

Staff Privacy Notice



Document Control Information	
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The College reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment, which is published on our website: <https://www.glasgowkelvin.ac.uk/equality-diversity/>

Privacy Notice – For Employees, Workers and Contractors

Individuals have the right to be informed about the collection and use of their personal data including sensitive personal information (special data). This is a key transparency requirement under the Data Protection Act 2018, the UK General Data Protection Regulation and associated Codes of Practice. This notice outlines how Glasgow Kelvin College processes the data provided by staff and applies to current, prospective and former employees, workers and contractors. This notice does not form part of any contract of employment.

For the purposes of this Privacy Notice, the Data Controller – that is the organisation that determines the purposes and means of processing your personal data – is Glasgow Kelvin College, 123 Flemington Street, Springburn, Glasgow, G21 4TD.

Data Protection Registration

Glasgow Kelvin College is registered with the Information Commissioner's Officer (ICO) as a Data Controller. The College's registration number is Z6805161.

It is important that individuals read this notice to raise awareness of how and why the College is using personal information and to advise individuals of their rights in relation to their data.

Your rights in relation to the data the College processes

The UK General Data Protection Regulation (GDPR) provides the following rights to you as an individual in relation to your personal information:

- *The right to be informed* - so you may understand how the College uses your data;
- *The right of access* - to see the personal information the College holds on you, commonly known as a "subject access request";
- *The right to rectification* - so you may have any incomplete or inaccurate information that the College holds corrected;
- *The right to erasure* – where you may ask the College to delete or remove personal information where there is no good reason for its continued processing;
- *The right to restrict processing* – where you would like the College to suspend the processing of personal information whilst, for example, its accuracy or the reason for processing it is being checked;
- *The right to data portability* – where you may request the transfer of personal information from the College to another party;
- *The right to object* - for example where the College is relying on a legitimate interest (or those of a third party) and there is something about a particular situation that you want to object to processing on this ground; and
- *Rights in relation to automated decision making and profiling* - to protect you if there are instances where the College uses solely automated decision-making that has legal or similarly significant effects that you disagree with.

This Privacy Notice supports your right to be informed about how the College collect, store, process, share and delete your data.

How the College collects your information

Personal data, or personal information, means any information about a living individual from which that person can be identified and which relates to that individual. This can be in physical,

electronic or paper formats. It does not include data where the identity has been removed (anonymous data), for example when processing data for statistical purposes.

There are “special categories” of more sensitive personal data which require a higher level of protection.

The College collects personal information about employees and applicants through the application and recruitment process, pre-employment online training courses and online training during your employment, either directly from candidates or sometimes from a third party, for example an employment agency, former employers in relation to a reference request, occupational health services and Disclosure Scotland where an individual is invited to join one or both of the PVG Schemes.

The College will collect and process additional personal information as necessary for the performance of the employment contract or for the purposes of the College’s legitimate interests during your period of employment.

What information the College collects on you

The College collects, stores and use the following types of personal information:

- Personal details such as name, title, address, telephone numbers, personal email addresses, date of birth, gender, marital status and information on dependants.
- Next of kin details for emergency purposes.
- Financial information, for example bank account details, payroll records, tax status information, salary.
- Recruitment information including copies of right to work documentation, references and CV or cover letter.
- Employee details including start date, location of employment or workplace annual leave, pension and benefits information, job titles, work history, working hours, training records and professional membership, performance information, Personal Development Review paperwork, training requested/undertaken.
- Compensation history/Voluntary Severance/Employment claims.
- Disciplinary and grievance information.
- CCTV footage.
- Electronic device information including Internet Protocol (IP) address, information about an individual’s use of our information and communications systems, location data of any College owned mobile devices, names of documents printed on College MFD’s
- Photographs.
- DVLA check for employees requesting access to College vehicles, where the employee initiates the process by contacting the DVLA directly.
- Video and audio recordings of lectures, tutorials and group discussions.

The College may also ask you for “special categories” of more sensitive personal information which it will store and use including:

- Information for equality monitoring including race, ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

Why the College processes your personal data

The College will only use personal information when the law allows it to. Most commonly, use of personal information will be in the following circumstances:

1. Where it is needed to perform the contract that it has entered into with you.
2. Where it is needed to comply with a legal obligation.
3. Where it is necessary for legitimate interests (or those of a third party) and an individual's interests and fundamental rights do not override those interests.

