



## Staff and Volunteers Privacy Notice

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### Data controller: NMITE

The organisation collects and processes personal data relating to its employees and volunteers to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its obligations under data protection law.

### 1. What information does the organisation collect?

1.1 The organisation collects and processes a range of information about you.

This includes:

- i. information required about you for management reasons, payroll, training, next of kin/emergencies, pensions and benefits;
- ii. your name, address and contact details, including email address and telephone number, date of birth and gender;
- iii. the terms and conditions of your employment, volunteer agreement;
- iv. details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- v. information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- vi. details of your bank account and national insurance number;



- vii. information about your marital status, next of kin, dependants and emergency contacts;
- viii. information about your nationality and entitlement to work in the UK;
- ix. information about your criminal record (if applicable);
- x. details of your schedule (days of work and working hours) and attendance at work;
- xi. details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- xii. details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- xiii. assessments of your performance, including performance reviews and ratings, performance improvement plans and related correspondence;
- xiv. information about medical or health conditions, including whether you have a disability for which the organisation needs to make reasonable adjustments;
- xv. visual images or photographs of employees and volunteers for records, and to identify a person as a member of NMITE to others both inside and outside the organisation.
- xvi. photographs, videos, CV details and quotes/by-lined articles to be used for NMITE marketing purposes.

1.2 The organisation may collect this information in a variety of ways. For example, data might be collected through application forms, CVs; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as new starter forms, payroll details or bank detail forms, benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

1.3 Data might be collected from third parties, such as references supplied by former employers, information from credit reference agencies and possibly information from criminal records checks permitted by law.

1.4 Data will be stored in a range of different places, including in your personnel file, in the organisation's management systems such as BOX, and in other IT systems (including CRM, server or cloud based and the organisation's email system).

## **2. Why does the organisation process personal data?**

2.1 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 benefit, pension and insurance entitlements.

2.2 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 Visas, an employee's



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.

- 2.3 In other cases, the organisation has a legitimate interest in processing personal data before, during and after the end of the employment or volunteering relationship.
- 2.4 Processing employee and volunteer data allows the organisation to:
- i. run recruitment and promotion processes;
  - ii. maintain accurate and up-to-date employment and volunteer records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
  - iii. operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
  - iv. operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
  - v. 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;
  - vi. 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;
  - vii. operate and keep a record of other types of leave (including annual leave, 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;
  - viii. ensure effective general HR and business administration;
  - ix. provide references on request for current or former employees;
  - x. respond to and defend against legal claims; and
  - xi. maintain and promote equality in the workplace.
- 2.5 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).
- 2.6 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.



### **3. Who has access to data?**

- 3.1 Your information may be shared internally, including with HR and recruitment teams (including finance/payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.
- 3.2 In appropriate circumstances, the organisation shares your data with third parties 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.
- 3.3 The organisation also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.
- 3.4 The organisation will not transfer your data to countries outside the European Economic Area.

### **4. How does the organisation protect data?**

- 4.1 The organisation takes the security of your data seriously. The organisation has internal policies 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.
- 4.2 Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

### **5. Retention of your personal data**

- 5.1 The GDPR and DPA 2018 require that personal data should be kept for no longer than is necessary for the purposes for which the personal data are processed (except in certain specific and limited instances).

Please contact [registrar@nmite.ac.uk](mailto:registrar@nmite.ac.uk) for further information.

### **6. Your rights**

- 6.1 As a data subject, you have a number of rights. You can:
  - i. access and obtain a copy of your data on request;
  - ii. require the organisation to change incorrect or incomplete data;
  - iii. require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
  - iv. object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.



6.2 If you would like to exercise any of these rights, please contact Human Resources at [HR@nmite.ac.uk](mailto:HR@nmite.ac.uk)

6.3 If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner ([www.ico.org.uk](http://www.ico.org.uk))

## **7. What if you do not provide personal data?**

7.1 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 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.

7.2 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 other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

## **8. Automated decision-making**

8.1 The organisation does not use automated decision-making processes for recruitment. And should it do so at any time, employment decisions are not based solely on any automated decision-making.

## **9. Your Employment Files**

9.1 We will keep your Personnel File and any other information we may have about you in Human Resources for up to 3 years after your employment has come to an end.

## **10. Returning to Us**

10.1 You are welcome to re-apply for a role with us at any time and your job application will be considered along-side any other applications we receive. However, please bear in mind that it is very unlikely that your application would be successful where the reason you left was connected with any misconduct on your part.



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