

Data Protection: Privacy Notice (Employees)

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1. Introduction

This Notice sets out the obligations of The Isle of Wight College regarding data protection and the rights of staff (“data subjects”) in respect of their personal data under EU Regulation 2016/679 General Data Protection Regulation (“GDPR”).

The GDPR defines “personal data” as any information relating to an identified or identifiable natural person (a “data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

This Notice sets the College’s obligations regarding the collection, processing, transfer, storage, and disposal of personal data.

The College is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful, and fair handling of all personal data, respecting the legal rights, privacy, and trust of all individuals with whom it deals.

2. Notice about how we use your personal information

We are the data controller of personal information about you. We are the Isle of Wight College. Our address is The Isle of Wight College, Medina Way, Newport, Isle of Wight, PO30 5TA.

Our Data Protection Officer is Peter Thompson. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at the above address or via peter.thompson@iwcollege.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:

- the information that you give us
- the uses made of your personal information
- 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, and
- your rights over your personal information.

3. The information that you give us

We will collect personal information from you when you **apply** for a job with us. This will include your: name; 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 and qualification details; other information on interests, skills and experience relevant to the job role; whether you are related to any personnel of the College or Governing Body; references; special arrangement details for interview; criminal

record details; Disclosure Barring Service check, including European Economic Area (EEA) check; Prohibition from Management check; Prohibition from Teaching check; Check of Barred List/List 99; and Pre-employment Health Questionnaire/Medical Report.

We will collect personal information from you when you are a new starter and become an **employee** of the College and during your employment. This will be your: name; marital status; previous surname(s); address; date of birth; occupation/department; type of employment; phone number; email addresses; NI number; start date; next of kin and contact details; bank details; pension details; statement about employment; student loan details; 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; data on personal characteristics which is used for anonymised equality data monitoring including gender, date of birth, ethnicity, religion/belief and sexual orientation; 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 including risk assessments and medical reports which you have consented to.

4. The uses made of your personal information

We will use your personal information set out above as follows:

- for the recruitment process and for carrying out pre-employment checks
- for safeguarding students
- for checking your identity and right to work in the UK
- for checking your qualifications
- 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 communicating with you, including for marketing purposes, and
- for carrying out our role as your employer or potential employer.

We treat your personal information with confidentiality and we do not use it for any other purposes.

5. 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.

Where we collect your special category personal information, we do this on the basis that it is necessary for the purposes of carrying out our obligations in the field of employment law. 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, criminal records and genetic

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).

6. How long we keep your personal information

We will not keep your personal information for longer than we need it for the purposes we have explained above.

When you apply for a job with us, but your application is unsuccessful, we will keep your personal information for no more than 6 months.

When you are an employee, we will keep your personal information for as long as you work with us and then after you leave, we will keep all of your personal information for 6 years. In addition, information relating to your name, employment dates, national insurance number, job title, disciplinary record including safeguarding matters and reason for leaving employment (e.g. voluntary resignation) for 25 years.

7. How we share your personal information

We may share the personal information that you give us with the following organisations (or types of organisation) for the following purposes.

Organisation / type of organisation:

HMRC, Department for Work and Pensions, Teachers' Pension Scheme, Local Government Pension Scheme, Disclosure and Barring Service, Department for Education, Isle of Wight Council, Awarding bodies.

Purpose:

Tax administration, pension administration, professional teaching qualification checks, safeguarding checks and safeguarding monitoring, qualification delivery and assessment.

We may also share your personal information with third parties who provide services to the College.

Organisation / type of organisation:

Occupational Health Provider (NHS)

Service:

Employee health advice.

8. How we transfer your personal information outside of Europe

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

9. Your rights over your personal information

You have a number of rights over your personal information, which are:

- the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal data is being used – please refer to the ICO's website for further information about this (<https://ico.org.uk/>)
- 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.

10. Changes to our privacy policy

We keep our privacy policy under regular review. Any changes we make to our privacy policy in the future will be detailed in the policy itself on the staff computer network.