

# STAFF PRIVACY NOTICE

## Document Control

Reference: GDPR REC 4.1B

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## 1. Scope

All staff data subjects whose personal data is collected, in line with the requirements of the GDPR.

## 2. Responsibilities

- 2.1 The Data Protection Officer / GDPR Owner is responsible for ensuring that this notice is made available to data subjects prior to Leeds City College, Keighley College and Harrogate College collecting/processing their personal data.
- 2.2 Each data subject is responsible for ensuring that any information they supply to the College is accurate and up-to-date, that they will inform the College if any such information requires updating and that where they submit any other person's details to the College (including but not limited to any emergency contacts) they have that other person's permission or are otherwise legally permitted to do so on their behalf.

## 3. Privacy notice

### 3.1 Who are we?

**Leeds City College, Keighley College and Harrogate College is part of the Luminare Education Group** with around 33,000 students and 1,300 staff. We are registered as a data controller with the Information Commissioner's Office and our registration number is Z5127931.

Our Data Protection Officer / GDPR Owner and data protection representatives can be contacted directly here:

- ([gdpr@leedscitycollege.ac.uk](mailto:gdpr@leedscitycollege.ac.uk))
- (01132 846485)
- (Data Protection Officer, Leeds City College, Park Lane, Campus, Leeds, LS3 1AA)

Where you are employed as a member of staff with the College, you may give us information about you and other family members by completing our related information capture forms or by corresponding with us by telephone, email or otherwise. We may also receive information from your previous employment or other education providers. This information may include:

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	<b>Personal data type:</b>
A	<ul style="list-style-type: none"><li>• personal details (Name, address, date of birth, gender, nationality)</li><li>• family and emergency contact details</li><li>• lifestyle and social circumstances</li><li>• financial details</li></ul>
B	<ul style="list-style-type: none"><li>• education and employment details</li><li>• visual images and recordings (CCTV, Photographs, Video)</li><li>• (where you wish to park any motor vehicle on any of our sites) the make, model and registration number of your vehicle</li></ul>
C	<ul style="list-style-type: none"><li>• physical or mental health details (including information relating to medical conditions, special educational needs or disabilities)</li><li>• racial or ethnic origin</li><li>• religious or other beliefs</li><li>• trade union membership</li><li>• offences and alleged offences</li><li>• criminal proceedings, outcomes and sentences</li></ul>

We will use information about staff for the purposes set out in sections 3.2 to 3.5 below (for the particularly sensitive information mentioned in row C of the above table, which will only be used for the purposes mentioned in section 3.5 below).

**3.2** We will use such personal information as necessary in order for us to perform a task carried out in the public interest in the circumstances described below:

- To employ you as a member of staff into the College;
- To provide educational services and staff support, occupational health, safeguarding and welfare services;
- To provide employment relations services
- To provide financial, payroll and pension services;
- To monitor and report on the progress of our staff in teaching and learning, performance reviews and their related needs;
- To facilitate the monitoring of the College's performance by relevant public bodies;
- Where necessary in order to comply with any related contract between the College and any funder, or other third party (such as the Education & Skills Funding Agency, West Yorkshire Combined Authority, Chartwells and local/central government);
- To enable staff to take part in teaching, learning, examinations and assessments;
- To notify staff in relation to relevant matters connected with their employment; and
- To notify staff emergency contacts for relevant matters arising in relation to the staff member (for example, emergencies).

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- 3.3** We will also use such personal information as necessary for our legitimate interests in the circumstances described below (provided that your interests and fundamental rights do not override those interests):
- To monitor the staff use of our information and communication systems to ensure compliance with our policies and procedures;
  - Where it is necessary to establish, exercise or defend any legal claim;
  - To deal with and respond to any queries, enquiries or complaints that we receive;
  - To assess and improve the quality of our service;
  - The staff name, photograph and College payroll reference number will be linked to their access card and a record of their entries to and exits from College premises will be maintained for security purposes; and
- 3.4** We will also use such personal information as necessary in order for us to comply with a legal obligation in the circumstances described below:
- To comply with health and safety and safeguarding requirements; and
  - In connection with any statutory census or other statutory data collection activity.
- 3.5** We will use such particularly sensitive personal information in the following ways:
- Where it is necessary to protect the vital interests of the staff member or another person where the staff member is physically or legally incapable of giving us consent (for example in cases of medical emergency);
  - To provide medical treatment to staff if required;
  - To comply with our legal safeguarding and health and safety obligations, and
  - Details of the staff
  - ethnicity and religion will be processed as part of our legal duties to complete any related statutory census and to ensure meaningful equal opportunity monitoring, reporting and compliance.
- 3.6** If we are not provided with information when requested which is necessary for us to provide our services, we may not be able to provide the best service and support to the staff member. We may also be unable to comply with our legal obligations.
- 3.7** Where we have been provided with your consent we may also use photography and video footage featuring your image for internal purposes and/or external purposes such as publicity.
- 3.8** Where we are processing your information for any purpose on the basis that we have your consent, you may withdraw your consent to us using such information for that purpose at

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any time. This can be done by contacting our Data Protection Officer at Leeds City College, Park Lane Campus, Leeds, LS3 1AA or via email to [gdpr@illuminate.ac.uk](mailto:gdpr@illuminate.ac.uk). Any such withdrawal of consent will not affect the lawfulness of us relying on your consent before you withdrew it.

