



# Privacy Notice for Employees, Job Applicants & Others Working at the College

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## INTRODUCTION

1. This privacy notice applies to current employees, former employees, job applicants, workers, contractors, honorary position holders, board members, volunteers and visiting lecturers.
2. The notice explains how the College will process your personal data. It does not form part of any contract of employment nor any other contract to provide services.
3. The College may update its Privacy Notices at any time; please check back here regularly to review any changes.

## WHAT INFORMATION DOES THE COLLEGE HOLD?

4. The College holds a range of personal data about you, some of which you provide to us directly and some of which is received from third parties.
5. The following are some examples of types of personal data the College holds:
  - 5.1. Personal details including name, title, date of birth, gender, marital status and dependents
  - 5.2. Contact details including address, telephone number and personal email address
  - 5.3. Next of kin and emergency contact information
  - 5.4. National Insurance Number
  - 5.5. Bank account details, payroll details and tax status information
  - 5.6. Salary, annual leave, pension and benefits information
  - 5.7. Location of employment or workplace
  - 5.8. Recruitment information (including copies of qualifications, right to work documentation, driving license, references and other information included in a CV or cover letter or as part of the application process)
  - 5.9. Employment records (including job titles, work history, working hours, training records and professional memberships)
  - 5.10. Immigration information (for example passport details and language proficiency)

- 5.11. Performance information
- 5.12. Disciplinary and grievance information, including information related to the investigation, adjudication, and determination or outcome of any alleged violation of law or policy
- 5.13. Information obtained through electronic means such as swipe card records
- 5.14. Information about your use of the College’s IT systems, including email or internet usage
- 5.15. ID card image, photographs, and videography
- 6. The College may also collect, store and use the following "special categories" of more sensitive personal information:
  - 6.1. Information about your age, race or ethnicity, disability, religious beliefs, sexual orientation, gender, political opinions, marriage and civil partnership and pregnancy and maternity
  - 6.2. Information about you and your family members’ and dependents’ health, including any medical conditions, general health, and sickness records
  - 6.3. Information about criminal convictions, offences and barred list status

**HOW DOES THE COLLEGE USE THIS INFORMATION AND WHY?**

- 7. The College processes your personal data to help effectively administer the employment relationship between you and the College.
- 8. The College only processes data for specified purposes and if it is justified in accordance with data protection law. The table below explains the various reasons why the College processes your personal data and its justification for doing so.
- 9. Some processing of personal data is justified on the basis of legitimate interests, and some processing is carried out on the basis of contractual necessity. In general, this applies to personal data you provide to the College when you first start working for it and throughout your employment with the College. It's to manage the employment relationship and to monitor performance.
- 10. Without this information, the College would not be able to employ you and follow the law, assess your application, offer you work with the College or implement reasonable adjustments when required. Some personal data is also required to fulfil the College’s legal obligations (for example, immigration or HMRC).
- 11. There may be other processing in addition to the below. This is undertaken in accordance with the College’s policies of which the College will inform you when such data is obtained or as soon as possible afterwards.

**WHY THE COLLEGE PROCESSES THIS DATA**

Purpose	Legal basis and justification
To decide on your recruitment or appointment	Necessary before entering into an employment contract and to comply with Employment Law

Purpose	Legal basis and justification
To determine the terms on which you work for the College	Necessary for the performance of employment contract and to comply with Employment Law
To allocate and manage work responsibilities	Necessary for the performance of employment contract and to comply with Employment Law
To pay your salary, tax, pension contributions, and to process any relevant benefits	Necessary for the performance of employment contract and to comply with Employment Law
To manage performance and conduct	Necessary for the performance of employment contract and to comply with Employment Law
To manage training and development needs or opportunities	Necessary for the performance of employment contract
To monitor equality, diversity and inclusion	Necessary for the College's legal obligation to promote an inclusive work environment, to comply with Employment Law and other legal obligations
To implement and ensure compliance with the College's policies	Necessary for the performance of employment contract, and to comply with College policy, Employment Law and ICO Code of Practice
To assess and manage fitness and capability to work and manage sickness absence	Necessary for the performance of employment contract and to comply with Employment Law
To manage reviews and the promotions process	Necessary for the performance of employment contract and to comply with Employment Law
To provide management information and inform HR processes	Necessary for the performance of employment contract, to comply with Employment Law and the College's legitimate interests to ensure HR systems operate securely and efficiently, and to inform management decisions
To communicate with you and evaluate your experience as an applicant or employee	Necessary for the performance of the employment contract and to comply with Employment Law and our other legal obligations and our legitimate interest in consulting with staff and raising awareness of initiatives and opportunities
To provide you with employment-related benefits	Necessary for the performance of the employment contract
To liaise with your pension provider	Necessary for the performance of the employment contract and to comply with Employment Law
To sponsor international staff to work in the UK	Necessary for the performance of the employment contract and to comply with Employment Law, Immigration Law and the College's other legal obligations

