

## Privacy Notice – Workforce (Staff)

### How we use your personal data

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Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

We, Bradford College and the Bradford College Group, are the ‘data controller’ for the purposes of data protection law.

This privacy notice explains how we collect, store and use personal data about our workforce, this includes anyone who is employed by us for example on a permanent, temporary, casual or hourly paid contract.

### The personal data we hold

Personal data and where appropriate special categories of data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- **Contact details** such as first name, middle names, surname, address, personal and work email addresses, personal and work telephone numbers
- **Financial details** e.g. bank details, salary details, tax/national insurance details, pension details, credit/debit card details and purchase history
- **Lifestyle information** such as dietary preferences, hobbies, other likes/dislikes/preferences etc.
- **Location** e.g. physical or electronic information which identifies your location
- **Online/Unique identifiers** such as staff codes, online/website details e.g. usernames, passwords, session IDs, geo locations, device/pps ID, IP and MAC addresses, cookies, RFI tags.
- **Special Categories of Data** which may include information about racial and ethnic origin, religion, politics, trade union membership, genetic and biometric data (e.g. fingerprints used for ID purposes), health, mental health, physiological and disability information, sexual orientation, behavioural characteristics, social identity, cultural background, facial images, philosophical beliefs and economic data
- **Personal non-contact details** e.g. date of birth, age, gender, photographs, video imaging, passport details, visa details, driving licence details
- **References and Employment Details**
- **Information about business and pecuniary interests** (where applicable)
- **Employee Contract Details** such as employment history, job title, staff ID cards and ID no, teacher ref no, hours worked, start/leave dates, annual leave details, absence/sick leave details/reasons, performance details, disciplinary details, references

- **Academic and staff development information** subjects taught, exam results/qualifications/academic achievement/mandatory and voluntary professional body memberships/ accreditations/ certifications / training records
- **Complaints/Grievances details** e.g. Student, staff, public and other complaints to which you are a named party or involved in the investigation process
- **Health and Safety information** such as accident records, risk assessments, occupational health records, personal protective equipment records, industrial disease monitoring, insurance and legal claims
- **Criminal and Conviction Information** e.g. Disclosure Barring Service checks and disclosures provided to us (see below) and other notifications e.g. 'Overseas Criminal Record Checks', 'List 99' and National College for 'Teaching and Leadership (NCTL)

## Collecting this information

Whilst the majority of information you provide to us is mandatory or necessary to enable us to provide services to you or conduct our business activities, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide information to us or if you have a choice in this.

We collect personal data in a variety of different ways for example paper and online forms by email and verbally.

We may ask to see copies of your identification data to ensure we have your correct details and can verify your identity.

Collecting this data enables us to comply with our various legal and contractual obligations in connection with the performance of your employment, maintaining your personnel file and to conduct business activities for example:

- Administration and management of the employment relationship (pre, during and post-employment);
- Enabling individuals to be paid and the payment of income tax and national insurance contributions
- Enable us to collect and make payments in relation to the contract, expenses, provision of goods etc.
- Processing statutory payments such as sick pay, maternity pay, paternity pay and redundancy pay
- Enabling us to administrate workplace pensions – this includes payments to local authorities, specific pension funds and higher education institutions to reimburse for pension increases under the local government superannuation scheme for people formerly employed at further and higher education institutions, teacher training colleges or institutions which provided further education or higher education and/or their dependents/beneficiaries.
- The collection or and provision of employment references
- To enable us to provide staff benefits and wellbeing opportunities
- Developing our workforce through mandatory training and our voluntary training and development offer
- Performing pre and post-employment checks which include References,

Qualification/Academic checks, Qualified Teacher Status, DBS, Visas, Right to Work in the UK, Business Driver Checks.

- Providing access to HR, Occupational Health and Health and Safety related systems e.g. Medigold, iTrent and SafeSmart.
- To allow the conduct of Bradford College and Bradford College Group business for example processing your personal information in connection with your work related activities for example access to organisation wide and department specific systems and applications e.g. Outlook, Network Logins, EBS, Portals, 4Insight, SharePoint, Medigold, SafeSmart and iTrent.
- Providing a safe and secure workplace through provision of Health and Safety, Occupational Health and Safeguarding services
- To hold next of kin/ emergency contacts details
- To record entry and exit to our buildings/campuses
- To take photographs for the purpose of providing a Staff ID card
- To use CCTV recording and images for safety and security purposes and staff and student grievance/disciplinary investigations
- Emergencies as defined in the Bradford College and Bradford College Group Business Disaster Recovery Plan(s).
- To assist in the detection, investigation and prevention of crime
- The purpose of any potential transfer of your employment under the Transfer of Undertakings – Protection of Employment (TUPE) Regulations 2006.
- Fundraising initiatives
- Participating in Trade Union collective agreements and to enable Trade Union Representatives to support our employee members.
- Comply with our Data Subject Access Request and Individuals' Rights obligations under the GDPR
- Statistical and research purposes to;
- Complete and return Government and other funding body or awarding/validating body Data Collection Returns
- Statistical and research purposes to;
  - enable the development of a comprehensive picture of the workforce and how it is deployed
  - monitor Equality and Diversity
  - inform the development of recruitment and retention policies
  - collate data collection/statistical returns to the government, funding bodies, validating/awarding bodies and partnership agreements.