**3.9** Please note that if consent is withdrawn (or is not provided) in respect of us processing your information for any purpose stated in section 3.7 above, we will not be able to use your data for the relevant purpose (e.g. we will not be able to use your image for any further publicity).

**3.10** In limited circumstances, we may approach you for your consent to allow us to process certain information for purposes not referred to in this Privacy Notice. If we do so, we will provide you with full details of the information we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of employment or of any contract with us that you agree to any request for consent from us. If you do provide us with consent, you will be able to withdraw it at any time as mentioned in section 3.8 above or via any other method that we notify you of when obtaining your consent. Any such withdrawal will not affect the lawfulness of our processing of your personal information in reliance on your consent before you withdrew consent.

### **3.11 Disclosure**

You will be asked before we disclose personal information about you to third parties unless:

- They are only processing such information on our behalf for specified purposes in accordance with our instructions. This includes Google, who provide us with certain teaching, learning and other IT systems (Google are certified to the ISO/IEC 27001 Information Security standard; further details of their security arrangements can be accessed via [https://cloud.google.com/files/ISO27001\\_Digital\\_V2.pdf](https://cloud.google.com/files/ISO27001_Digital_V2.pdf)). It also includes third party providers of hosted software solutions used by the College in relation to staff data dashboard analytics and third party organisations appointed to conduct surveys and/or research on the College's behalf (e.g. in relation to staff satisfaction surveys and business user survey and business function surveys);
- Such disclosure is required by law (e.g. in connection with any statutory data collection requirements imposed on us from time to time. We also have a statutory duty to notify relevant authorities of safeguarding concerns - for example, Leeds Safeguarding Adults Board);
- Such disclosure is necessary for the performance of a task in the public interest (for example, disclosures to destination colleges or universities);
- The third party is providing us with professional advice where necessary for our legitimate interests and permitted by law;
- The disclosure is in connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our related legitimate interests and permitted by law;

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- The disclosure is necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing information to others for the purposes of fraud prevention) and permitted by law;
- The disclosure is necessary to protect the interests of you or another person where you are physically or legally incapable of giving us your consent;
- The disclosure is in connection with a proposed sale of any part of our business or assets (in which case we may disclose your personal information to the prospective seller or buyer of such business or assets and/or their professional advisors) or the proposed acquisition of substantially all of our assets by a third party. Any such disclosure will be made where necessary for the legitimate interests of us and/or the third party in respect of the proposed transaction; however we will not transfer your personal information to any such third party unless we are satisfied that they are able to provide an adequate level of protection in respect of your personal information; or
- We have stated or informed you otherwise (including in this Privacy Notice) and such disclosure is permitted by law.

**3.12** If you receive services from us which involve the services of a third party, we will pass information about you to that third party so that they can provide you with those services on our behalf. For example, any third party who we engage to deliver any qualification on our behalf.

**3.13** In the event that you provide us with feedback regarding our activities, we may disclose that feedback to those of our suppliers who are involved in those activities where necessary for the relevant supplier's legitimate interests in taking such feedback into account.

**3.14** Except as provided in this Privacy Notice, we will not provide or disclose your information to third parties without your express consent for any purpose (including but not limited to direct marketing). We do not sell personal information under any circumstances.

**3.15** In certain circumstances we may use the services of a supplier outside the European Economic Area (EEA) for purposes referred to in this Privacy Notice (for example, in connection with educational software programmes used by College staff and students). This may involve some of the staff personal information being processed by the relevant supplier on our behalf outside of the EEA. If we do this we will require the relevant supplier to put in place appropriate technical and organisational security measures (for example, as part of our contract with the relevant supplier or by verifying that they operate under the EU - US Privacy Shield framework (please see [www.privacyshield.gov](http://www.privacyshield.gov) for further details)).

**3.16** We also operate CCTV systems at certain College sites. The information collected using our CCTV systems will be used for our legitimate interests in preventing and detecting crime, fraud and disorder and protecting the security, health and safety of our staff, students, governors and visitors. Our CCTV policy is available upon request from our Data Protection Officer.

