

## **Employee Privacy Notice (compliant with the GDPR)**

**NOTE:** The wording in this document reflects the requirements of the General Data Protection Regulations (GDPR), which will come into effect in the UK on 25<sup>th</sup> May 2018. See Law relating to this document below for more information.

**Data Controller:** Robert Gordon University  
Garthdee House  
Garthdee Road  
ABERDEEN  
AB10 7QB

**Data Protection Officer:** Mr Ian Croft  
Information Governance & Complaints Officer  
Garthdee House  
ABERDEEN  
AB10 7QB

The university collects and processes personal data relating to its employees to manage the employment relationship. 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?**

The university collects and processes a range of information about you. This includes:

- Your name, address and contact details including email address and telephone number, date of birth, gender and photographs;
- The terms and conditions of your employment;
- Details of your qualifications, skills, experience and employment history, including start date and end dates, with previous employers and with the university;
- Information about your remuneration, including entitlement to benefits such as a responsibility allowance, relocation, pensions or insurance cover;
- 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;
- Information about your criminal record;
- Details of your agreed work pattern and attendance at work;
- Details and reasons for periods of leave taken by you, including holiday, sickness absence, maternity or paternity leave and sabbaticals;
- 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 EPRs, performance improvement plans and related correspondence;
- Information about medical or health conditions, including whether or not you have a disability for which the university needs to make reasonable adjustments; and
- Equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

The university may collect this information in a variety of ways. For example, data might be collected through application forms or CV's; obtained from your passport or other identity documents such as your driving licence or biometric residence permit; from forms completed by you at the start of or during employment; and through interviews or other assessments.

The university seeks information from third parties with your consent. For example, references provided by former employers or information provided by Disclosure Scotland in relation to criminal records.

Data will be stored in a range of different places, including your personnel file; in the university's HR management systems; and in other IT systems (including the university's email system) where necessary.

### **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 benefit, pension and insurance 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 before, during and after the end of the employment relationship. Processing employee data allows the university to:

- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the university complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- Ensure effective general HR and business administration;
- Provide references on request for current or former employees; and
- Respond to and defend against legal claims.

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).

Where the university processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment.

## **Who has access to data?**

Your information may be shared internally, including with members of the HR team; payroll; your line manager; senior management; and IT staff if access to the data is necessary for performance of their roles.

The university shares your data with third parties in order to obtain necessary criminal records checks from Disclosure Scotland. The university may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The university also shares your data with third parties that processes data on its behalf in connection with payroll, the provision of benefits and the provision of occupational health services.

The third parties include:

- Selima, the university's payroll provider;
- Office of National Statistics;
- Higher Education Statistics Agency;
- Pension Funds;
- Healthcare Plan provider
- Retail benefits site
- Voluntary benefit providers – eg healthcare plans and financial services organisations, but only once you have signed up to a scheme.

The university will not transfer your data to countries outside the European Economic Area.

## **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 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.

Where the university engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## **For how long does the university keep data?**

The university will hold your personal data for the duration of your employment. The period for which your data is held after the end of employment is, unless required by law, 7 years.

## **Your rights?**

As a data subject, you have a number of rights, further details of these rights can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

If you would like to exercise any of these rights, please contact Mr Ian Croft, Information Governance & Complaints Officer, Garthdee House, Aberdeen, AB10 7QB or at [i.f.croft@rgu.ac.uk](mailto:i.f.croft@rgu.ac.uk).

If you believe that the university has not complied with your data protection rights, you can complain to the Information Commissioner.

## **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 your statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contract 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.