Purpose	Legal basis and justification
To check right-to-work status and support visa applications	Necessary for performance of employment contract. To comply with Employment Law Immigration Law and the College's other legal obligations
To gather evidence for any potential grievance or disciplinary hearings, and to make determinations about those grievances	Necessary for performance of employment contract. To comply with Employment Law, and the legitimate business interests of the College
To make decisions about your employment or arrangements for the termination of the working relationship	Necessary for performance of employment contract. To comply with Employment Law
To provide references on request	Necessary for the performance of employment contract or where consent has been given
To assess suitability and eligibility to undertake work at the College (including pre-employment checks)	Necessary for the College to engage with you on the process of establishing a contract (contractual necessity) and in the College's legitimate interest

- When the basis of processing your personal data is a contractual necessity, and you don't provide the College with the personal data needed, the College may not be able to process your application or provide you with the employment for which you have been appointed.

**HOW THE COLLEGE USES PERSONAL DATA**

Purpose	Legal basis and justification
The College uses information relating to your health to make decisions regarding reasonable adjustments	Processing of health-related data is necessary so that the College can meet its obligations in the field of Employment Law
The College uses information about your race or ethnicity, religious beliefs, sexual orientation and political opinions to conduct equal opportunities monitoring	Necessary for the College's legal obligation to deliver a work environment that is inclusive and to comply with Employment Law and other legal obligations
The College uses information about your criminal convictions, reprimands and cautions where the law allows it to do so, and if it is appropriate given the nature of the role, to assess your suitability to carry out the work for which you are engaged	Processing is necessary for the public interest and so that the College can meet its obligations in Employment Law

### WHAT INFORMATION DOES THE COLLEGE GET FROM THIRD PARTIES?

13. Sometimes the College receives your data from third parties. The following table lists what information the College may receive from them.

Source	Data the College may receive from them
Home Office (UKVI)	Your immigration status
Occupational Health Service, GPs/Medical Practitioners	Medical, accessibility related and similar information (the College only obtains this information from third parties if you give it consent to do so)
Relevant professional body (for example, HEA, FRS, etc.)	Your professional registration status
College DBS provider	Your criminal record and barred list status
External Training Providers	Training and development information
External Assessment Providers	Psychometric testing and assessment outcomes
Other employment agencies	Personal and contact details, your application and CV
Former employers	Your previous employment record
Students (past and present)	Complaints or performance related information

### WITH WHOM DOES THE COLLEGE SHARE INFORMATION?

14. Sometimes the College may need to share your data. The following table gives examples of this kind of data sharing.

Recipient	What data the College may share with them
Northeastern University	Contact details, employment details, benefit details, immigration details, work plan, performance, salary, conduct, training, development (when required for the performance of employment contract) and health information (for the purpose of fulfilling the College's duty of care and/or when necessary for the implementation of reasonable adjustments or other support), and disciplinary information (including details related to the investigation, adjudication, and determination or findings of a potential violation of law or policy)
Line managers	Contact details, employment details, attendance, work plan, performance, salary, conduct, training, development (when required for the performance of employment contract) and health information (for the purpose of fulfilling the College's duty of care and/or when necessary for the implementation of reasonable adjustments or other support)

Recipient	What data the College may share with them
Professional staff	Contact details, employment details, attendance, work plan, performance, salary, conduct, training, development (when required for the performance of employment contract) and health information (for the purpose of fulfilling the College's duty of care and/or when necessary for the implementation of reasonable adjustments or other support)
Investigation officers, hearing panel chairs and members, external solicitors, employment tribunals and ACAS	Personal information relating to conduct, performance and employment
Third-party organisations who process personal data on the College's behalf, such as training providers, assessment providers, benefits providers (e.g. Oakfields) and employment surveyors	Name, contact and employment details
Third-party organisations to whom a potential TUPE transfer is being made	Employment contract terms and conditions and associated benefits (full employee liability information)
Official bodies to which the College is obliged to report, or who may carry out an audit or inspection  (for example, UKVI, OFSTED, HESA and OfS, ONS or their agents)	Information supplied as necessary to fulfil the College's reporting obligations to these bodies. This may include relevant special category data
Future employers	Personal information relating to conduct, performance and employment, where we are asked for a reference
Professional development course tutors	Course attendance lists and contact details
Government agencies such as UK Visa and Immigration Office and the Home Office	Contact details, passport details, salary and other employment basis details for example fixed term or permanent contract status
College DBS providers	Name and contact details

