations
- landlords

Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We may also be required to share some personal information as required to comply with the law or our statutory obligations, for example the provision of salary and tax data to HMRC.

The information we process may also be held on the College's corporate systems some of which may be owned and operated by third parties. Where we engage with such third parties, we insist upon strict contractual requirements to be adhered to by them in order to keep your personal information secure.

The College will display an employee's College email address and telephone number in the online staff and student directory, which is accessible to all College users.

KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE OF EUROPE

We do not store or transfer your personal data outside of Europe.

YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

You have a number of rights over your personal information, which are: the right to ask us what personal information about you we are holding and to have access to a copy of your personal information;

- the right to ask us to correct any errors in your personal information;
- the right, in certain circumstances such as where our use of your personal information is based on your consent and we have no other legal basis to use your personal information, to ask us to delete your personal information;
- the right, in certain circumstances such as where we no longer need your personal information, to request that we restrict the use that we are making of your personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests to you; and

- the right, where our use of your personal information is carried out for the purposes of an agreement with us and is carried out by automated means, to ask us to provide you with a copy of your personal information in a structured, commonly-used, machine-readable format.

We hope that our Data Controller Officer can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at ico.org.uk/concerns or telephone 0303 123 1113 for further information about your rights and how to make a formal complaint.

CHANGES TO OUR PRIVACY NOTICE

We keep our privacy notice under regular review. Any changes we make to our privacy notice in the future will be notified to you by email.