

## Reigate Learning Alliance Privacy Notice for Staff

### Introduction

Reigate Learning Alliance are registered under the Data Protection Act 1998, which means the purposes for which the College collects and processes personal data is notified to and registered with the Information Commissioner's Office (ICO).

As an essential part of our business, we collect and manage staff data. In doing so, we observe the UK data protection legislation and are committed to protecting and respecting staff privacy and rights. Specifically, we act as a "Data Controller" in respect of the information gathered and processed by us.

The General Data Protection Regulation (GDPR) came into effect on 25<sup>th</sup> May 2018 and strengthens the rights which individuals have over the collection, processing and storage of personal data. In order that you are reliably informed about how we operate, we have developed this privacy notice, which describes the ways in which we collect, manage, process, store and share information about you prior to employment starting, during the employment relationship and after you have left our employment. The privacy notice also provides you with information about how you can have control over the use of your data.

This notice does not form part of your contract of employment and may be updated from time to time.

### What Information Do We Collect About You?

In general terms, we seek to collect information about you so that we can:

- Administer our relationship with you
- Process selection procedures for employment
- Manage employee and employer relationships
- Enable us to fulfil our contractual obligations
- Enable us to meet our legal and other regulatory obligations imposed on us

The information that we need for these purposes is known as your "personal data". This includes information such as:-

- Personal information such as your name, address, date of birth, gender, email address, telephone numbers, teachers reference number, national insurance number, photograph, next of kin and emergency contact details
- Contract of employment, salary, benefits, bank account details, tax, pay, pensions and annual leave information
- Application form/CV, interview notes, qualifications, previous experience, right to work/identity documents, references and DBS information
- Training, probationary, appraisal, capability, grievance and disciplinary information
- CCTV footage, information gained from your use of IT and our telephone systems

We also process sensitive classes of information that include:

- Health details, including medical conditions detailed in an Occupational Health report and sickness records
- Equality information, including ethnic origin, marital status, religion, sexual orientation, disability and caring responsibilities
- Information about any criminal convictions, cautions or bindovers

### **Reigate Learning Alliance Promise**

Reigate Learning Alliance promise to collect, store and process your personal data only for legitimate, legal and contractual purposes and to keep it safe and private. This includes what you disclose at application or interview and what we learn about you after appointment as an employee, worker or volunteer. We will not sell your personal data to a third party and we will not transfer your personal data to a third party unless there is a legal requirement to do so or a legitimate business need, for example for the purpose of processing payroll, pensions or carrying out background checks. We will give you access to your personal data within a reasonable time limit should you require it.

### **How Will We Use The Information?**

We use your data for one or more of the following legitimate and lawful reasons:-

- Perform the contract we have entered into with you
- Comply with our legal obligations
- Ensure our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- Protect your interests (or someone else's interests)
- Carry out official tasks in the interest of the public

The data collected from you will be used for one or more of the reasons listed below:-

- Check your suitability, eligibility and right to work in the UK including safeguarding and security information (application form, references, qualifications, teaching subjects, previous experience, teachers reference number, verification of mental & physical fitness to carry out the role, prevent & safeguarding training, prohibition check, photograph, signed forms confirming the safeguarding policies have been read, Reigate Learning Alliance identity cards, barred list check, right to work/identity documents, DBS information, criminal convictions, cautions or bindovers)
- Ensure you are qualified to take up the job role for which you have been employed (application form, interview notes, qualifications, teachers reference number, previous experience, job description)
- Ensure you are supported effectively and able to fulfil your contractual obligations (induction/mentoring forms, training, probationary reviews, appraisals, mentor details & payments, directed time planner)
- Collate information required for our single central record including vetting checks and references (references, right to work/identity documents, DBS information, name, address, date of birth, prohibition check, qualifications, List 99 check)

- Process payments, reimburse expenses and liaise with your pension provider including any necessary tax and NI deductions (appointment form, national insurance number, contract of employment, salary, benefits, bank account details, P45, pensions, annual leave information, maternity/paternity leave and pay, TUPE transfer information, cover sheets and claim forms, jury service information)
- Carry out business management, work force planning, accounting, auditing and reporting including information provided to the government for Gender Pay Gap Reporting, SFCA surveys, Office for National Statistics surveys, Department for Work and Pensions surveys, Government Agency requests (unsuccessful applications, SLT minutes)
- Conduct and manage reviews of performance (probationary reviews, appraisals)
- Gather evidence for disciplinary, capability and grievance and make decisions about your continued employment (capability, grievance and disciplinary information probationary reviews, appraisals)
- Manage the end of your employment (end of employment letters, settlement agreements, exit questionnaires, name of new employer)
- Educate, train and develop staff to ensure training requirements are met, for salary review purposes, disciplinary reasons and consideration of ongoing employment (inset records, probationary reviews, appraisals)
- Oversee and investigate legal disputes (Irwin Mitchell Solicitors)
- Manage sickness absence, ascertain your fitness to work and contact your next of kin where necessary (signing in sheets, next of kin details, emergency contact details, Occupational Health Reports and sickness records)
- Comply with health and safety obligations, complete accident and RIDDOR reporting (Accident Report Book, Occupational Health reports, sickness absence reports)
- Prevent fraud/criminal activity/safeguarding through CCTV monitoring (CCTV footage)
- Monitor the use of information and communication systems and ensure internal compliance (information gained from use of IT and telephone system)
- Monitor equality and diversity (Recruitment Monitoring Form including gender, ethnic origin, marital status, religion, sexual orientation, disability and caring responsibilities)
- Provide future employers with employment information under your right to transfer your data to another employer (references including salary details, start & finish dates of employment, job title and employment history including results)

