



# Privacy Notice for Staff at the College

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## Introduction

Southport College, registered office address Southport College, Mornington Road, Southport, PR9 0TT. The College is committed to protecting the privacy and security of your personal information.

This privacy notice describes how the College collects and uses personal information about employees of the College (“Employees”), (known collectively as “You” or “Your”), in accordance with the UK General Data Protection Regulation (UK GDPR).

Southport College is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about You. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to Employees. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide You with an updated copy of this notice as soon as reasonably practical.

It is important that Employees read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what Your rights are under the data protection legislation.

## Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to You and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told You about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told You about.
6. Kept securely.

This notice sets out how we comply with the above principles, 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;](#)
- [how we transfer your personal information outside of Europe; and](#)
- [your rights over your personal information.](#)

### **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; DfES 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; whether you are related to any personnel of the College or Governing Body; references; membership of professional bodies, CPD undertaken, criminal record details.

We will collect personal information from you when you are a new starter and become an employee of the College. 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/post graduate 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/shared parental leave information; accidents and injuries at work; working time information; annual leave records; recruitment information; photo; payroll details; 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.

### **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;
- for carrying out our role as your employer or potential employer;
- for the purposes of providing any references that you may request from us once your employment is about to or has terminated.

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

### **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, 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 and criminal records).

### **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 six 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 your personal information for the duration of your employment, plus six years, however, where required to do so, we may keep some information longer. Examples would be in relation to health and safety and personal risk assessments or where allegations of harm against a student has been upheld. Further details are available within the retention policy.

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

Organisation / type of organisation: HMRC or other such government body(ies).

Purpose: To process your salary and to comply with legal obligations with regards to processing your salary and any other taxation or legally obliged payment such as court ordered payments or any such legal employment requirement such as gender pay gap analysis.

Organisation/type of organisation: The College's pension providers, Teachers' Pension Scheme and the Local Government Pension Scheme.

Purpose: To provide support and administration of pensions to support our employment contract with you.

Organisation/type of organisation: The College's Occupational Health provider and other medical advisors where information is required for the purposes of preparing or obtaining medical information before any required consents to be obtained from you.

Purpose: To be able to obtain any necessary occupational health and medical advice to support our employment contract with you.

Organisation / type of organisation: The College's internal/external auditors who would have a right to review payments and employment terms.

Purpose: To audit the College's accounts or audit any claims the College may have made during the course of its operations where such auditors would wish to review payroll/employment data.

Organisation/type of organisation: The College's solicitors

Purpose: To obtain advice and deliver instruction with respect to employment legislation in relation to your employment at the College.

Organisation/type of organisation: Any legal body set up for the purposes of reviewing/vetting rights to employment within the sector where there is a legal obligation upon the College to inform such a body of your employment or actions within the College.

Purpose: To comply with the College's legal obligations with respect to safeguarding of students.

Organisation/type of organisation: The College's Comprehensive Human Resources Information System (CHRIS) provider, Frontier Software plc.

Purpose: To resolve software performance issues affecting the College's ability to process payments in support of our contract of employment with you.

Organisation/type of organisation: Any employment agency you may have contracted with for the purposes of providing services to the College.

Purpose: The College may at some subsequent date, for example in connection to a finder's fee, have to provide relevant employment information to such agency in connection with your employment.

Organisation/type of organisation: Mortgage Provider/Letting Agency

Purpose: Earnings and employment status information provided for the purposes of assessing your eligibility for a tenancy or mortgage. Information will only be released with your express consent at the time the information is requested.

Organisation/type of organisation: Your legal representative in relation to a third party accident.

Purpose: Earnings and employment terms (including eligibility to occupational/statutory sick pay) in order to process your claim for loss of earnings.

### **How We Use Particularly Sensitive Personal Information**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with Employee explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with Employee employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

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 Employee interests (or someone else's interests) and the Employee is not capable of giving consent, or where the Employee has already made the information public.

### **Change of purpose**

We will only use Your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use Your personal information for an unrelated purpose, we will notify the Employee, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

Please note that we may process an Employee's personal information without their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

### **Do we need Employee consent?**

We do not need the consent of Employees if we use special categories of personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach Employees for their written consent to allow us to process certain particularly sensitive data. If we do so, we will provide Employees with full details of the information that we would like and the reason we need it, so that Employees can carefully consider whether they wish to consent. Employees should be aware that it is not a condition of their contract with the College that they agree to any request for consent from us.