The College may also use personal information in the following situations, which are likely to be rare:

- Where an individual's interests (or someone else's interests) need to be protected;
- Where it is needed in the public interest.

Why the College processes sensitive personal information

Special category 'sensitive' personal information requires higher levels of protection. The College needs to have further justification for collecting, storing and using this type of personal information. The College may process special categories of personal information in the following circumstances:

1. In limited circumstances, with an individual's explicit written consent.
2. Where the College needs to carry out its legal obligations and exercising rights in the field of employment law, in line with the College Data Protection Policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with the College Data Protection Policy.
4. Where it is needed to assess/monitor an individual's working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, the College may process this type of information where it is needed in relation to legal claims or where it is needed to protect an individual(s) interests and an individual is not capable of giving consent, or where an individual has already made the information public.

We do not generally require your consent to process your personal information, however, there may be occasions where we approach you for explicit written consent in relation to the processing of special category data. In such a case, we will provide full details of why we are seeking consent so that you will be able to carefully consider whether to provide that consent.

Situations when the College will use your personal information

The College requires all the types of information in the aforementioned list to allow it to perform the contract with individuals and to enable it to comply with legal obligations. The purposes for which the College will process personal information include:

- Making a decision about recruitment or appointment.
- Determining the terms on which an individual works for the College.
- Checking that an individual is legally entitled to work in the UK.
- Paying individuals, and, for employees, deducting tax and National Insurance contributions.

- Providing staff benefits.
- Liaising with pension providers.
- Administering the contract entered into with individuals.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary matters.
- Making decisions about an individual's continued employment or engagement.
- Making arrangements for the termination of working relationships.
- Education, training and development requirements.
- Dealing with legal disputes involving an individual(s), or other employees and contractors, including accidents at work.
- Ascertaining an individual's fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor an individual's use of College information and communication systems to ensure compliance with College IT policies.
- To ensure network and information security, including preventing unauthorised access to computer and electronic communications systems and preventing malicious software distribution.
- To ensure the safety and security of the College campus estate and all associated stakeholders via CCTV recordings.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- To access buildings, classrooms, and MFDs via staff I.D. badges.
- To access the College network e.g. by fingerprint identification apps. via iPhone and Android devices.
- Equal opportunities monitoring.
- Providing online learning to students.

Some of the above grounds for processing will overlap and there may be several grounds which justify the use of personal information by the College.

The College may need to request specific information from individuals to help it confirm identity to ensure rights are appropriately exercised, for example by asking to see your passport or driving licence. This is an appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it and protecting your privacy.

Situations when the College will use your sensitive personal information

The College will use an individual's sensitive personal information in the following ways:

- record leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- record an individual's physical or mental health, or disability status, to ensure health and safety in the workplace and to assess an individual's fitness to work, to provide

appropriate and reasonable workplace adjustments, to monitor and manage sickness absence and to administer benefits.

- where you have shared the information with the College - age, caring responsibilities, disability, status, gender identity, marital or civil partnership status, pregnancy or maternity/paternity status, nationality and ethnic origin, religious, philosophical or moral beliefs, sex, or sexual orientation. Doing so ensures meaningful equality monitoring and reporting, in support of the College's legal duties and in the public interest. Although when gathering this sensitive personal information there is a 'prefer not to answer' option, more information allows the College to make positive improvements, so individuals are encouraged to provide this confidential information if able to do so.
- to pay trade union deductions and to comply with employment law obligations.

What happens if individuals do not provide personal information to the College

Staff including employees, Board of Management members, trustees, workers and contractors are under contractual obligation to provide their personal information to the College. If individuals fail to provide certain information when requested, the College may not be able to perform the contract entered into (such as payment of salary or providing a benefit). Furthermore, the College may be prevented from complying with its legal obligations (such as to ensure the health and safety of staff and learners).

