

Version Number	Purpose/Change	Author	Date
1.0	First Draft	Data Governance Team	August 2019
2.0	Formatting changes, references to Employment Benefits	Data Governance Team (HL)	November 2022
2.1	To include third party processing – Right to Work checks	Data Governance Team (HL)	February 2023

Privacy Notice for Employees and Other Workers

Privacy Statement

The General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (and, where applicable, EU GDPR) governs the way that organisations use personal data. Personal data is information relating to an identifiable living individual.

Transparency is a key element of GDPR, and this Privacy Notice is designed to inform you:

- how and why the University uses your personal data,
- what your rights are under GDPR, and
- how to contact us so that you can exercise those rights.

We keep our privacy policy under regular review. Any changes we make to our policy in the future will be posted on this page and, where appropriate, notified to you by email or post.

Please check back frequently to see any updates or changes to our privacy policy.

Data protection principles

- We will comply with data protection law and principles, which means that your data will be:
- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.

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· Kept securely.

This Privacy Notice relates to Employees and Other Workers

Who are we

The University of Suffolk is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. This privacy notice applies to all employees of the University and other workers. This privacy notice makes you aware of how and why your personal data will be used, namely for the purposes of employment, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

The organisation takes the security of your data seriously. The organisation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of contract, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Our Lawful basis for using the data is/are:

- Necessary for the performance of a contract
- Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Why are we processing your personal data

The organisation collects and processes personal data relating to its employees, workers, volunteers, consultants and contractors to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations in accordance with the General Data Protection Regulation (GDPR).

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.

It is important that you read 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.

The organisation needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pension entitlements.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's identity and entitlement to work

in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question. Under the Equality Act 2010, the organisation also has a duty to maintain and promote equality.

In other cases, the organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Processing employee data allows the organisation to:

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general human resourcing and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims;

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed to allow the organisation to operate check-off for union subscriptions.

Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the organisation uses for these purposes is anonymised or is collected voluntarily from employees, workers, volunteers, consultants or contractors. We only process this information with your explicit consent, which can be

withdrawn at any time by completing the appropriate fields on My View, the University of Suffolk's self-service system. You are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

How your data is collected

Data is collected when you provide it to the University prior to, at commencement of and during employment. This may be through correspondence with you; or through interviews, meetings or other assessments.

Prior to employment this is through your application form and supporting documents such as a CV or cover letter.

For some parts of our application process, we use third party processors to check your Right to Work and authenticate your personal ID documents. These services are consent based and the employee should take note of the Privacy Notice provided by the third party. Applicants not wishing to use this service should discuss this with your University contact before providing this information to the third party. Once the Right to Work Checks are completed a result is issued to the University and this is held in your file.

At commencement of employment you provide additional data to allow us to legally employ you, pay you and communicate with you effectively.

Throughout your employment you may be asked to provide further data in relevance to a function or specific task.

In some cases, the organisation collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, professional bodies (such as the NMC), information from credit reference agencies (where applicable) and information from criminal records checks permitted by law.

The data we hold about you and how it is used

The organisation collects and processes a range of information about you. This includes:

- All personal details supplied by you on your application form, CV etc. including your name, address and contact details, including email address and telephone number, date of birth and gender;
- Copies of ID – such as passport, birth certificate, utility bill as provided;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions , insurance cover or statutory and occupational sick pay;
- details of your bank account and national insurance number;
- copies of any correspondence from a government agency as applicable, e.g. child support agency;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief voluntarily supplied by you.

Your data will, or may, be shared with the following recipients or categories of recipient:

Your information will be shared internally, including with members of the POD (People and Organisational Development) team (including payroll), your line manager, managers in the business area in which you work, Planning and Management Information and IT staff if access to the data is necessary for performance of their roles.

The organisation shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party

providers and obtain necessary criminal records checks from the Disclosure and Barring Service. In those circumstances, the data will be subject to confidentiality arrangements.

The University will make some statutory and routine disclosures of personal data to third parties where appropriate. These third parties include:

- Higher Education Statistics Agency (HESA) [HESA Collection Notices](#)
- Universities and Colleges Employers Association (UCEA)
- UK Visas and Immigration (UKVI)
- HM Revenue and Customs (HMRC)
- Pension schemes – including the Local Government Pension Scheme (LGPS) and the Universities Superannuation Scheme (USS) (as set out in the scheme rules)
- Research sponsors/funders
- Trade unions
- Potential employers (where a reference is requested)
- Benefits Agency as required by the Social Security Administration Act 1992
- Child Support Agency as required by the Child Support Information Regulations 2008 (no.2551)
- Payroll Service
- Occupational Health provider
- Employee Assistant Programme

Personal data may also be disclosed when legally required or where there is a legitimate interest, either for the University or the data subject, taking into account any prejudice or harm that may be caused to the data subject.

As a benefit of employment at the University of Suffolk you have access to sign up to additional services e.g. counselling etc. These services are consent based and the employee should take note of the Privacy Notice provided by the third party. The University of Suffolk does not share personal data with the third party other than to confirm your employment and therefore eligibility for the service.

The University may also use third party companies as data processors to carry out certain administrative functions on behalf of the University. If so, a written contract will be put in place with that processor to ensure that any personal data disclosed will be held in accordance with the Data Protection Legislation.

The organisation will not transfer your data to countries outside the European Economic Area, should there be any changes to this in the future, we you will be notified of the changes and the relevant safeguards put in place.

How your data is stored internally

Data is stored in a range of different places including:

- in your personnel file;
- in the organisation's human resource management systems (including the POD & Payroll system, Performance Management & Appraisal system, timetabling and workload allocation system); and
- in other IT systems (including the organisation's email system).

How long is the data kept for?

The organisation will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in the relevant data retention schedule.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Changes to this privacy notice

We may 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.

Privacy notices may be viewed at any time on the University's website.

If you have any questions about this privacy notice, please contact

Data Protection Officer at datagovernance@uos.ac.uk

Data Subject Rights including withdrawing consent

One of the aims of the General Data Protection Regulation (GDPR) is to empower individuals and give them control over their personal data.

The GDPR gives you the following rights:

- 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

All personal data will be processed in accordance with the Data Protection Act 2018 and General Data Protection Regulation. If you have any queries or concerns about the use of your personal data regarding your graduation ceremony including withdrawing your consent, please contact the University Data Protection team using the details below

datagovernance@uos.ac.uk

or

Data Governance Team

Fifth Floor

Waterfront Building

University of Suffolk

Neptune Quay

Ipswich Suffolk

IP4 1QJ

What if you do not provide personal data?

You have some obligations under your employment contract to provide the organisation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide this information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.



I, _____ (name), acknowledge that on _____ (date),

I received a copy of the University of Suffolk's Privacy Notice for Employees and other Workers and that I have read and understood it.

Signature

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Name

.....

If your role is subject to a DBS check please also read and sign the declaration below.

I have read the standard/enhanced check privacy policy for applicants <https://www.gov.uk/government/publications/dbs-privacy-policies> and I understand how the DBS will process my personal data and the options available to me for submitting an application.

Signature

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Name

.....

Date.....