



Staff Privacy Notice

Issue 1 - 24/05/2018

This privacy notice explains how Portsmouth College (“we”, “our”, “us”) collects, uses and shares your personal information, and your rights in relation to the personal information that we hold. It concerns our processing of personal information of past, present and prospective employees of Portsmouth College (“you”, “your”).

Portsmouth College is the data controller of personal information about you. Our address is Portsmouth College, Tangier Road, Portsmouth PO3 6PZ.

Our Data Protection Officer is Neil McMonagle. If you have any questions about this policy or the ways in which we will use your personal information, please contact our Data Protection Officer by email (dpo@tpc.ac.uk) or telephone (023 9266 7521).

This privacy notice has been prepared in accordance with the General Data Protection Regulation 2016/679 (“**GDPR**”) and the Data Protection Act 2018. It sets out:

[HOW WE COLLECT YOUR PERSONAL INFORMATION](#)

[THE INFORMATION THAT WE COLLECT](#)

[THE USES MADE OF YOUR PERSONAL INFORMATION](#)

[THE LEGAL BASIS ON WHICH WE PROCESS YOUR PERSONAL INFORMATION](#)

[HOW LONG WE KEEP YOUR PERSONAL INFORMATION](#)

[HOW WE SHARE YOUR PERSONAL INFORMATION](#)

[HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE](#)

[AUTOMATED DECISIONS WE TAKE ABOUT YOU](#)

[YOUR RIGHTS OVER YOUR PERSONAL INFORMATION](#)

[CHANGES TO THIS PRIVACY NOTICE](#)

HOW WE COLLECT YOUR PERSONAL INFORMATION

We collect your personal information in a number of ways, including:

- online and paper forms (such as your employment application form and performance reviews);
- other information you provide (such as exam certificates);
- information received from previous employers (such as references);
- when you communicate with us by telephone, email, via our website or social media channels

THE INFORMATION THAT WE COLLECT

We will first collect personal information from you when you **apply** for a job with us. This will include your:

- name; date of birth; gender; marital status
- address; phone numbers; email address;
- DofE number; national insurance 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 staff of the College or Governing Body;
- references; special arrangements for interview;
- criminal record details;

If you are successful at interview, we will collect further personal information **before we are able to confirm an offer of employment:**

- Disclosure Barring Service check; Prohibition from Teaching check; Check of Barred List / List 99;
- entitlement to work in the UK;
- certifications / qualifications;
- pre-employment health questionnaire

We will continue to collect personal information from you **when you become an employee** of the College:

- previous surname(s);photo;
- employee number;
- next of kin and contact details;
- job title; type of employment; start date;
- disabilities; sexual orientation; religion
- bank details (account name, bank account number, sort code);

- pension details;
- student loan details;
- payroll details;
- offer letters;
- employment terms and conditions; changes to your terms and conditions;
- job descriptions;
- disciplinary, grievance, capability records;
- sickness absences; return to work notifications;
- parental leave requests; maternity/paternity/adoption information;
- medical information; accidents and injuries at work;
- working time information;
- annual leave records;
- flexible working;
- appraisal / performance review records;
- exit interviews;
- disqualification information;

This list is not exhaustive; to see the current set of information we process please see the latest staff privacy notice on Hermes (the staff intranet).

THE USES MADE OF YOUR PERSONAL INFORMATION

We collect and process your personal information set out above for the following purposes:

- for the recruitment process and for carrying out pre-employment checks;
- for safeguarding students and keeping all members of the College community safe;
- 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;
- 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.

THE LEGAL BASIS ON WHICH WE PROCESS 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 (such as ethnicity), we do this on the basis that it is necessary for the purposes of carrying out our **obligations** in the field of employment law or social protection law (such as the Equality Act and Public Sector Equality Duty).

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, or send us a speculative CV, we will keep your personal information for 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 your personal information for 6 years, which is in accordance with guidance issued by the Chartered Institute of Personnel and Development.

HOW WE SHARE YOUR PERSONAL INFORMATION

We will regularly share your personal information with the following organisations. In all cases, your personal information will be transferred via a secure file transfer system and will then be stored within the receiving organisations systems.

| Organisation / Type | Purpose |
|--|--|
| Disclosure and Barring Service (DBS) | We undertake checks of all new employees to make safe recruitment decisions and prevent unsuitable people from working with children. DBS is an executive non-departmental public body, sponsored by the Home Office. |
| Education and Training Foundation | Participation in FE sector workforce data collection to create an evidence base for government and sector policy making |
| Hampshire County Council | For support staff - to administer your membership of the Local Government Pension Scheme (where applicable) |
| Her Majesty's Revenue and Customs (HMRC) | To fulfil our legal obligations as an employer in respect of tax and national insurance |
| Teachers' Pensions Scheme | For teachers - to administer your membership of the Teachers' Pension Scheme (where applicable) |

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| Future employers | To provide references where you provide a member of the Portsmouth College management team as one of your referees |
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We may also share your personal information with third parties who provide services to the College (*these organisations are referred to as Data Processors*):

| Organisation / Type | Service |
|--|---|
| Cintra HR & Payroll Services Ltd | Payroll processing |
| Electronic communication service providers | In order to communicate with you by email, text message etc. we need to share some of your personal information (e.g. email address or mobile telephone number) with a relevant service provider. |
| Google | Email, cloud storage and cloud computing services. |

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

Some of the third party organisations who provide services to the College are based outside Europe and in these cases your personal information will be transferred outside the EU to their hosting facilities and those of their sub-processors.

In all such cases the College either:

- i. has data protection contracts in place with these organisations confirming that processing of personal information will be in accordance with European Data Protection legislation; or
- ii. in the case of US based organisations, is satisfied that the organisation processes personal information in accordance with European Data Protection legislation through their membership of the EU-U.S. Privacy Shield programme.

AUTOMATED DECISIONS WE TAKE ABOUT YOU

We do not make automated decisions using your personal information.

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 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.

CHANGES TO THIS PRIVACY NOTICE

We will keep this privacy notice under regular review and will update it from time-to-time to make sure that it remains up-to-date and accurate.

The current version of this notice will be available on our staff intranet (Hermes). We will take reasonable steps to notify you of changes, for example via staff meetings and Hermes updates.