It is also important that the personal information the College holds is accurate and current. Please keep the College informed of changes to your personal information during your working relationship with it. Employees can update their personal information using the [self-service portal](#) or by contacting the Human Resources Department.

Email: humanresources@glasgowkelvin.ac.uk

Ext: 3576

Tel: 0141 588 1576

Data sharing with third parties – why the College may need to share data

The College will share an individual's personal information with third parties where required by law, where it is necessary to administer the working relationship or where the College has another legitimate and lawful interest in doing so.

To fulfil the College's contract with you, and as part of its legal requirements in relation to pension, tax, fraud and audit purpose, there are certain organisations the College may have to share your personal data with including:

1. Acura Occupational Health
2. [City and Guilds](#)
3. [Civica](#)
4. [Colleges Scotland](#)
5. [Cultureshift \(Report & Support\)](#)
6. Debt Collectors
7. [Doodle Poll](#)
8. [General Teaching Council for Scotland](#) (GTCS)
9. [Glasgow City Council](#)
10. [Glasgow Colleges Regional Board](#) (GCRB)
11. [Government Actuary Department](#).
12. [HM Revenue & Customs](#) (HMRC).

13. Ideagen plc
14. [Joint Council for Qualifications \(JCQ\)](#)
15. [Local Government Pension Scheme National Insurance database.](#)
16. [Mailchimp](#)
17. [Moodle](#)
18. [NHS Scotland](#)
19. [Peachy Mondays](#)
20. [Pearson plc](#)
21. [Police Scotland](#) and other law enforcement or regulatory bodies.
22. Regulatory bodies
23. [Scottish Funding Council \(SFC\)](#)
24. [Scottish Public Services Ombudsman \(SPSO\)](#)
25. [Scottish Qualifications Authority \(SQA\)](#)
26. [Secretary of State for Work and Pensions.](#)
27. [Software provider – CINTRA.](#) CINTRA have access to resolve technical issues when the College permits this which is strictly monitored.
28. [Streetwise](#)
29. [Survey Monkey](#)
30. [The Scottish Public Pensions Agency.](#)
31. [WorkRite](#)

In addition to the organisations listed above, the College may also share your personal data with third-party service providers including contractors and designated agents, for the provision of employee benefits, training, IT services, pension and occupational health services, to keep you up to date with College news and for marketing initiatives.

How secure is individual's information with third-party service providers?

All the College's third-party service providers are required to take appropriate security measures to protect personal information in line with the College's contractual terms and conditions. The College does not allow third-party service providers to use personal data for their own purposes. The College only permit third-party service providers to process an individual's personal data for specified purposes and in accordance with the College's instructions.

Your data will not be shared for marketing purposes.

The College may transfer personal information outside the UK. If this does happen, individuals can expect a similar degree of protection in respect of their personal information and the College will ensure that appropriate safeguards are in place.

Protecting data - data security

The College has put in place security measures to protect personal information. Third parties will only process personal information on the College's instructions and where they have agreed to treat the information confidentially and to keep it secure.

The College have put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, the College limits access to personal information to those employees, agents, contractors and other third parties who have a business need to know. Such

individual(s)/contractors will only process personal information on the College's instructions and they are subject to a duty of confidentiality and must comply with the law.

The College has put in place procedures to deal with any suspected data security breach and both individuals and any applicable regulator will be notified of a suspected breach where the College is legally required to do so.

How long will the College hold personal data?

The College will only retain an individual's personal information for the duration of your employment and as long as necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, accounting, or reporting requirements.

In some circumstances personal information is anonymised so that it can no longer be associated with an individual; in this case the College may use such information without further notice. Once an individual is no longer an employee, Board of Management member, worker or contractor then the College will retain any of your data as long as necessary for audit purposes following which it will be securely destroyed. For further information on the retention periods applicable, please contact GDPR at: gdpr@glasgowkelvin.ac.uk

Your duty to inform the College of changes

As part of your employment contract, you must keep the College informed of any change of circumstances during your working relationship with it. This allows it to keep your data accurate so that it may perform its obligations under the contract of employment, for example making timely payments to the correct bank account. If the College is not kept informed of changes then the contract entered into may not be performed or the College may be prevented from complying with its legal obligations (such as to ensure the health and safety of all of our stakeholders.) Staff can update their personal data on the [self-service portal](#) or by contacting the Human Resources Department.