### **3.17 Security of your personal information**

We have put in place appropriate security measures to prevent personal information about staff from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to such personal information to those employees, agents, contractors and other third parties who have a valid need to know that information. We have put in place procedures to deal with any suspected data security breach and will notify you and/or any applicable regulator of a suspected breach where we are legally required to do so.

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### 3.18 Retention period

Leeds City College, Keighley College and Harrogate College will process personal data for whilst you are a member of staff and afterwards will retain the personal data for as long as we need it to fulfil the purpose(s) for which it was collected (including for the purposes of satisfying legal, accounting or reporting requirements). The retention period for different classifications of personal data has been established in line with information management guidelines. Further details of our specific retention periods are set out in [GDPR DOC 2.3](#) (a copy of which is also available upon request from our Data Protection Officer).

Whilst taking into consideration our legal obligations, we will on an ongoing basis: review the length of time that we retain personal data; consider the purpose or purposes for which we hold the personal data in deciding whether (and for how long) to retain it; securely delete personal data that is no longer needed for such purpose or purposes; and update, archive or securely delete information if it goes out of date.

### 3.19 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights (subject to certain exemptions):

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply you have a right to restrict the processing (for example to ask to suspend the processing of personal information to establish its accuracy or the reasons for processing it).
- Right of portability – where certain conditions apply you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing where we are relying on a legitimate interest (or those of a third party) or the processing is carried out on the basis that it is necessary for the performance of a task in the public interest.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial remedy: in the event that the College refuses any request from you to exercise any of your rights under data protection legislation. In such circumstances we will provide you with a reason as to the refusal and you will also have the right to complain as outlined below.

Requests in respect of the above should be made in writing to the Data Protection Officer, Leeds City College, Park Lane Campus, Leeds, LS3 1AA or via email to [gdpr@leedscitycollege.ac.uk](mailto:gdpr@leedscitycollege.ac.uk). Please contact the same address if you have any reason to believe that information we hold about you is inaccurate. We will respond to your request as soon as possible and, in any event, within one month from the date of receiving the request. Please note that we may, where legally permitted, reject any such request or limit the scope of our response (e.g. if, in the circumstances, the right does not apply to you).

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In accordance with applicable data protection legislation, we follow security procedures in the storage and disclosure of your information. We may therefore request proof of your identity (e.g. passport/driving licence/birth certificate) and rights before complying with any request of a nature described in this section 3.20.

You will not generally have to pay a fee to exercise any of your rights described in this section 3.19. However, we may charge a reasonable fee if you make a request to see a copy of your personal information which is clearly unfounded or excessive. Alternatively we may refuse to comply with your request in such circumstances.

### 3.20 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by or on behalf of Leeds City College, Keighley College or Harrogate College, or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority (the Information Commissioner's Office) and Leeds City College via the College's Data Protection Officer / GDPR Owner.

The details for each of these contacts are:

	<b>Supervisory authority contact details</b>	<b>Data Protection Officer (DPO) / GDPR Owner contact details</b>
Contact Name:	<a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a>	Graham Eland
Address line 1:		Luminate Education Group
Address line 2:		Park Lane Campus
Address line 3:		Leeds
Address line 4:		West Yorkshire
Email		<a href="mailto:gdpr@luminate.ac.uk">gdpr@luminate.ac.uk</a>
Telephone	0303 123 1113	0113 386 1997

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We would appreciate the chance to deal with your concerns before you approach the Information Commissioner's Office however, so please contact us in the first instance.

#### 4. Changes to this Privacy Notice

This Privacy Notice does not form part of any contract. We may amend this Privacy Notice at any time. If we make any changes to the way in which we use personal information about staff we will notify you by writing to you or sending an email.

Contact details of the Data Protection Officer / GDPR Owner:

	<b>Data Protection Officer / GDPR Owner contact details</b>
Contact Name:	Graham Eland
Address line 1:	Luminate Education Group
Address line 2:	Park Lane Campus
Address line 3:	Leeds
Address line 4:	West Yorkshire
Address line 5:	LS3 1AA
Email:	<a href="mailto:gdpr@luminate.ac.uk">gdpr@luminate.ac.uk</a>
Telephone:	0113 386 1997



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### ***Document Owner and Approval***

The Luminate Director of IT Data Protection Officer is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR and the Data Protection Act 2018.

A current version of this document is available to all members of staff and students on the College Staff and Student Intranets and the College website.

This procedure is issued on a version controlled basis.

### **Change History Record**

Issue	Description of Change	Date of Policy
1.0	Initial issue	14/11/2017
1.1	Document Review	03/07/2019
1.2	Annual review	06/08/2020
1.3	Annual review	07/07/2021
1.4	Annual review and amends	27/06/2022