

University of Brighton Staff Privacy Notice

Job applicants, current and former University employees – how we use your information

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Introduction

The University of Brighton is committed to protecting the privacy and security of your personal information. This Privacy Notice describes how we collect and use personal information about you during recruitment, and during and after your working relationship with us in accordance with the General Data Protection Regulations (GDPR). This Privacy Notice applies to all employees, workers and contractors.

Data Controller

The University of Brighton is a 'data controller'. This means that we are responsible for deciding how we hold and use personal information about you.

The Data Controller is University of Brighton, Mithras House, Lewes Road. If you would like information about how the University uses your personal data please contact dataprotection@brighton.ac.uk, 01273 642010

Data Protection Officer

The Data Protection Officer is responsible for advising the University on compliance with Data Protection legislation and monitoring its performance against it. If you have any concerns regarding the way in which the University is processing your personal data, please contact the Data Protection Officer: Rachel Page, Head of Data Compliance and Records Management, 01273 642010, dataprotection@brighton.ac.uk

Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have explained to you
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are special categories of more **sensitive personal data** which require a higher level of protection. These are information about any protected characteristics, information about criminal convictions and offences, information about your health, medical condition, health and sickness records and your trade union membership.

Job applicants

What will we do with the information you provide to us?

All of the information you provide during the recruitment process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide during the recruitment process with any third parties. The information you provide will be held securely by us whether the information is in electronic or physical format.

We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

Application stage

As part of any recruitment process, the University collects and processes personal data relating to job applicants. The University is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the University collect?

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary. The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for but it might affect your application if you don't.

Information will be collected and held in our online recruitment system and includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration
- whether or not you have a disability for which the University needs to make reasonable adjustments during the recruitment process; and
- information about your entitlement to work in the UK

You will also be asked to provide equal opportunities information. This is not mandatory information – if you don't provide it, it will not affect your application. This information will not be made available to any staff outside of our recruitment team, including recruiting managers, in a way which can identify you. Any information you do provide, will be used only to produce and monitor equal opportunities statistics.

The University collects this information in a variety of ways. For example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The University will also collect personal data about you from third parties, such as references supplied by former employers, information from criminal records checks. The University will seek information from third parties once you have given your permission to do so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

Why does the University process personal data?

The University needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the University needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The University has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the University to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The University may also need to process data from job applicants to respond to and defend against legal claims.

Where the University relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The University processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the University processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, the University is obliged to seek information about criminal convictions and offences. Where the University seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment. We will only collect information about criminal convictions if it is appropriate given the nature of the role.

The University will not use your data for any purpose other than the recruitment exercise for which you have applied.

Who has access to recruitment data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR recruitment team, recruiting managers and interviewers involved in the recruitment process. Occasionally, external specialists will also participate in the appointment of very senior staff.

The University will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment or you have given your permission for your data to be shared (for example, for references to be taken prior to interview). The University will then share your data.

Anonymized equality data will be shared with third parties including Stonewall and Advance Higher Education for equality benchmarking.

The University will not transfer your data outside the European Economic Area.

For how long does the University keep recruitment data?

If your application for employment is unsuccessful, the University will hold your data in the recruitment system for a period of 9 months after the end of the relevant recruitment process. At the end of that period, it will be archived within the recruitment system and put beyond use.

Information generated throughout the assessment process, for example interview notes, is retained by us for 9 months following the closure of the campaign.

Anonymised equal opportunities information is retained for 4 years following the closure of the campaign whether you are successful or not.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment.

Details of our retention periods for different aspects of your personal information are available in our [retention schedule](#)

What if you do not provide personal data during the recruitment process?

You are under no statutory or contractual obligation to provide data to the University during the recruitment process. However, if you do not provide the information, the University may not be able to process your application properly or at all.

Shortlisting

Our recruiting managers shortlist applications for interview. They will not be provided with your name or contact details or with your equal opportunities information if you have provided it.

Assessments

We might ask you to attend an interview and/or complete tests – or a combination of these. Information will be generated by you and by us. For example, you might complete a written test or we might take interview notes.

If we make a final offer, we will also ask you for the following:

- Bank details – to process salary payments
- Emergency contact details – so we know who to contact in case you have an emergency at work

You can access some of the information we hold about you by logging into our recruitment system <https://jobs.brighton.ac.uk/Vacancies.aspx>

Current and former employees

If you accept a final offer from us, your personnel records will be held on Resourcelink which is an internally used HR and Payroll database, as well as in your paper based personnel file.

What information does the University collect?