### **Sharing your personal information with third parties**

Where Reigate Learning Alliance engages third parties to process personal data on its behalf, for example Barclays Bank, Surrey Payroll, Surrey Pensions and Teachers Pensions, 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 personal data.

We have a legal obligation to share personal data with the Department for Education (DfE), the Education and Skills Funding Agency (ESFA), Department for Work and Pensions (DWP), Office for National Statistics and Her Majesty's Revenue and Customs (HMRC). The DfE is the data controller for personal data processed by the ESFA. We will share some of your

personal information such as your name, address and date of birth with Babcock 4S (DBS Umbrella Body) and the Disclosure and Barring Service (DBS) so that they can check whether you have any previous convictions which would make you unsuitable for working with children and young people.

Other third parties include Medwyn Occupational Health for pre-employment clearances and occupational health reports, Irwin Mitchell Solicitors for legal advice relating to disputes and any previous employer who you have authorised us to contact in order to obtain a reference.

The Sixth Form College's Association (SFCA) require information for the purpose of surveys and benchmarking, Computershare to manage the childcare voucher scheme, SEE to manage the eye care voucher scheme and Cycle to Work Scheme for the purchase of bicycles under the cycle to work scheme.

External Training Organisations will be given your name for any training you have requested and your employment details will be given to any future employer who you have authorised us to provide a reference to.

#### **How we store your data**

Data will be stored in the Personnel Office in locked cabinets and on the Staff Database with password protection. This includes paper or electronic documents within a secure network. We take the security of personal data seriously and have internal policies and controls in place to try to ensure that personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

#### **Sending data outside of the EEA**

We will not send your personal data outside of the European Economic Area ('EEA'). Our cloud base storage providers are based in the EEA. Microsoft have accepted our request to move the data from Europe to UK data centres. This migration will be completed by 2020.

#### **Marketing**

We may use your personal information, including images of you (photos or videos) in publicity material such as advertisements, information leaflets, newsletters, press releases or on our website to raise awareness of the services provided by us. We will always ask your consent to use your personal information for marketing purposes.

#### **How long we keep your personal information**

We will keep your personal information for as long as you are an employee, worker or volunteer. When you leave Reigate Learning Alliance, we will retain your personnel file for a period of two years. At this point, your file will be shredded. We may also use an external company to take away records to be destroyed. However, electronic information contained on the staff database will be kept indefinitely in order to comply with reference requests from any future employer you authorise us to provide information to. We must keep selected personal data to meet any legal requirements.

**Letting us know if your personal information is incorrect**

We provide systems which allow you to check your personal data. You have the right to question any personal information we hold that you think is wrong or incomplete.

**How to get a copy of the personal information we hold**

You can request to see the personal information we hold by contacting Sarah Walters, Data Protection Officer. You have the right to request your personal information from us and to pass on your personal information to other organisations, such as for the purpose of providing a reference. You will not have to pay a fee to obtain your personal data unless your request is excessive. In this circumstance we may charge you a fee or refuse your request in line with GDPR guidelines.

**What if you choose to withhold your personal information or withdraw your consent for us to hold and process your information?**

We may need to collect personal information by law, or under the terms of a contract we have with you. If you choose not to give us this personal information, or withdraw your consent to us holding or processing your personal information, it may delay or prevent us from meeting our obligations to you as an employer, such as, provide you with a reference for a future employer or answer queries concerning your pay or pension. It may also mean that we cannot perform services needed to support you as an employee. It could mean you cannot continue your employment with us.

**What if you want us to stop using your personal information?**

You have the right to object to our use of your personal information, or to ask us to delete, remove, restrict or stop using your personal information if there is no need for us to keep it. This is known as the 'right to object' and 'right to erasure', or the 'right to be forgotten'. There may be legal or other official reasons why we need to keep or use your data. But please tell us if you think that we should not be using it. If you want to object to how we use your personal information, or ask us to delete it or restrict how we use it, please contact Sarah Walters, Data Protection Officer.

**Complaints**

If you have a complaint about the way we are processing your data or any aspect of this Privacy Notice, please address your complaint to Sarah Walters, Data Protection Officer. You also have the right to complain to the Information Commissioner's Office if you believe we are processing your personal data without a legitimate reason to do so. The complaints form is available from their website <https://ico.org.uk/concerns/>

**General**

Questions and comments regarding this Privacy Notice are welcomed, and should be sent to Sarah Walters, Data Protection Officer.