

## **St. John's College, Durham**

### ***Privacy Notice – Employees***

#### **Part 1: Generic Privacy Notice Information**

St John's College, Durham (henceforth 'the College') has a responsibility under data protection legislation to provide individuals with information about how we process their personal data. We do this in a number of ways, one of which is the publication of privacy notices. Organisations variously call them a privacy statement, a fair processing notice or a privacy policy.

To ensure that we process your personal data fairly and lawfully we are required to inform you:

- Why we collect your data
- How it will be used
- Who it will be shared with

We will also explain what rights you have to control how we use your information and how to inform us about your wishes. The College will make the Privacy Notice available via the website and at the point we request personal data.

Our privacy notices comprise two parts – a generic part (i.e. common to all of our privacy notices) and a part tailored to the specific processing activity being undertaken.

#### **Data Controller**

The Data Controller is the College. If you would like more information about how the College uses your personal data, please see the College's Data Protection Policy or contact the data management team on: [johns.data@durham.ac.uk](mailto:johns.data@durham.ac.uk)

The data management team also coordinates the response to individuals asserting their rights under the legislation.

#### **Data Protection Officer**

The Data Protection Officer is responsible for advising the College on compliance with Data Protection legislation and monitoring its performance against it. If you have any concerns regarding the way in which the College is processing your personal data, please contact the Data Protection Officer:

Chris Courtman, email: [johns.data@durham.ac.uk](mailto:johns.data@durham.ac.uk)

#### **Your rights in relation to your personal data**

##### **Privacy notices and/or consent**

You have the right to be provided with information about how and why we process your personal data. Where you have the choice to determine how your personal data will be used, we will ask you for consent. Where you do not have a choice (for example, where we have a legal obligation to process the personal data), we will provide you with a privacy notice. A privacy notice is a verbal or written statement that explains how we use personal data.

Whenever you give your consent for the processing of your personal data, you receive the right to withdraw that consent at any time. Where withdrawal of consent will have an impact on the services we are able to provide, this will be explained to you, so that you can determine whether it is the right decision for you.

### **Accessing your personal data**

You have the right to be told whether we are processing your personal data and, if so, to be given a copy of it. This is known as the right of subject access.

### **Right to rectification**

If you believe that personal data we hold about you is inaccurate, please contact us and we will investigate. You can also request that we complete any incomplete data.

Once we have determined what we are going to do, we will contact you to let you know.

### **Right to erasure**

You can ask us to erase your personal data in any of the following circumstances:

- We no longer need the personal data for the purpose it was originally collected
- You withdraw your consent and there is no other legal basis for the processing
- You object to the processing and there are no overriding legitimate grounds for the processing
- The personal data have been unlawfully processed
- The personal data have to be erased for compliance with a legal obligation
- The personal data have been collected in relation to the offer of information society services (information society services are online services such as banking or social media sites).

Once we have determined whether we will erase the personal data, we will contact you to let you know.

### **Right to restriction of processing**

You can ask us to restrict the processing of your personal data in the following circumstances:

- You believe that the data is inaccurate and you want us to restrict processing until we determine whether it is indeed inaccurate
- The processing is unlawful and you want us to restrict processing rather than erase it
- We no longer need the data for the purpose we originally collected it but you need it in order to establish, exercise or defend a legal claim and
- You have objected to the processing and you want us to restrict processing until we determine whether our legitimate interests in processing the data override your objection.

Once we have determined how we propose to restrict processing of the data, we will contact you to discuss and, where possible, agree this with you.

## **Retention**

The College keeps personal data for as long as it is needed for the purpose for which it was originally collected. Most of these time periods are set out in the College's *Records Retention Schedule*.

## **Making a complaint**

If you are unsatisfied with the way in which we process your personal data, we ask that you let us know so that we can try and put things right. If we are not able to resolve issues to your satisfaction, you can refer the matter to the Information Commissioner's Office (ICO). The ICO can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Website: [Information Commissioner's Office](#)

## **Part 2: Tailored Privacy Notice for Employees**

### **Employees: Type(s) of personal data collected and held by the College and methods of collection**

The College collects and processes personal data relating to our employees to manage the employment relationship. The College is committed to being transparent about how it collects and uses that data and to meeting our data protection obligations.

