

## PRIVACY NOTICE FOR STAFF AND PROSPECTIVE STAFF

### About this document

This privacy notice (**Notice**) explains how Imperial College London (the **College, we, our, us**) collects, uses and shares (or "processes") personal data of staff (including workers such as casual workers), prospective staff (i.e. job applicants), visiting academics and researchers, honoraries and secondees (**you, your**), and your rights in relation to the personal data we hold. **Please note that any references to "employment" or "staff" in this Notice are not intended to imply or confer any employment rights on non-employees.**

This Notice applies alongside any other information the College may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Notice also applies in addition to the College's other relevant terms and conditions and policies, including:

- any contract between the College and its staff;
- the College's [Data Protection Policy](#);
- the College's [Information Governance Policy Framework](#);
- the College's [Information Security Policy](#);
- the College's [CCTV Code of Practice](#); and
- the College's [safeguarding](#), pastoral, or [health and safety policies](#), including as to [how concerns or incidents are recorded](#).

All staff should also be aware of and comply with the College's external privacy notice for students and prospective students and the College's data protection policy, which also provide further information about how personal data will be used.

### Data controller and Data Protection Officer details

For the purposes of any applicable data protection laws in England and Wales, including from 25 May 2018 the EU General Data Protection Regulation 2016/679 (**GDPR**), the College is the data controller of your personal data. The College has appointed a Data Protection Officer, who can be contacted via email at [dpo@imperial.ac.uk](mailto:dpo@imperial.ac.uk), via telephone on 020 7594 3502 and via post at Imperial College London, Data Protection Officer, Faculty Building Level 4, London SW7 2AZ.

### How we collect your information

We may collect your personal data in a number of ways, for example (for the avoidance of doubt, this is not an exhaustive list):

- from the information you provide to us before making a job application, for example when you come for an interview;
- when you submit a formal application to work for us, and provide your personal data in application forms and covering letters, etc.;
- from third parties, for example the Disclosure and Barring Service (DBS) (if this is applicable – see the section below on *Criminal convictions*) and your previous or current employers, in order to verify details about you and/or your application to work for us;

- during the course of your employment or engagement with us, as a member of staff, for example when you provide or update your contact details, when you or another member of staff completes paperwork regarding your performance appraisals, and in the course of fulfilling your employment (or equivalent) duties more generally; and
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.

### **The types of information we collect**

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- contact and communications information, including:
  - your contact details (including email address(es), telephone numbers and postal address(es));
  - contact details for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Notice;
  - records of communications and interactions we have had with you;
- biographical, educational and social information, including:
  - your name, title, gender, nationality and date of birth;
  - your image and likeness, including as captured in photographs taken for work purposes or CCTV;
  - details of your education and references from your institutions of study;
  - lifestyle information and social circumstances;
  - your interests and extra-curricular activities;
  - information that evidences periods of residency (such as utility bills, proof of mortgage and travel) or financial circumstances (such as bank statements and proof of income);
  - information that evidences your family relationships (such as a birth, adoption, marriage or civil partnership certificate);
  - national insurance number (or other tax identification number) and your passport number or national identity card details, country of domicile and your nationality. We will also allocate you a unique staff number and username;
- financial information, including:
  - your bank account number(s), name(s) and sort code(s) (used for paying your salary and processing other payments);
  - your tax status;
  - pension membership;

- Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings);
- work related information, including:
  - details of your work history and references from your previous employer(s);
  - your personal data captured in the work product(s) you create while employed by or otherwise engaged to work for the College;
  - communications sent or received using the College's communication systems;
  - details of your professional activities and interests;
  - your involvement with and membership of sector bodies and professional associations;
  - information about your employment and professional life after leaving the College, where relevant (for example, where you have asked us to keep in touch with you);
- and any other information relevant to your employment or other engagement to work for the College.

Where this is necessary for your employment or other engagement to work for us, we may also collect special categories of data and information about criminal convictions and offences, including information:

- revealing your racial or ethnic origin, and sex life or sexual orientation;
- concerning trade union membership;
- information concerning your health, medical conditions and disabilities;
- concerning criminal convictions (see the section below on *Criminal convictions*).

For further information on why we process this data, see section iv below under the heading *The bases for processing your personal data, how that data is used and whom it is shared with*

## **The bases for processing your personal data, how that data is used and whom it is shared with**

### **(i) Performance of a contract with you**

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, such as a contract of employment or other engagement with us. In this respect, we use your personal data for the following:

- administering job applications and, where relevant, offering you a role with us;
- carrying out due diligence checks on you, whether during the application process for a role with us or during your engagement with us, including by checking references in relation to your education and your employment history;
- once you are employed or engaged by us in any capacity, for the performance of the contract of employment (or other agreement) between you and us;
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us;

- monitoring your attendance (including absence) and your performance in your work, including in performance appraisals;
- publishing the work product(s) you create while employed by or otherwise engaged to work for the College;
- for disciplinary purposes, including conducting investigations where required;
- for other administrative purposes, for example to update you about changes to your terms and conditions of employment or engagement, or changes to your pension arrangements, etc.;
- for internal record-keeping, including the management of any staff feedback or complaints.