Your right to request your information

Individuals will not have to pay a fee to access their personal information (or to exercise any of the other rights). However, the College reserves the right to charge a reasonable fee if a Subject Access Request is unfounded or excessive. Alternatively, the College can refuse to comply with the request in such circumstances.

Your right to withdraw consent

In the limited circumstances where an individual may have provided consent to the collection, processing and transfer of personal information for a specific purpose, individuals have the right to withdraw consent for that specific processing at any time. To withdraw consent, please contact the College's Data Protection Officer – gdpr@glasgowkelvin.ac.uk. Once the College has received notification that an individual's consent has been withdrawn, the College will no longer process the personal information for the purpose or purposes originally agreed to, unless the College has another legitimate basis for doing so in law.

Photographs and Staff identification badges

The College buildings and grounds are public spaces and, as such, whilst photographing events, images of individuals may be captured. The College reserves the right to use such

photos for social media purposes. Where photos are being taken specifically for marketing purposes this will be made clear to individuals and appropriate consent obtained. A primary priority for the College is the Health and Safety of staff and learners. We wish to ensure that colleagues and learners are aware of staff members at all times during the College day by the wearing of staff identification badges. A number of College policies, including the Safeguarding Children, Young People and Vulnerable Adults Policy, require staff to display photographic identification at all times when at work. In addition, access to a number of staff only areas of the College and other services are dependent on the use of the data which is stored on your identification card.

Recording Learning, Assessments and Discussions

As a result of the pandemic, the College moved some of its learning online. 'Blended learning' is a combination of in-person and online learning.

Only lectures, tutorials and group discussions for learning purposes should be recorded. Personal data may be processed during these sessions, but this should be limited. One-to-one meetings (professional discussion) and other formal assessments can be recorded for assessment evidence purposes in-line with Awarding Body requirements. *However*, one-to-one meetings which are not for learning or assessment purposes should NOT be recorded.

- Lecturing staff will be open and transparent that the recording will take place;
- You will be given the opportunity to agree or decline to participate in the recording;
- If you do not need to participate in two-way conversations or group discussions, you should be removed from the recording by muting the microphone and switching the camera off.
- Similarly, text chat or 'conversations' can be switched-off or anonymised where possible.
- If any participant raises any objections when informed of a recording taking place, lecturing staff should explain why the recording is happening and offer the option to limit the personal data which may be captured by switching-off the microphone and camera.

Further guidance on this matter is available separately if required. Contact: gdpr@glasgowkelvin.ac.uk

Cookies

Cookies are text files placed on computers to collect standard internet log information. This information is used to track use of the website and related activity.

Surveys

Periodically, we will conduct surveys as necessary for the performance of the employment contract or for the purposes of the College's legitimate interests during your period of employment. When we ask you to complete a survey, the legal basis for processing the information you return is "contract" i.e. the contract you have as an employee of the College.

Staff Elections to Glasgow Colleges Regional Board (GCRB)

Periodically, there are elections to appoint a new Teaching Staff Member to the Glasgow Colleges Regional Board (GCRB).

GCRB is a regional strategic body established in 2014 to secure the coherent provision of high quality fundable further and higher education across the Glasgow College Region.

In accordance with legislation, two staff members are elected to GCRB from the across the three Glasgow Colleges - one Teaching Staff Member and one Support Staff Member.

All teaching staff at the College are eligible to stand for election and to vote. The term of office is four years.

As part of this process, email information is shared by the College with GCRB. The data is processed on behalf of GCRB by Civica (formerly Electoral Reform Services).

Legal Basis for sharing

The legal basis for sharing this data with GCRB is “legitimate interest” i.e. it is in the legitimate interest of the employee to share the information to be able to vote and elect a representative on the Board.

The Privacy Notice for GCRB can be found here: [GCRB_PrivacyNotice-2019.pdf](#)

The Privacy Notice for Civica can be found here: [Data Privacy Notice | \(civica.com\)](#)

General Teaching Council Scotland

This relates to registration and membership activities for the General Teaching Council Scotland (GTCS) College Lecturer Registration Project. Glasgow Kelvin College is involved in the pilot stage of the project. Mandatory registration with GTCS began in November 2020 for lecturers with a TQFE or equivalent (currently a recognised Primary or Secondary teaching qualification with experience in Further Education).