This section of the Privacy Notice provides you with the privacy information that you should be aware of as an employee of the College.

Please note that for ease of reference the contents of this privacy notice apply (where applicable) to current and former employees, workers and contractors/self-employed individuals but the terms employee and employment shall be used throughout.

This notice does not form any part of any contract of employment or other contract to provide services nor does it infer employment status.

The College collects a range of information about you, which includes (but is not limited to):

1. your name, address and contact details, including email address and telephone number, date of birth and gender;
2. the terms and conditions of your employment;
3. details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the College;
4. recruitment information including copies of right to work documentation, references, CV/resume, covering letter(s) and any other documents submitted as part of the application process, health declaration questionnaire and information completed by the employee prior to commencing employment;

5. information about your current and previous remuneration with the College, including entitlement to benefits such as pensions, salary sacrifice arrangements or insurance cover;
6. details of your bank account, national insurance number and tax status;
7. information about your marital status, emergency contact, dependents and emergency contacts;
8. information about your nationality and entitlement to work in the UK;
9. information about your criminal record;
10. details of your start date, schedule (days of work and working hours), hours worked and attendance at work;
11. information about your location and place of work;
12. employment records including job titles, work history, training records and professional memberships;
13. details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
14. details of any HR processes such as disciplinary, grievance or sickness absence procedures in which you have been involved, including any warnings issued to you and related correspondence;
15. assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
16. information obtained through electronic means including, where applicable, swipe card access, computer logon information and software usage; and
17. information about medical or health conditions, including whether or not you have a disability for which the College may make reasonable adjustments.

We may also collect, store and use the following “special categories” of more sensitive personal information:

1. equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief;
2. trade union membership;
3. information about your health, including any medical condition, health and sickness record;
4. information about criminal convictions and offences and disclosure and barring.

The College collects this information in a variety of ways. For example, data is collected through applications, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of and/or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments or as part of any health declarations.

The College collects personal data about you from third parties, such as references supplied by former employers (following consent), information from employment background check providers, and (if applicable) information related to criminal record checks and disclosure and barring.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

The College may also seek an academic reference from third parties as part of the academic promotion process and will forward a copy of your standard proforma progression CV to referees.

The collection of health information related to outbreaks of infectious disease (such as Covid-19 or any subsequent such health issues) will also be necessary.

### **Employees: Lawful basis**

The College has a legitimate interest in processing personal data before, during and after the employment relationship. The College needs to process data to take steps prior to potentially entering into a contract with you. Thereafter the College needs to process data to enter into an employment contract with you and to meet our obligations under your employment contract.

The College needs to process data to ensure that it is complying with our legal obligations. We may also use your personal information where we need to protect your (or someone else's) interests or where it is in the public interest. When we process your personal information we will do so provided your fundamental rights do not override those interests.

We do not need your consent if we use special categories of your 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 you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with details of the information that we would like and the reason we need it, so that you can consider whether you wish to consent.

### **Employees: How personal data is stored**

Data will be stored in a range of different places, including in your electronic and hard copy personnel file, electronically (and sometimes in hard copy) in your department, within the Sage HR systems, within the College's document systems and in other IT systems (including the College's email system and SharePoint).

HR data will be stored in a range of different places, predominantly in HR but some employment data will be stored in your department (for example recent Annual Staff Reviews).

HR data is stored securely and will only be accessed by colleagues with a legitimate interest in accessing your data.

### **Employees: How personal data is processed**

Processing employee data allows the College to:

1. run and make a decision on recruitment and promotion processes;
2. determining the terms on which you work for us;