## **(ii) Legitimate Interests**

We process your personal data because it is necessary for our or a third party's legitimate interests. Our "legitimate interests" include our interests in running the College in a professional, sustainable manner, in accordance with all relevant legal and regulatory requirements. In this respect, we use your personal data for the following:

- providing you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- for security purposes, including by operating security cameras in various locations on the College's premises and the production of photo ID cards;
- to enable relevant authorities to monitor the College's performance and to intervene or assist with incidents as appropriate;
- to provide education services to students (including the recording of audio/images during lectures as part of the College's teaching provisions and for subsequent use in teaching materials);
- to safeguard students' welfare and provide appropriate pastoral care;
- to carry out or cooperate with any College or external complaints, disciplinary or investigatory process;
- to administer the College's regulations, codes of practice and policies;
- for the purposes of management planning and forecasting, research and statistical analysis and benchmarking;
- in connection with organising events and administration of your social and sporting activities (e.g. relating to your use of the College's sports facilities);
- making travel arrangements on your behalf, where required;
- contacting you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work, etc.;
- publishing your image and likeness in connection with your employment or engagement with us;
- promoting the College and its goods, services, events and resources, unless it is appropriate to gain your specific consent;

- to monitor (as appropriate) use of the College's IT and communications systems in accordance with the College's Information Security Policy.

**(iii) Legal Obligations and the College's public task**

As a provider of higher education, the College is in certain respects a public authority. Your personal data will also be processed by the College for compliance with the College's legal obligations or as part of its public interest task. For example:

- to meet our legal obligations (for example, relating to child protection, diversity and gender pay gap monitoring, employment, health and safety, statutory reporting to the Higher Education Statistics Agency (HESA));
- for tax purposes, including transferring personal data to HM Revenue and Customs to ensure that you have paid appropriate amounts of tax, and in respect of any Gift Aid claims, where relevant;
- for compliance with immigration laws and rules;
- for the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

**(iv) Special categories of data**

We process special categories of personal data (such as data concerning health, religious beliefs, racial or ethnic origin, sexual orientation or criminal convictions) for the reasons set out below.

We will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your employment.

In particular, we process the following types of special category personal data for the following reasons:

- your physical or mental health or condition(s) (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment – including as part of the recruitment process if necessary);
- recording your racial or ethnic origin in order to monitor our compliance with equal opportunities legislation;
- trade union membership, in connection with your rights as an employee and our obligations as an employer (to the extent necessary);
- categories of your personal data which are relevant to investigating complaints made by you or others, for example concerning discrimination;
- categories of your personal data which are relevant to administering family friendly leave.

We will also process special categories of personal data because:

- it is necessary to protect your or another person's vital interests, for example, where you have a life-threatening accident or illness in the workplace and we have to process your personal data in order to ensure you receive appropriate medical attention;
- it is necessary for the establishment, exercise or defence of legal claims; or
- we have your explicit consent to do so.

## Criminal convictions

You will be asked to provide the College with details of criminal convictions where your role, or a project you volunteer or are employed to undertake requires a DBS check. A DBS check will only be conducted under the lawful process provided for by law. We will only use the criminal convictions data for the purpose it was collected and it will only be retained for a limited period as set out in the College's Retention Policy (see the section below: *How long your information is kept*).

## **Sharing your information with others**

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we will share your personal data with certain third parties. Depending on your employment status and role, we may disclose limited personal data to a variety of recipients including:

- other employees, agents, contractors and service providers (e.g. third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, etc.) including currently the following service providers;
  - Lumesse are the software providers and owners of TalentLink. TalentLink is the College's applicant tracking system. It is a cloud based system with a data centre currently located in Germany. TalentLink is where the College stores applicants' data for job requisitions across the College. This system allows the College to conduct an end-to-end recruitment process from the initial application through to screening, interviewing and on-boarding. It also allows the College to report on all application data.
  - The Access Group who are the software providers of TeamSeer, the College's online absence management system. The system has been developed to manage staff availability, e.g. holiday, sickness, and other absence types required by the College;
  - Next Jump who provide Perks at Work – an exclusive shopping platform that allows staff to save money online, in-store and via mobile. The College only shares the name, email address and dates of employment of members of staff to enable them to be identified as College staff and registered with Perks at Work. Any other information staff provide to Next Jump as part of the registration process is processed by Next Jump in accordance with their privacy policy which is available on their website;
  - Computershare Voucher Services who are one of the UK's largest childcare voucher providers. Staff can register to receive Child Care Vouchers online with Computershare Voucher Services but limited staff personal data is shared prior to registration for the purposes of identification.
- the providers of surveys such as, ORC International, for the purposes of benchmarking the College against other employers or to comply with legal obligations;
- the College's students where this is required for your role;
- DBS and other relevant authorities and agencies such as the Higher Education Statistics Agency (HESA) who will use such information as described in the applicable HESA data collection notice located at <https://www.hesa.ac.uk/about/regulation/data-protection/notices>, the Department for Education, the Office of the Independent Adjudicator, the Office for Students and the local authority;
- other entities in the College's Group such as Imperial Consultants (**ICON**), a subsidiary of the College who offer opportunities in consulting services;
- partner institutions, research organisations and other bodies involved in the delivery of a course or programme (e.g. affiliated colleges);
- relevant professional bodies where this is a requirement in connection to your role (e.g. the General Medical Council);