Your information will be used for:

- Registration purposes
- Administration
- Communications
- Registration on the GTCS PVG scheme
- Training purposes
- Enabling access to GTCS online facilities and tools
- Administration of the GCTS fitness to teach process

The lawful purposes for using this information are:

- Use is necessary for the “performing a task in the public interest” or under official authority vested in us.
- Use is necessary for performance of a “contract”.

Special Category Data

The information being used includes “special category” (sensitive) data. We can use this information because:

- Use is necessary for carrying out obligations under a collective agreement;
- Processing is necessary for reasons of substantial public interest and is authorised by domestic law proportionate to the aim pursued;
- Statutory and Government purposes (DPA 2018, Sch 1, Part 2(6));

- Protecting the public against dishonesty etc. (DPA 2018, Sch 1, Part 2 (11));
- Regulatory requirements relating to unlawful acts and dishonesty etc (DPA 2018, Sch 1, Part 2 (12));
- Safeguarding of children and of individuals at risk ((DPA 2018, Sch 1, Part 2 (18));
- Where necessary for employment, social security and social protection. and
- Where necessary for the establishment, exercise or defence of legal claims.

Sharing

Your data will be shared with the General Teaching Council Scotland.

The Privacy Notice for GTSC can be found here: [GTCS-General-Privacy-Notice.pdf](#)

This process does not involve your data being sent outside of the European Union.

The processing of your data does not involve automated decision making.

WorkRite Modules

Staff should be aware that personal or sensitive information (special category data) may be requested when completing WorkRite Modules. This information is thereafter recorded in an individual's HR record.

The lawful purposes for using this information are:

- *Consent* – i.e. the specific consent you give the College to use your personal information for the purposes of accessing WorkRite training modules;
- *Contract* – the contract between the College and you as an employee;
- *Legitimate interest* – where processing your personal data is necessary for the legitimate interests of WorkRite/Ideagen or a third party, except where these interests are overridden by your fundamental rights and freedoms, and
- *Compliance with the Law* – e.g. Employment Law, the Health and Safety Act.

While using the WorkRite website or the application, you may provide identifiable information which may be used to identify or contact you. The following personal data may be collected by the application;

- *Contact information* - such as first and last names, email address and telephone number,
- *Health Information* - health information including special category data;
- *Device and Browser Information* - such as network and connection information (including Internet Service Provider and Internet Protocol (IP) addresses);
- *Account Information* - such as security-related information (including passwords and authentication methods);
- *Usage Information and Browsing History* - such as usage metrics, content interactions and user journey history;
- *Organisational Information* - such as your employer or organisations of which you are a member, your status within an organisation, and similar data; and
- Any additional applicable information you, your employer or other organisation wishes to disclose.

Your data will be retained for the length of your employment + six years.

The Privacy Notice for WorkRite can be found here: [workrite_privacy_policy.pdf](#)

Retention Schedule

In terms of data held, the College operates a robust retention schedule which is available by contacting gdpr@glasgowkelvin.ac.uk. To determine the appropriate retention period for personal data collected, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances 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. Once you are no longer associated with us we will retain and securely destroy your personal information in accordance with our records retention schedule.

Further information

If you have any questions or concerns about how the College manages or processes your data or its information rights practices, you should contact James Nock, our Data Protection Officer (DPO) in the first instance at gdpr@glasgowkelvin.ac.uk, on 0141-630 5139, or by post at Data Protection Officer, Glasgow Kelvin College, 123 Flemington Street, Springburn, Glasgow, G21 4TD.

You can also lodge a complaint with the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/> or by calling their helpline on 0303 123 11130.

Changes to this Privacy Notice

The College reserves the right to update this privacy notice at any time, and a revised Privacy Notice will be made available when any substantial updates are made. The College may also notify individuals in other ways from time to time about the processing of their personal information.

Glasgow Kelvin College - Scottish Charity No. SC021207