



## TRURO AND PENWITH COLLEGE



### **Privacy Notice for Staff and Governors General Data Protection Regulation 2018**

#### **1. Introduction**

Truro and Penwith College collects and processes a range of personal data, including special category personal data, which allows us to fulfil our duties as an employer. We gather this data before and during your employment, and keep information in line with our published Truro and Penwith College Data Subject Storage and Disposal Policy.

Personal data is any information relating to an identifiable person who can be, either directly or indirectly, identified by reference to any identifier.

Truro and Penwith College is a data controller, registered with the Information Commissioner's Office (ICO) under the registration reference Z7289337. We will only process your personal data in accordance with this Privacy Notice and in accordance with the General Data Protection Regulation, in force from 25<sup>th</sup> May 2018.

#### **2. Purpose**

The purpose of this notice is to tell you how Truro and Penwith College will process your personal data whilst you are employed at the College and thereafter for the time as is necessary for us to meet our legal obligations and responsibilities to you.

This notice also tells you which third parties Truro and Penwith College may share your personal data with whilst you are with us and for the stated time during which we retain your records. This Privacy Notice explains how the Truro and Penwith College processes and uses the personal and sensitive personal data we collect about current, past or prospective staff, job applicants, casual, temporary and voluntary workers.

#### **3. Special Category Data**

Some of the personal data Truro and Penwith College processes about you will be Special Category Data. This type of personal data is subject to additional protections. Special Category Data is defined as information about your racial or ethnic origin, politics, religious or similar beliefs, trade union membership, physical or mental health or condition, sex life or sexual orientation, biometrics or genetics. Processing is necessary for the College to carry out its obligations in the fields of employment, social security and social protection laws.

#### **4. Scope**

The data that Truro and Penwith College holds about you may include, but not be limited to:

- Personal Details such as your name, date of birth, bank account details
- National Insurance number, nationality, a copy of your passport, a copy of other identity documents such as a driving licence
- Documents supporting your right to work (e.g. work permit or visa details)
- Information about criminal convictions
- Your photograph, vehicle registration and insurance details

- Contact details such as your home address, email address and telephone numbers
- Employment details such as information about your contractual status, job description or role at Truro and Penwith College
- Your CV and application form
- Your salary history and allowances and other payments, staff benefits and salary sacrifice arrangements
- Absence records, records of hours worked and risk assessments, staff uniform sizes
- Information about your previous employment history
- Education details including qualifications, places of study and when you graduated or qualified
- Family details such as your emergency contact, next of kin, marital status and information relating to your dependents and other family members
- Health details such as records of any sickness absences, information relating to a disability, health and safety records or occupational health records
- Appraisal records such as details relating to your performance, development and training details of any grievances, disciplinary proceedings, investigations or tribunals
- Data relating to job evaluation, work schedules or work allocation.

## 5. Use of your Personal Data

Truro and Penwith College may use your personal and sensitive personal data for following processes:

- The recruitment and selection of new and existing employees, temporary workers and consultants
- Details of unsuccessful job applicants and speculative job enquiries and CVs, and matching them to future vacancies where consent is given
- Conducting employment screening for new and existing staff, including reference checks and declarations in relation to previous employment, qualifications, identity, eligibility to work, medical records, security and criminal convictions (DBS)
- Contractual administration of staff, including temporary, casual and voluntary workers
- Maintaining staff records in the HR databases, predominantly **Northgate**. A copy of their Privacy Notice can be obtained from the Personnel Officer
- The payment of salaries, allowances, pensions, additional payments and salary deductions (including Income Tax and National Insurance contributions)
- Providing staff benefits and administering salary sacrifice arrangements
- Reimbursement of expenses, including travel, accommodation and subsistence
- Managing staff wellbeing, including organising occupational health referrals, recording health and safety information and completing accident report forms
- Recording and reporting absence – including annual leave, sickness, parental leave, study leave and jury service
- Appraisal records, managing performance, training, and development records

- Recording information relating to disciplinary and grievance procedures, staff disputes, investigations or employment tribunals
- Equality, diversity and inclusivity monitoring
- Management reporting of staff
- Management and organisational planning, including statistical analysis
- Holding information necessary for business continuity and emergency purposes
- Providing IT services and access to Truro and Penwith College systems
- Managing security and controlling access to car parks and Truro and Penwith College buildings
- Producing photographic staff cards
- Adding work contact details to the staff directory
- Communicating information via email, College bulletins and information and on the Truro and Penwith College website
- Statutory returns as required by law
- Managing compliance with legal requirements such as the Equality Act, the Health and Safety at Work Act, the prevention and detection of crime, Safeguarding and national security.

Truro and Penwith College processes the majority of staff data under the conditions of our employment contract with you, or to comply with a legal obligations such as employment legislation. Truro and Penwith College processes some data in the public interest for example when carrying out staffing reviews. Wherever possible this data will be anonymised.

We hold emergency contact details, which we may use to protect your vital interest in an emergency.

## **6. Compliance**

Processing of your personal data is necessary for meeting conditions of our employment contract with you, or to comply with a legal obligation, such as employment legislation.