- sponsors, including the UK research councils and other external bodies who fund awards;
- HMRC and our internal and external auditors;
- our advisers where it is necessary for us to obtain their advice or assistance;
- law enforcement agencies; local authorities; the Home Office, British overseas consulates; other international and national governmental and regulatory bodies;
- with other employers in the form of a reference, where we are asked for it or we are required to do so in compliance with our legal obligations or regulatory rules;
- third parties and their advisers where those third parties are acquiring or considering acquiring College assets;
- accreditation and award bodies such as Advance HE (an agency formed by the merger of the Equality Challenge Unit, the Higher Education Academy and the Leadership Foundation for Higher Education). Advance HE is a charity whose purpose is to advance the professional practice of higher education to improve outcomes for the benefit of students, staff and society. Advance HE administers the Athena SWAN national network to encourage and recognise commitment to address gender equality in higher education and research. When a College department applies for an Athena SWAN award, staff personal information is included in the award application and shared with Advance HE for assessment of the application. Successful applications are then customarily published on the relevant university's website to share any valuable learning but personal information is redacted unless staff specifically consent to their information being unredacted in the application prior to its publication.

As well as the organisations mentioned above, we may in specific circumstances need to share your personal data with third parties who have made legitimate requests under data protection or freedom of information law. We may also share data when the College is legally required to do so (by a court, government body, law enforcement agency or other authority of competent jurisdiction).

### **International transfers of data**

The College will, in limited circumstances, disclose personal data to third parties, or allow personal data to be stored or handled, in countries outside the European Economic Area. For example, we will transfer data to:

- partner institutions or organisations who are based in other countries; and
- IT or other service providers based overseas.

In these circumstances, your personal data will only be transferred on one of the following bases:

- where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission);
- a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent).

### **How long your information is kept**

Personal data is stored in accordance with the College's retention policy available at <http://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/records-and-archives/public/RetentionSchedule.pdf>.

For the avoidance of doubt, job applications via TalentLink will be stored for a period of one year from receipt and will be archived after that time (for research and statistical evaluation purposes) with any identifiable personal data being removed unless the application is successful, in which case the job application and personal data within it will become part of the relevant person's staff file. If a job applicant consents to being included in the Talent Database of TalentLink so that they can be contacted and linked to other job vacancies in the future, their personal data will also be held for a period of one year and will be archived after that time (also for research and statistical evaluation purposes) with any identifiable personal data being removed.

## **Your rights**

Under the GDPR, you have the following rights:

- to obtain access to, and copies of, the personal data we hold about you. Further information of how to make such an application can be found at <https://www.imperial.ac.uk/admin-services/secretariat/information-governance/data-protection/subject-access-requests/>
- to require that we cease processing your personal data if the processing is causing you damage or distress;
- to require us not to send you marketing communications;
- to request that we erase your personal data;
- to request that we restrict our data processing activities in relation to your personal data;
- to receive from us the personal data we hold about you, which you have provided to us, in a reasonable format specified by you, including for the purpose of transmitting that personal data to another data controller; and
- to require us to correct the personal data we hold about you if it is incorrect.

**Please note** that the above rights are not absolute, and requests may be refused where exceptions apply. You can find out more about your rights at [www.ico.org.uk](http://www.ico.org.uk).

If you have any questions about these rights or how your personal data is used by us, you should contact the Data Protection Officer whose details are set out in the section *Data controller and Data Protection Officer details* above.

## **Contact and complaints**

The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral to it. If you have any queries about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact your line manager or the Data Protection Officer whose details are set out in the section *Data controller and Data Protection Officer details* above.

If following such referral you are still not satisfied with how your personal data is used by the College you can make a complaint to the Information Commissioner ([www.ico.org.uk](http://www.ico.org.uk)).

## **This notice**

The College will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

***Document last updated on February 2019***