3. check you are legally entitled to work in the UK;
4. paying you and, if you are an employee/worker/deemed a worker due to IR35 regulations, deducting tax and national insurance contributions;
5. liaising with your pension provider;
6. business management and planning including accounting and auditing;
7. making decisions about salary, benefits and compensation;
8. assessing qualifications and skills for a particular job or task, including decisions about promotions;
9. providing you with relevant facilities such as access to IT and the Library;
10. 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;
11. operate and keep a record of disciplinary and grievance processes (or other relevant HR processes), gather evidence for any disciplinary or grievance processes (or other relevant HR processes), to ensure acceptable conduct within the workplace;
12. operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
13. manage sickness absence and 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;
14. obtain occupational health advice, to ensure that the College complies with duties in relation to individuals with disabilities, meet our obligations under health and safety law (including, where there are legitimate interests to do so, reporting health issues to appropriate third parties in the interests of public health), and ensure that employees are fit for work and are appropriately supported by the College;
15. contact third parties such as medical professionals or emergency contact concerning the health of an employee, with an employee's consent or, if that consent cannot or will not be given, in exceptional circumstances and in the legitimate interests of the employee, the College or in the public interest without the employee's consent;
16. 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 College 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;
17. education, training and development requirements;
18. make decisions about requests for flexible working;
19. ensure effective general HR and business administration to operate the employment contract;

20. making decisions about your continued employment or engagement including the potential termination of your employment;
21. to monitor your use of our information and communication systems to ensure compliance with our IT policies and to ensure network and information security including preventing unauthorised access to our computer and electronic communication systems and preventing malicious software distribution;
22. to gather data to review and take action on employee retention and attrition rates;
23. equal opportunities monitoring;
24. preventing and detecting crime, such as use of CCTV or attaching photos to campus cards;
25. maintaining contact with former employees;
26. to engage with the College's recognised trade unions about matters pertaining to College groups of staff or individual employees;
27. fundraising and marketing;
28. provide references on request for current or former employees;
29. making decisions in relation to academic promotion processes;
30. to respond to and defend against legal claims;
31. provide facilities, such as the Durham College IT service and the College Library;
32. any other reasonable and related purpose.

In addition, employees should be aware of the following uses of data:

We process personal data related to the protected characteristics of employees including gender and race but we do so for the purpose of equal opportunities monitoring and employees are not obliged to provide such information to the College.

In some cases, the College needs to process data to ensure that it is complying with its legal obligations, for example, the College is required to check that all employees are entitled to work in the UK and thereafter may have to conduct regular checks of employee's right to work status.

Registration with Computing and Information Services (CIS) means that an employee's name, department/section, job title, email address and telephone number will appear in Durham College's electronic email and telephone directory which can be viewed on the internet. In exceptional circumstances employees can opt-out of the directory (in full or in part, such as declining contact details), either at the point of first registering with CIS or later by contacting Durham University's Data Protection Officer. Employees also have their name and academic qualifications published in the Durham University Calendar and may have their name, academic qualifications and contact details published in external academic-related publications such as the Commonwealth Universities Yearbook.

The University routinely logs information about use of IT facilities for statistical purposes, to ensure effective systems operations and to ensure legal compliance relating to software

usage. The University may also monitor electronic communications to ensure that they are being used in accordance with the University's Policy and Regulations for the Use of University IT Facilities and, specifically, to prevent or detect crime.

Each employee is required to provide a digital image of themselves to Durham University CIS for reproduction on their University campus card, which will be used for the purpose of identification. The College may commission photography on campus or at specific events, such as award ceremonies, for use in its promotional material and employees may appear on the resulting images, which may be published.

We will only use information relating to criminal convictions and disclosure and barring where we are legally entitled to do so. This will include enquiring about unspent convictions during the recruitment process and we will obtain information about criminal convictions and safeguarding where we consider that it is appropriate given the nature of the requirement for the role. Less commonly, we may use information relating to criminal convictions and/or disclosure and barring where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

Some of the reasons for processing your data overlap and there may be several grounds which justify our use of your personal data.

#### **Employees: How we use sensitive personal data**

Special categories of sensitive personal information require higher levels of protection. We may process such data in the following circumstances:

1. In limited circumstances, with your explicit written consent;
2. Where we need to carry out any legal obligations which includes, where there is legitimate interests, for reasons of public health;
3. Where it is needed in the public interest, such as for equal opportunities monitoring.

Less commonly, we may process this information where it is needed in relation to legal claims, or where it is needed to protect your interests (and you are not capable of giving your consent) or where you have already made the information public.