### **Our lawful basis for using this data**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Comply with a contractual obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

The purpose of processing this data is to enable Bradford College and the Bradford College Group to:

- Perform our contractual obligations, manage the employment relationship (both during and after employment) and maintain your personnel file
- Enable you to carry out work activities
- Enable us to establish and maintain effective governance
- Enable us to meet our statutory (legal) obligations e.g. comply with HMRC requirements; facilitate a safe environment and comply with safeguarding obligations; undertake equalities monitoring; ensure that appropriate access arrangements can be provided for those who require them

The majority of the processing we carry out in relation to Bradford College and Bradford College Group is necessary to comply with various legal and contractual requirements such as:-

#### **Employment**

- HMRC Income Tax and National Insurance Requirements
- Employers/Public Liability Insurance

#### **Health and Safety**

- Health and Safety at Work etc. Act 1974 (& associated regulations and codes of practice)
- Equality Act 2010

#### **Safeguarding/Education**

- Prevent Duty
- Section 175 of the Education Act 2002
- Further and Higher Education Act 1992
- 'Keeping children safe in education Statutory guidance for schools and colleges' Guidance ([www.gov.uk](http://www.gov.uk)) and adult safeguarding guidance
- Validating/Awarding Body Terms and Conditions/Requirements

#### **Statutory (EFSA) / Other Funding requirements**

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify our use of your data.

Where we ask you for information for which we do not have a contractual or legal basis for processing, we will either tell you the legitimate basis for processing or obtain your consent.

**Where you have provided us with consent to use your data, you may withdraw this consent at any time by contacting the HR Team.**

#### **How we store this data**

We maintain employment files for our workforce (staff) which store personal information. The information contained in these files is kept secure.

We will only retain what is necessary in accordance with our Information Records Management Policy which sets out our internal retention and statutory guidelines. Some of the information has to be kept for statutory reasons for example, Health and Safety records and financial records, this can also apply after your employment ends with us.

### **Use of your personal information for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by e-mail or text promoting events, campaigns, charitable causes or services that may be of interest to you. You can "opt out" of receiving these texts and/or e-mails at any time by clicking on the "Unsubscribe" link at the bottom of any such communication, or by contacting the contact details on the subscription form or contact the Marketing Team or Data Protection Officer.

### **Data sharing**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

To enable us to comply with our legal and contractual obligations and to enable the conduct of business, we may need to share some of your personal information (and in some instances special categories of data) as follows;

- Business System Providers/Suppliers and Service Providers in connection with work related activities and to enable access to systems and applications e.g. Microsoft Outlook/365 e.g. login details/file storage/Your Business Voice/Solicitors/Insurers/Occupational Health Service/Payments Systems - to enable them to provide the service we have contracted them for
- Pension providers and Payroll providers (where a third party is used)
- HM Revenue and Customs
- Local Authority/Local Safeguarding Board/Social Care Teams/LADO - for safeguarding purposes
- Health and Safety Executive – to report accident information/investigation purposes
- Disclosure and Barring Service – to obtain a DBS check to check for criminal convictions and offences
- Police and Enforcement Agencies – to assist in the detection, investigation and prevention of crime this includes the Courts and Coroner Service
- Emergency services in the event of an emergency
- In connection with DSAR requests (Data Subject or Authorised Representative) e.g. information which may be contained within emails, documents, systems, paper and electronic records/filing systems and other forms of media, this may include work email address(es), work contact details and also the disclosure of information of which you were the author or to which you have contributed. This includes deleted and archived personal information which is still accessible.

