

## Privacy Notice

October 2021

**At ColegauCymru, we're committed to giving you choice and managing and safeguarding the information you share with us is part of our offer.**

**In line with the UK General Data Protection Regulation (UK GDPR), managing your personal information and keeping it safe and secure is extremely important to us. Our Privacy Notice details how we use your data.**

### Employees', Job Applicant, Contractor and Trustee Data

This Privacy Notice is designed to help you understand how ColegauCymru ("The Charity", "we", "us") collect and process the information that you share with us. The General Data Protection Regulation (GDPR) and Data Protection Act (2018) together replaced The Data Protection Act 1998 on 25 May 2018. We are providing this Privacy Notice in compliance with this legislation.

### Who is the Data Controller?

The Data Controller of the information we collect about you is ColegauCymru, Unit 7 Cae Gwyrdd, Greenmeadow Springs, Tongwynlais, Cardiff, CF15 7AB. Queries should be sent to [hello@collegeswales.ac.uk](mailto:hello@collegeswales.ac.uk).

### Why do we collect your data and the legal grounds for doing so?

Data collected by us relating to our employees is to enable the administration and management of the employment contract. The Law says we can only collect or process your data if there is a legal basis to do so. The legal bases on which we process all types of personal data include:

- to fulfil a contract we have with you
- when we have a legal obligation
- where it is in the public interest
- where you have given your consent

There are additional provisions in the legislation that enable us to process personal data that is known as special category personal data. This includes your racial or ethnic origin, your political opinions, your religious or philosophical beliefs, your trade union membership, your genetic or biometric data, your health, your sexual orientation and any criminal convictions and offences.

### What are the reasons for processing my information?

- To ensure payment of salary
- To ensure payment of pension contributions
- To ensure tax deductions are made

- To provide information for work trips and visits
- Contractual obligations
- To ensure technical support for the Charity's IT systems and IT support for PCs and laptops
- To provide occupational health services/counselling services
- To support the health, safety and wellbeing of staff
- For insurance purposes
- To use images in promotional material for the Charity
- To enable staff access to childcare vouchers and services such as Cycle to Work
- To ensure dignity in the workplace, fairness and equality
- To comply with employment and social protection law
- To ensure sickness pay
- To provide annual leave entitlements
- To run recruitment and promotion processes
- To maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency)
- To keep accurate records of employee contractual and statutory rights
- To keep a record of disciplinary and grievance processes and keep a record of employee performance and related processes
- To keep a record of absence and absence management procedure
- To obtain occupational health advice
- To ensure effective general HR and business administration
- To provide references on request for current or former employees
- To respond to and defend against legal claims and the establishment, exercise or defence of legal claims

We also have a contractual obligation to share your information with other third parties, including HRMC, Pension agencies and local authorities. A full list of our third parties and how we share your data can be found in the next section. Colegau Cymru also has a legal obligation to collect some of your data including for health and safety and financial reasons. 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). We process special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, for the purposes of equal opportunities monitoring. We may also carry out monitoring of e-mails or internet usage as set out in our Information Security Framework.

### What information do we collect?

- Your name, address and contact details (including e-mail and telephone number), date of birth and gender
- The terms and conditions of your employment
- Details of your qualifications, skills, experience and employment history

- Information about your remuneration, including entitlements to benefits such as job seekers allowance, pensions or insurance cover
- Details of your bank account and national insurance number
- Information on your marital status, next of kin, dependents and emergency contacts
- Information about your nationality and entitlement to study/work in the UK
- Information about your criminal record and unspent convictions
- Details of your schedule (days of work and working hours) and attendance at work
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence
- Assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence
- Information about medical or health conditions, including whether you have a disability for which the Charity needs to make reasonable adjustments
- Equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief

Members of the HR team and managers also often learn personal information about their employees in the course of dealing with employment matters. This can include illness, religious background, sexual orientation, family situations. Please rest assured that any information of this nature that you consider to be confidential which you share with your manager and HR will be treated with the upmost sensitivity.

## Where do we collect your data from?

We collect your information from various sources including:

- Directly from you
- Your previous employer
- DWP, HMRC and pension agencies
- Information that we generate while considering your application of employment and from referees
- Information that we generate while you are employed by us. This may be generated centrally within HR or this may be generated by your managers or colleagues
- Social services/local county borough council
- Your IP address via cookie consent on our website
- Employment background check providers
- Information from credit reference agencies
- Information from criminal records checks permitted by law
- CCTV footage from onsite cameras provided for your safety and security
- Photographs from events
- Occupational health/counselling services

## Length of retention

In general we keep relevant employment information for 6 years or longer if required by any legitimate administrative or legal procedure. In the case of job applicants, the information is held for no more than twelve months since the date of the application.

## Who do we share your data with?

If you are in an external facing role, information about you may be shared with any third parties with whom we are working or with whom we have a relationship. This will be limited to work-related information and information about you which describes your professional position. The Charity needs, however, to process private information about you to meet our obligations under your employment contract. For example, Colegau Cymru will share your information with the pension agency to ensure payments are made correctly.

The Charity partners with third parties with whom we share data. We do not use any third party located outside of the EU and all data storage is also held within the EU.

## How do we protect your data?

The Charity takes the security of your data seriously. We have 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 its employees in the performance of their duties. We will only share information internally with staff that require this information in order to fulfil their line management duties or to provide you with the tools you require in order to perform your contract.

Special category and sensitive data provided to the Charity will be securely stored with limited access to the HR team and occasionally other members of staff that require the information to provide you with support and equipment. Where the Charity engages third parties to process personal data on our behalf, we do so based on written instructions, are under a duty of confidentiality and we are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## What are your rights?

You have a number of rights under the GDPR. This includes the right to seek the rectification or erasure of your personal data or to restrict and to object to the processing of your personal data. You are also entitled to a copy of the data held about you, and to data portability. Where we are processing your data, based on your consent, you also have a right to withdraw your consent to sharing data with us at any point.

The Charity is entitled to retain data that we are processing on other legal bases though to satisfy our statutory and contractual obligations outlined above.

Requests of this nature can be made in two ways:

1. Email [hello@collegeswales.ac.uk](mailto:hello@collegeswales.ac.uk).
2. By completing a subject access request form available on the privacy page of the website and posting to: Colegau Cymru, Unit 7 Cae Gwyrdd, Greenmeadow Springs, Tongwynlais, Cardiff, CF15 7AB.

If you feel that we have not dealt with your data in accordance with this Privacy Notice or in the event of any other complaint, you are able to forward your concerns to the Information Commissioner's Office (The ICO).

Changes to the way we process your data and to this privacy notice may be updated from time to time. If you have any queries or questions regarding the policy, please contact [hello@collegeswales.ac.uk](mailto:hello@collegeswales.ac.uk).