In an HR context we would anticipate use of sensitive personal information in the following ways:

1. using information about your physical or mental health or disability status to ensure that you are fit for work, to ensure your health and safety in the workplace, to manage sickness absence, to administer benefits, and to consider any potential reasonable adjustments and support you if you have any health concerns. All health-related information is stored securely, is only accessible by those with a legitimate interest to view that data such as Occupational Health, HR and your line manager and, if being sent in electronic format must be password protected;
2. information related to leaves of absence including sickness absence or family related leave, to comply with our legal obligations;

3. provision of information related to health to appropriate third parties where there is a legal obligation or a legitimate interest in doing so for reasons of public health;
4. we will also use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting; and
5. we will use trade union membership information to pay trade union premiums and to comply with any relevant legal obligations.

### **Employees: Who the College shares data with**

Your information may be shared internally, including with members of the HR and Finance teams, your line manager and the responsible College Officer for the business area in which you work, with relevant College committees for the purpose of progression and staff support services if access to the data is reasonable for the purpose of your contract.

The College may share your data with third party agencies to satisfy any legal requirements or where there is a legitimate interest to do so (such as public health) including in respect of your right to work in the UK and, if applicable information on any criminal convictions and/or disclosure and barring.

The College may need to disclose the personal data of employees to organisations contracted to work on its behalf, which could include its pension providers, insurers or professional advisors such as lawyers or auditors. The College may also disclose data to funders of research and externally funded activities, research collaborators and selected individuals acting on behalf of the College such as alumni organising alumni events, external organisations undertaking market research or academic researchers provided no personal data is published. In certain circumstances the College passes the personal data of employee debtors to an external debt collection agency if the College has been unable to recover the debt by normal internal financial or HR processes.

Where considered legitimate and/or necessary the College may share data with the College's recognised trade unions.

The College may also seek an academic reference from third parties as part of the academic promotion process and will forward a copy of your standard proforma progression CV to referees.

The College may share your data with third party agencies to satisfy any legal requirements or where there is a legitimate interest to do so, such as public health. Data would be shared to allow the College to receive external advice on infection control to protect the university community, and to support the identification, modelling and management of local and national outbreaks of infectious disease. Data would only be shared with third parties where necessary and the processing would only identify individuals if required.

### **Employees: How the College protects data**

The College takes the security of your data seriously. The College 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 our employees legitimately in the performance of their duties or by third parties as outlined in this Privacy Notice.

### **Employees: How long personal data is held by the College**

The College will only retain your data for as long as necessary to fulfil the purposes we collected it for which includes satisfying any legal, accounting or reporting requirements.

*College Records Retention Schedule* outlines how long we will keep your data.

In some cases, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

### **Employees: If you fail to provide personal data**

You have obligations under your employment contract to provide the College with data. In particular, you are required to report absences from work and may be required to provide information about matters which could impact on your employment, for example criminal convictions. You may also have to provide the College with data so that you can use your statutory rights, for example to take maternity or paternity leave and failing to provide such data may mean that you are unable to exercise your statutory rights.

Some information, such as contact details, your right to work in the UK and payment details, must be provided to enable the College to enter a contract of employment with you. If you do not provide such information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently and, in some cases, we may not be able to continue employing you.

### **Employees: Visitors to our websites/webpages**

When someone visits [St John's College - Durham University](#) or [Cranmer Hall Durham | A vibrant, diverse evangelical Christian community](#) a third-party service, Google Analytics, is used to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do want to collect personally identifiable information through our website, we will be transparent about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

### **Employees: Use of cookies**

A cookie is a simple text file that is stored on your computer or mobile device by a website's server and only that server will be able to retrieve or read the contents of that cookie. Cookies allow websites to remember user preferences, choices and selections, such as what's in your shopping basket. The College and Durham University also make use of the Google Analytics service to understand how you navigate around the website site.

The College and Durham University do not use cookies to collect personal information about you.

For more information about the use of cookies on Durham University's website, or to set your cookie usage preference, please see [Cookie Notice](#).

**Employees: Links to other websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy notices on the other websites you visit

**Employees: Changes to this privacy notice**

We regularly review our privacy information to ensure that it remains accurate and current. We will review and update this privacy information whenever we plan to use personal data for any new purpose. Any changes to this privacy information will be communicated to you.

**Employees: Further information**

If you have any questions which you feel have not been covered by this Privacy Notice, please email us or write to:

Data Protection Officer, St John's College, 3 South Bailey, Durham, DH1 3RJ

Email: [johns.data@durham.ac.uk](mailto:johns.data@durham.ac.uk)