Recipient	What data the College may share with them
College pension providers (e.g. Scottish Widows)	Personal information including contact details and salary and pension contribution details
HMRC	Contact, pay and benefit details
Professional regulatory bodies with which you have professionally registered	Contact details, attendance and performance and conduct information
Internal Audit	Any personal data necessary for continued operation of internal controls and/or for preventing, detecting and investigating suspected fraud or irregularities
The police (only shared on request and when there is a legal basis for doing so)	Information will be supplied as necessary to fulfil the College's obligations with respect to the prevention and detection of crime
Our professional advisors	Information supplied as necessary for the purposes of obtaining legal and/or financial advice

**WHERE IN THE WORLD IS YOUR PERSONAL DATA TRANSFERRED TO?**

15. Your personal data may be transferred to Northeastern University in the US for the purposes of providing employment or other support services, or for administration of the college and its programs.
16. Personal data may also be transferred outside the UK to third parties providing services to us or by those third parties themselves with our permission. For example, Workday, Inc is an international provider of HR services that may provide services from servers in the United Kingdom or United States. The list of third-party providers is subject to change as the needs of the College change. A current list of these third parties is available from the DPO upon request.
17. If any of our processing activities require your personal data to be transferred outside the United Kingdom, we will only make that transfer if:
  - 17.1. the country to which the personal data is to be transferred ensures an adequate level of protection for personal data;
  - 17.2. we have put in place appropriate safeguards to protect your personal data, such as an appropriate contract with the recipient;
  - 17.3. the transfer is necessary for one of the reasons specified in data protection legislation, such as the performance of a contract between us and you; or
  - 17.4. you explicitly consent to the transfer.

You can contact us for more information about the safeguards we use to ensure that your personal information is adequately protected in these circumstances (including how to obtain copies of this information).

### **HOW LONG DOES THE COLLEGE KEEP YOUR DATA?**

18. The College will only keep your personal data for as long as necessary to fulfil the purposes for which it was collected. Details of retention periods for different aspects of your personal information are available in the College's [Data Protection Policy](#).

### **WHAT ARE YOUR RIGHTS IN RELATION TO YOUR DATA AND HOW CAN YOU EXERCISE THEM?**

19. At any point while we are in possession of or processing your personal data, subject to certain conditions you have the following rights:
  - 19.1. Right of access – you have the right to request a copy of the information that we hold about you. It helps us to find your information if you provide us with the relevant details for the nature of your contact with us.
  - 19.2. Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
  - 19.3. Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
  - 19.4. Right to restriction of processing – where certain conditions apply you can ask us to restrict the processing of your data.
  - 19.5. Right of portability – you have the right to have the data we hold about you transferred to another organisation.
  - 19.6. Right to object – you have the right to object to certain types of processing such as direct marketing.
  - 19.7. Right to object to automated processing, including profiling – you also have the right not to be subject to the legal effects of automated processing or profiling.
  - 19.8. Right to data portability - you have the right to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.
  - 19.9. Right of withdrawal of consent - where our processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.

### **THE DATA PROTECTION OFFICER**

The College has appointed a Data Protection Officer.

Their email address is: [dpo@nchlondon.ac.uk](mailto:dpo@nchlondon.ac.uk)

Their postal address is:

Data Protection Officer  
 New College of the Humanities  
 Devon House  
 58 St Katharine's Way  
 London  
 E1W 1LP

**Queries & Complaints**

For more information on your rights, if you wish to exercise any right, for any queries, you may have or if you wish to make a complaint, please the Data Protection Officer.

**Complain to the Information Commissioner**

You have a right to complain to the Information Commissioner's Office (ICO) about the way in which the College processes your personal data. You can make a complaint via the [ICO's](#) website.

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<b>Approved by: Executive Committee</b>					
Version number	Date approved	Date published	Owner	Location	Proposed next review date
1.0	August 2021	August 2021	Data Protection Officer	NCH Academic Handbook/policies and procedures/data protection	September 2023
Referenced documents	Data Protection Policy				
External Reference Point(s)	UK Quality Code Theme: Admissions, Recruitment and Widening Access; Information Commissioner's Office (ICO); ACAS; HMRC; UK Visa and Immigration Office; Home Office; Office for National Statistics (ONS); Office for Students; HESA; Information Commissioner's Office				