

PRIVACY NOTICE – EMPLOYEES

1. Scope

- 1.1. The College collects and processes personal data relating to its employees to manage the employment relationship.

2. Responsibilities

- 2.1. The College is committed to being transparent about how we collect and use that data, and to meeting our data protection obligations.
- 2.2. The Data Protection Officer is responsible for ensuring that this notice is made available to all employees prior to the College collecting/processing their personal data.
- 2.3. College Staff who interact with employees are responsible for ensuring that this notice is drawn to their attention.

Privacy notice

3. Who are we?

- 3.1. **Leyton Sixth Form College** is a large Sixth Form College in East London, with around 2,300 students, 200 staff. The College offer a wide range of FE Courses.
- 3.2. Our Data Protection Officer can be contacted directly here: Alan Leak, dpo@leyton.ac.uk

4. What information does the College collect?

- 4.1. The College 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;
 - details of your bank account and national insurance number;
 - information about your marital status, next of kin, nominated beneficiaries, dependants and emergency contacts;
 - information about your nationality and entitlement to work in the UK;
 - information about criminal convictions in line with the Rehabilitation of Offenders Act 1974;
 - identification documents including but not limited to passport, driving license, utilities statements;
 - 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;
 - visual images (CCTV, photographs, video); and
 - equal opportunities monitoring information, including information about your ethnic origin, age, gender, sexual orientation, health and religion or belief.
- 4.2. The College collects this information in a variety of ways. For example, data is collected through application forms, CVs, obtained from your passport or other identity documents, from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.
- 4.3. In some cases, the College collects personal data about you from third parties, such as references supplied by former employers, information from background check providers, and information from criminal records checks permitted by law.
- 4.4. Data is stored in a range of different places, including on your personnel file, in the College's paper and online HR management systems and in other IT systems (including the College's email system).

5. Why does the College process your personal data?

- 5.1. The personal data we collect will be used for the following purposes:
- to enter into an employment contract with you and to meet our obligations under your employment contract including to:
 - provide you with a written employment contract
 - pay you in accordance with your employment contract
 - administer benefits such as pension entitlements
 - to ensure that we are complying with our legal obligations including:
 - checking employee's entitlement to work in the UK
 - to deduct tax
 - to comply with health and safety laws
 - processing health information, including obtaining occupational health advice for example, to ensure that we comply with duties in relation to making reasonable adjustments for individuals with disabilities, under health and safety law, and to ensure that employees are receiving the pay or other benefits to which they are entitled
 - to comply with duties in relation to leave entitlement including annual, sick, maternity, paternity, adoption, parental and shared parental leave, and to ensure that employees are receiving the pay or other benefits to which they are entitled during this leave
 - to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question
 - information about trade union membership is processed to allow the College to operate check-off for union subscriptions.
 - 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:
 - run 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, 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
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management
- ensure effective general HR and business administration
- provide references on request for current or former employees
- respond to and defend against legal claims
- produce identification cards and staffing lists for security purposes
- maintain and promote equality in the workplace

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

5.3. Consent will be obtained for visual images used for marketing purposes.

6. Who has access to your data?

6.1. Your information will be shared internally, including with members of the HR team, your line manager and SLT. Selective information will be shared internally with Finance, IT, CIS and Library staff if access to the data is necessary for the performance of their roles.

6.2. The College shares your data with third parties in order 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
- Securely store data
- Provide references to potential employers and other statutory agencies/other agencies at your request

6.3. The College also shares your data with third parties that process data on its behalf in connection with:

- Payroll
- The provision of benefits
- The provision of occupational health services

7. How does the College protect your data?

7.1. The College takes the security of your data seriously. It has 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 our staff in the proper performance of their duties.

7.2. Where the College engages third parties to process personal data on its behalf, we do so on the basis of written instructions, and under a duty of confidentiality and are

obliged to implement appropriate technical and organisational measures to ensure the security of the data.

8. For how long does the College keep your personal data?

- 8.1. Basic details will be retained indefinitely for the purpose of providing employment/other references. These will include:
- name
 - (last known) postcode (reduced to first component i.e. RM11)
 - date of birth
 - dates employed
 - posts held
- 8.2. The majority of employee personal data will be kept for a maximum of six years from the date that the employee leaves the College, after which they will be destroyed and/or deleted.
- 8.3. Where necessary, information in respect of pensions, taxation, potential or current disputes or litigation regarding the employment, health and information required for job references will be kept for longer periods.
- 8.4. The retention period for different classifications of personal data has been established in line with the information management guidelines. Further details can be found in the College's Data Retention policy.

9. Your rights as a data subject

- 9.1. At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:
- Right of access – you have the right to request a copy of the information that we hold about you.
 - Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
 - Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
 - Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
 - Right of portability – you have the right to have the data we hold about you transferred to another organisation.
 - Right to object – you have the right to object to certain types of processing such as direct marketing.
 - Right to object to automated processing, including profiling – you also have the right not to be subject to the legal effects of automated processing or profiling.
 - Right to judicial review: in the event that the College refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in 10 below.

10. Complaints

- 10.1. In the event that you wish to make a complaint about how your personal data is being processed by the College (or third parties as described above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and the College's Data Protection Officer.

Supervisory authority contact details: <https://ico.org.uk/concerns/>

Data Protection Officer (DPO) contact details:

Alan Leak, Leyton Sixth Form College, Essex Road, E10 6EQ

dpo@leyton.ac.uk

020 8928 9068

11. What if you do not provide personal data?

- 11.1. 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.
- 11.2. 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
- 11.3. Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.
- 11.4. You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences if you choose not to provide such information.

12. Automated decision making

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

13. Document Owner and Approval

- 13.1. The College's Data Protection Officer is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.
- 13.2. A current version of this document is available to all employees on the College website.
- 13.3. This privacy notice is issued on a version controlled basis.