Truro and Penwith College is committed to ensuring the confidentiality of your data. Controls are in place to manage and limit access to your personal information on systems or in hardcopy form. Your personal data is primarily held in the Personnel Team and by your College Line Manager.

All roles at Truro and Penwith College require pre-employment screening checks. For roles that require criminal records checks, you will be asked to share your data with the Disclosure and Barring Service (DBS).

## **7. Data Sharing Arrangements**

For operational and business continuity purposes, your personal data may be shared with other relevant members of Truro and Penwith College including Senior Managers.

Your data may be shared across relevant IT systems and databases to facilitate the management and delivery of Truro and Penwith College services.

Truro and Penwith College takes steps to ensure that the personal information we share internally is reasonable and relevant for us to carry out our duties to you. We may also share data with other external bodies for the following reasons:

- Information relating to senior post holders may be shared with relevant external agencies

- Truro and Penwith College may provide information including your name, job title and dates of employment, in response to a reference request from a potential future employer
- With your consent (at your request), Truro and Penwith College may share information relating to your salary and employment status for the purposes of providing a financial reference (such as a Mortgage or Tenancy request)
- With your consent, data may be shared with providers of certain staff benefits (car scheme, the cycle to work scheme and childcare vouchers)
- HMRC in relation to Income Tax and National Insurance contributions
- Data is shared for the administration of pension schemes
- With consent, personal data may be shared with staff and healthcare professionals in support of an occupational health referral and health screening
- Trade Unions for members who elect to pay their TU membership fees via salary deduction
- Where staff transfer to another organisation under TUPE regulations, we are required by law to provide certain personal information to the new employer
- If staff are seconded to an external organisation, we will share certain personal data with the host employer
- Where personal staff data is held on a Truro and Penwith College system whose software is supplied by a third party, this will be subject to a formal data sharing agreement between the Truro and Penwith College and the supplier
- The Truro and Penwith College may be required to disclose personal data for the purposes of an internal or external audit or investigation.

Truro and Penwith College may be asked to share your personal data with other third parties for the reasons listed below. In these cases, we will always consider your rights and ensure we are meeting our obligations under GDPR and other relevant legislation. These may include, but not be limited to:

- It is required to safeguard national security
- It is necessary for the prevention or detection of crime
- It is necessary for the discharge of regulatory function including securing the health, safety and welfare of persons at work
- It is available to the public under law (including Freedom of Information legislation)
- It is necessary to establish, exercise or defend legal rights
- There is a legal duty to disclose the information
- Truro and Penwith College does not sell data to third parties or allow third parties to sell on data, where data is shared with them.

## **8. Data Retention and Archiving**

The Truro and Penwith College will keep your personal information for no longer than is necessary for the purposes it has been collected. Data is held and destroyed in line with our published Truro and Penwith College Data Archive Storage and Disposal Policy and in accordance with statutory legislation. The Truro and Penwith College Data Archive Storage and Disposal Policy and our procedures for disposing of data are reviewed annually and can be located on the College Intranet.

Your personal data is held securely on Truro and Penwith College databases, shared drives and email inboxes located on Truro and Penwith College servers. Data is also held manually in paper form. The

Truro and Penwith College has controls in place to ensure access to the electronic and physical locations that hold personal information are monitored and limited to relevant Truro and Penwith College staff only.

All staff are required to be familiar with our Data Protection Policy and related procedures, attend a Data Briefing and have a contractual obligation to maintain confidentiality.

The Truro and Penwith College ensures that appropriate data sharing agreements are in place prior to sharing your personal data with any third party.

Any incident or breach of our Data Procedures must be reported to the Data Protection Lead at Truro or Penwith campuses and be dealt with in line with the Truro and Penwith College Data Breach Policy.

## **9. Your Right to Access your Personal Data**

You have a number of rights in relation to your personal data. Information about what these rights are and how to exercise them is available in our Data Subject Access Policy and Procedure.

Truro and Penwith College will be transparent about its processing of your personal data. However, should you have any queries; further information may be obtained from the Director of Operations (Data Protection Lead Truro), or Director of Quality (Data Protection Lead Penwith). Data Subject Access Requests should be made directly to the Personnel Officer.

If you think that any of your personal data held by Truro and Penwith College is incorrect (for example if you move address and Truro and Penwith College has your old address), please let us know so that we can update our records accordingly.

You have the right to complain to the Information Commissioner ([www.ico.gov.uk](http://www.ico.gov.uk)) if you have any concerns in respect of the handling of your personal data by Truro and Penwith College, which we are unable to resolve.

## **10. Policy Review Frequency**

Truro and Penwith College takes its duties and responsibilities under the Legislation extremely seriously and will only keep your data for as long as necessary, bearing in mind the purposes for which we have collected your personal data.

Information on how long Truro and Penwith College will keep your data is available on the Data Archive Storage and Disposal Policy, available on the College Intranet.

This notice will be reviewed annually and when changes dictate. Truro and Penwith College will monitor its performance, to ensure continued compliance with current legislation and to reflect best practice. Any changes will be updated on our Intranet and communicated as appropriate.