- Information Commissioner's Office (ICO) (complaints/breaches investigations)
- Awarding/validating bodies for general administration, quality control and queries
- Where necessary or mandatory, we will disclose personal information in connection with investigations, disputes, complaints and grievances internally and with third parties for example local authority safeguarding boards, trade unions, government departments and agencies, insurers and legal representatives and professional bodies to which a member of staff is affiliated e.g. CIMA, CIPD.
- We will provide new starter names and start dates to the trade unions so that they can contact employees for potential membership purposes. We may also share your data with the trade unions during formal processes that involve trade union consultation, such as restructures, or where a trade union is representing you. Upon instruction from you or from the Trade Union on your behalf, we will also share information in relation to salary reductions for Trade Union membership fees.
- Personal information relating to any person(s) involved in administering, teaching or completing examinations/assessments where malpractice is suspected or alleged may be shared with other awarding/validating bodies, the qualifications regulator or other professional bodies and where relevant in accordance with the JCQ publication Suspected Malpractice in Examinations and Assessments – Policies and Procedures.
- Recruitment and employment agencies
- Previous and future employers/referees – pre and post contract and governor checks
- External Training/Travel Providers – booking and administration purposes
- Childcare / Bike to Work scheme administrators
- Mortgage companies/rental agencies (where authority is provided)
- Higher Education Statistics Agency (HESA)/Research Excellence Framework (REF) submissions/Clinical Senior Lectureship Awards (CSLA) for Clinical Medicine and Dentistry/National Teaching Fellowship Scheme (NTFS)
- Government departments or agencies for government audits, reviews, comply with funding requirements, and data collection requirements e.g. research/analysis/statistics/equality & diversity, benchmarking purposes e.g.
- Department for Education (DFE) ([www.gov.uk/df](http://www.gov.uk/df))
- Office for Standards in Education, Children's Services and Skills ([www.gov.uk/ofsted](http://www.gov.uk/ofsted))
- Office for National Statistics ([www.ons.gov.uk](http://www.ons.gov.uk))
- Education Skills and Funding Agency ([www.gov.uk/esfa](http://www.gov.uk/esfa))
- Depending on your role or interaction with Bradford College or the Bradford College Group, we may be required to share your personal information with Government departments and agencies for example the EFSA to enable them to contact you directly
- Internal and external Auditors (e.g. Financial accountants/HMI Inspectors)

## Third Party Processors and Transferring Data Internationally

Where we use Third Party Processors or transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## Disclosure and Barring Service (DBS) Checks

We will require a Disclosure and Barring Service (DBS) or similar check for non-UK staff to be carried out, this check helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. As part of the DBS check application process, as required by the DBS, we will provide you with a separate Standard/Enhanced Check Privacy Policy for Applicants and ask you to confirm you understand how the DBS will process your personal data and the options available to you when submitting an application. Further information is available at [www.gov.uk/dbs](http://www.gov.uk/dbs).

## 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 employment with us.

## Use of Personal Email Addresses and Social Media

To enable us to comply with our data protection responsibilities, we will only communicate with staff using their Bradford College or Bradford College Group issued email address. Personal email addresses will only be used in exceptional circumstances such as long term absence, during the application process or when a member of staff has left the college and no longer has access to their college email account. It is therefore extremely important that staff log into their college email accounts regularly so they do not miss any important information in connection with their employment, role and important college announcements. The use of the email account auto forward feature to forward emails to your own personal email should not be used.

Members of staff should take care when posting personal information on Bradford College and Bradford College Group Social Media platforms such as twitter and Facebook as posts can be shared publicly and we may have no control over your personal data.

## Your rights

Under the General Data Protection Regulation, you have various rights in relation to your personal information:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability

- The right to object
- Rights in relation to automated decision making and profiling

Please note, exemptions may apply when making a request to exercise your rights, for example where we have to retain or process information for legal purposes. For more information on your personal data rights visit [www.ico.org.uk/your-data-matters](http://www.ico.org.uk/your-data-matters).

### **How to access the personal information we hold about you**

Individuals have a right to make a 'Data Subject Access Request' to gain access to personal information that we hold about them. Please refer to our website [Data Protection and GDPR Page](#) and/or [Data Protection \(GDPR\) Policy](#) for more information on how to make a request or contact our [Data Protection Officer](#).

### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing – routine requests for changes to information you provide us with such as changing your contacts details etc. can be directed to HR.
- Claim compensation for damages caused by a breach of the data protection regulations
- To exercise any of these rights, please contact [Data Protection Officer](#).

### **Further information**

Please visit Bradford College and Bradford College Data Protection and GDPR Website and Staff Intranet pages for further information, for example how to make a Data Subject Access Request.

### **Concerns**

We take your concerns and any complaints about our collection and use of personal information very seriously.

If you wish to query anything within this privacy notice or think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Write to: Data Protection Officer, Bradford College, Great Horton Road, Bradford BD7 1AY or email: [dataprotection@bradfordcollege.ac.uk](mailto:dataprotection@bradfordcollege.ac.uk)

Alternatively, you can make a complaint to the Information Commissioner's Office:



Report a concern online at [www.ico.org.uk/concerns](https://www.ico.org.uk/concerns)

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF