

## **Privacy Notice**

### **(How we use staff information)**

Activate Learning is committed to protecting your privacy. This privacy notice explains how we collect, use and share your personal information, and your rights in relation to the personal information we hold.

This privacy notice concerns **employees, workers and contractors** of Activate Learning.

Activate Learning Further Education Corporation is the controller of personal information, and is subject to the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

We may collect, use and share your personal information in order to meet Activate Learning's obligations as an employer.

### **What information we hold**

The categories of personal information that we collect, hold and share include:

- Personal information (such as name, date of birth, address, telephone number, bank account details, national insurance number, contact details, photographs, your nationality and your country of birth);
- Characteristics (such as whether you have a disability, your gender, your race or ethnicity, your religion or belief, your sexual orientation, the languages you speak);
- Employment information (such as attendance records, disciplinary records, performance management information, appraisal records and training records, data created in the course of your duties);
- Skills and experience information (such as details you provided as part of your application to join us, your CV, details of your employment history, references provided by previous employers, results of selection tests and notes made at the selection activities you took part in);
- Medical information (such as doctor contact details, relevant medical conditions, the pre-employment medical questionnaire which you completed upon induction, fit notes received from your doctor and reports from our Occupational Health provider);
- Contract information (such as your start date, your salary history and current salary, terms and conditions of employment, income tax and national insurance contributions, membership of pension schemes, other employment benefits);
- Records of safeguarding checks which we have undertaken including the number of the Disclosure and Barring Service Certificate we received, a record that we confirmed your identity and your right to work in the UK including any visa which you may hold;
- Activity information (such as emails, IT logs, access logs, CCTV, and documents created or captured in the course of your employment).

### **Why we hold your information**

We use staff information to:

- Enable assessment and improvement of the workforce;

- Facilitate the execution of duties in the role for which the staff member is employed;
- Inform the development of employment policy and strategy;
- Further the aims of Activate Learning;
- Comply with the law regarding data sharing;
- Comply with our contractual obligations;
- Pay you for the work you have undertaken;
- Deduct income tax and national insurance contributions and remit them to Her Majesty's Revenue and Customs (HMRC);
- Recoup any funds owed by you to Activate Learning;
- Deduct pension contributions and remit them to the pension scheme of which you are a member.

## **The lawful basis for using this information**

Under GDPR, we are able to process information on certain legal grounds (bases). In the case of staff information, we collect and use information under the following bases:

- The fulfilment of contract;
- Legal obligation;
- Public task;
- In selected cases, legitimate interests;
- In the case of high risk or sensitive data, the legitimate activities of a charity or not-for-profit body.

## **Collecting staff information**

The majority of staff information you provide to us is necessary for us to meet our obligations as an employer and failure to supply such information may mean that we are unable to fulfil our contract of employment with you.

On the other hand, some staff information is provided to us on a voluntary basis, for example information concerning your personal characteristics. We will inform you whether you are required to provide certain information to us or if you have a choice in this.

Under some circumstances, we may obtain information from third parties, such as the staff member's previous employer. We will normally seek your consent before obtaining such information.

## **Storing staff information**

We store staff information securely and in line with our Data Protection Policy and associated procedures. A copy of our Data Protection Policy and associated procedures can be obtained on the data protection page of the Staff Portal. We hold staff information for the following timeframes:

Unless otherwise noted below we will retain your personal information for a period of 6 years from the date you leave our employment

Data which we will hold for a shorter period of time is listed below:

- Family/Emergency Contact information is kept for 12 months.
- Bank details are kept for 12 months.
- Details of resolved disciplinary actions are kept for 12 months.

## Who we share staff information with

We routinely share staff information with:

- Pension providers;
- Solicitors;
- Occupational Health provider;
- HMRC;
- Courts and Tribunal Service;
- Department of Work and Pensions;
- Auditors;
- Health insurance provider;
- Friends Life (Aviva);
- Bank;
- BACS;
- Midland HR;
- Phase 3 Consulting;
- UK Visas and Immigration, if you are under a sponsored Tier 2 or Tier 5 visa;
- Carefully selected debt recovery partners, if you fail to settle a debt with us and we are unable to work with you to achieve a solution;
- Teaching Regulation Agency;
- IT support and security services.

If you attend one of our campuses, we may share your information with Department of Health and Social Care for the purpose of supporting NHS Test and Trace activity; we are legally required to share information in this way. You can read the Department of Health and Social Care privacy notice [here](#).

We do not share information about our staff with anyone unless it is necessary and in line with the lawful basis for processing listed above, or with the consent of the staff member concerned. Where data is routinely shared, a data processing agreement will be established to ensure the protection of staff information.

The Activate Learning contact details (such as name, job title, email address and/or phone number) of staff members may be shared with external partners and, in some cases, published on the website, as required for the execution of their duties.

For the facilitation of effective working across the Activate Learning Group, your professional information, including contact details and photographs, may be shared with colleagues, including within Group-wide communications such as the Relay newsletter.

## Requesting access to your personal data

Under data protection legislation, staff members have the right to:

- Request access to the information we hold about them (Subject Access Request);
- Be informed of the identity of the controller, the reasons for processing their personal data and other relevant information necessary to ensure the fair and transparent processing of personal data;
- Object to processing of personal data that is likely to cause, or is causing, damage or distress;
- Prevent processing for the purpose of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and/or
- Claim compensation for damages caused by a breach of the data protection regulations.

## Contact

In order to exercise one of these rights or to discuss anything in this privacy notice, please contact our Data Protection Officer:

Email: [dpo@activatelearning.ac.uk](mailto:dpo@activatelearning.ac.uk)

Phone: 01865 551228

Address: Activate Learning  
City of Oxford College  
Oxpens Road  
Oxford  
OX1 1SA

## Concerns

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>