The University collects and processes a range of information about you. This includes personal data, or personal information, which means any information about an individual from which that person can be identified, as follows:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history
- employment records (including job titles, work history, working hours, training records and professional memberships);
- information about your remuneration, including entitlement to benefits such as pension;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- details of your schedule (days of work and working hours) and attendance at work;
- copy of your driving licence (if applicable for your role)
- we take staff photos to be used for your University ID, security and to allow site access. Photos will not be put in the public domain (e.g. on the University's website or intranet) without your permission.
- 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;
- information about your criminal record, if applicable;
- information about medical or health conditions, including whether or not you have a disability for which the University needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

Likewise, your details will be provided to the appropriate University's pension provider, the Local Government Pension Scheme (LGPS) for professional support staff and the Teachers' Pension Scheme (TPS) for academic staff. You will be auto-enrolled into the appropriate pension scheme and the details provided to the relevant pension provider will be your name, date of birth, National Insurance number and salary. Your bank details will not be passed on.

How long is the information retained for?

The information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. Details of our retention periods for different aspects of your personal information are available in our [retention schedule](#)

Why does the University process personal data?

The University 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 pension entitlements.

In some cases, the University needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check 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.

In other cases, the University has a legitimate interest in processing personal data during and after the end of the employment relationship. Processing employee data allows the University to:

- maintain accurate and up-to-date employment records and records of employee contractual and statutory rights;
- administer the contract we have entered into with you;
- pay you and deduct tax and national insurance contributions
- liaise with your pension provider
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- comply with Health and Safety obligations;
- monitor your use of our information and communication systems to ensure compliance with our IS policies;
- to complete statutory and Higher Education returns and equality charters
- run promotion processes;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- contact emergency contacts only in case of emergency

We will use your sensitive personal information in the following ways:

- we will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- we will use anonymised information about your race or national or ethnic origin, religious, philosophic or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- we will use information relating to family friendly leave (maternity, paternity, adoption, shared parental leave inter alia) to ensure that the University complies with duties in relation to statutory/occupational entitlements, and to ensure that employees are receiving the pay or other benefits to which they are entitled.

Who has access to data?

- You will be able to see the personal information that the University holds about you on MyView (self-service) where you can check the information is accurate and update it.
- Aspects of your information will be able to be viewed by members of the HR team (including payroll), your line manager, managers in the area in which

you work and IT staff – but only if access to the data is necessary for performance of their roles.

Some of the personal data we process about you will be transferred to, and stored at, a destination outside the European Economic Area ("EEA"), for example where it is processed by staff operating outside the EEA who work for us or for one of our suppliers, or where personal data is processed by one of our suppliers who is based outside the EEA or who uses storage facilities outside the EEA.

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 (e.g. where we have your explicit consent).

You can access some of the information we hold about you, and update your contact details in My View <https://myview.brighton.ac.uk/>

What if you do not provide personal data?

You have some obligations under your employment contract to provide the University 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 University with data in order 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.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the University to enter a contract of employment with you. If you do not provide other information, this will hinder the University's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

How does the University protect data?

The University takes the security of your data seriously. The University has 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. See Data Protection Policy.

Data subject's rights (access, rectification, erasure, restriction of processing, objection to procession, right to data portability)

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request, see <https://www.brighton.ac.uk/foi/requesting-information/index.aspx>

- require the University to change incorrect or incomplete data;
- require the University to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data, in certain circumstances, for example where the University is relying on its legitimate interests as the legal ground for processing; or for direct marketing purposes and
- ask the University to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the University's legitimate grounds for processing data.
- withdraw your consent at any time, where we have requested and obtained your consent.
- We must allow portability of your data, if we have obtained your consent or are relying on a contractual obligation only.

If you would like to exercise any of these rights, please contact the University's Data Protection Officer, Rachel Page, Head of Data Compliance and Records Management, 01273 642010, dataprotection@brighton.ac.uk

Complaints or queries

The University of Brighton tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of the University's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to dataprotection@brighton.ac.uk, if we are not able to resolve the issue to your satisfaction, you have the right to apply to the Information Commissioner's Office (ICO). They can be contacted at <https://ico.org.uk/>

Changes to this privacy notice

We keep our privacy notices under regular review. This privacy notice was last updated in June 2018.

Other privacy notices

We do our utmost to protect your privacy. Please be aware that other privacy notices exist within the university in respect of data held, including but not limited, to activities in relation to your enquiries, application, current students, alumni and use of our website there are available on our website <https://www.brighton.ac.uk/siteinfo/privacy/index.aspx>.