### **Information About Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect the interests of You (or someone else's

interests) and You are not capable of giving your consent, or where an Employee or a Parent, as is relevant to the circumstances, has already made the information public.

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so, which includes but is not limited to Disclosure and Barring Service (“DBS”) checks. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

We will collate and use information about criminal convictions and offences as included on the DBS certificate and other information sources as permitted within the safer recruitment procedures, following the guidance outlined in the latest DfE ‘Keeping Children Safe in Education’ Guidance.

We are allowed to use your personal information in this way to carry out our obligations. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

### **Automated Decision-Making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. Although this is not something we currently use, the college reserves the right to do so and is permitted to use automated decision-making in the following circumstances:

1. Where we have notified Employees of the decision and given the Employee as is appropriate 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with an Employee and appropriate measures are in place to safeguard the Employee’s rights as is appropriate.
3. In limited circumstances, with explicit written consent from the Employee, as is appropriate, and where appropriate measures are in place to safeguard Employee rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either explicit written consent from an Employee as is appropriate, or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard an Employee rights as is relevant in the circumstances.

You will not be subject to decisions that will have a significant impact on You based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified the Employee as is appropriate in the circumstances.

### **Your duty to inform us of changes**

It is important that the personal information we hold about You is accurate and current. Please keep us informed if Your personal information changes during your working relationship with us.

### **If Employees fail to provide personal information**

If Employees fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered into with Employees, or we may be prevented from complying with our respective legal obligations to Employees.

### **Transfer Of Your Personal Information To Other Countries, Including Outside Of Europe**

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

### **Your Rights Over Your Personal Information**

For detailed information, please see more information available in our ‘Policy on the Rights of Individuals’.

Under certain circumstances, by law You have the right to:

- **Request access** to Your personal information (commonly known as a “data subject access request”). This enables You to receive a copy of the personal information we hold about You and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about You. This enables You to have any incomplete or inaccurate information we hold about You corrected.
- **Request erasure** of your personal information. This enables Employees to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove Your personal information where You have exercised Your right to object to processing (see below).
- **Object to processing** of Your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about Your particular situation which makes You want to object to processing on this ground. You also have the right to object where we are processing Your personal information for direct marketing purposes.
- **Request the restriction of processing** of Your personal information. This enables Employees to ask us to suspend the processing of personal information about You for example if You want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of Your personal information to another party.

If You want to review, verify, correct or request erasure of Your personal information, object to the processing of Your personal data, or request that we transfer a copy of Your personal information to another party, please contact the manager in writing.

#### **No fee usually required**

You will not have to pay a fee to access Your personal information (or to exercise any of the other rights).

#### **What we may need from You**

We may need to request specific information from You to help us confirm your identity and ensure Your right to access the information (or to exercise any of Your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

#### **Right To Withdraw Consent**

In the limited circumstances where You may have provided Your consent to the collection, processing and transfer of Your personal information for a specific purpose, You have the right to withdraw Your consent for that specific processing at any time. To withdraw Your consent, please contact HR or the DPO. Once we have received notification that You have withdrawn Your consent, we will no longer process Your information for the purpose or purposes You originally agreed to, unless we have another legitimate basis for doing so in law.

#### **Changes To This Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide You with a new privacy notice when we make any substantial updates. We may also notify You in other ways from time to time about the processing of your personal information.

#### **Complaints**

In the first instance, please contact the data protection officer: [dataprotection@southport.ac.uk](mailto:dataprotection@southport.ac.uk). However, if you feel we have been unable, or unwilling, to resolve your information rights concern, you have the right to lodge a complaint with the Information Commissioner's Office (ICO). The ICO are the supervisory authority responsible for data protection in the UK.

For further information, including independent data protection advice and information in relation to your rights, you can contact the Information Commissioner at:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 08456 30 60 60

Website: <https://www.ico.gov.uk>

You can also report any concerns here: <https://ico.org.uk/concerns/handling/>