**Human Resources Privacy Policy**

**Who is the Data Controller?**

We are the data controller of personal information about you. We are Walsall College. Our address is, Wisemore Campus, Littleton Street West, Walsall, WS2 8ES.

If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer on 01922 657014 or dataprotection@walsallcollege.ac.uk.

This privacy notice tells you what to expect when Walsall College collects personal information. It covers why we collect personal information, how we use it and how we keep it secure. It applies to information we collect about:

* Employees.
* Governors.
* Applicants.
* Volunteers.
* PGCE Students.
* Students working within commercial areas of the College.
* Self-employed and contractors.

**What personal information does Walsall College collect?**

We will collect personal information from you, this information includes:

* Name.
* Address.
* Date of Birth.
* Contact number.
* Email address.
* Equal opportunities (Disability, Ethnicity, Gender, Sexual Orientation, Religion/Belief, Marital Status).
* Criminal record details.
* Right to Work in the UK (where applicable).
* Current employment details including job title, start and end dates, current salary, notice period, reason for leaving.
* All past employment details.
* Education details.
* Whether you are related to any personnel of the College or Governing Body.
* References.
* Special arrangement details for interview.
* DBS and DBS number

When you become an employee, we will collect additional information including your bank account details, medical history and previous attendance at work, references from previous employers and information on background checks and criminal records.

**Why does Walsall College collect personal information?**

Walsall College is committed to being transparent about the data it collects and uses that data lawfully in line with its data protection obligation.

We collect personal information about you to meet our statutory obligation as a recruiter and employer, apprentice and placement operator.

The lawful bass we rely on are: Legal obligation, fulfilling a public function, consent and where it is necessary for the performance of our contract with you.

Walsall College collects and uses your information on the basis that it is necessary for performing our employment contract with you, or it is necessary to take steps before entering into the contract with you. We also collect and use your personal information on the basis that we need to do so in order to comply with our legal obligations. In some cases, we will also seek your consent to use your personal data. We will use your personal information for the following:

* Recruitment process and for carrying out pre-employment checks, this may include social media.
* Safeguarding students.
* Verifying your identity and right to work in UK.
* Verifying your qualifications.
* To keep an audit trail of the checks we have made and our relationship with you in case of employment claims.
* To set up payroll and pension and to reimburse expenses.
* Dealing with HMRC.
* Communicating with you, including for marketing purposes.
* Carrying out our role as your employer or potential employer.
* Data reporting purposes.

Where we process other personal information, such as information about your, health, ethnicity, sexual orientation, religious or philosophical beliefs and trade union membership (Special category data), this is done for the purpose of equal opportunities monitoring, meeting our obligations as an employer, supporting you to exercise your rights and occupational health. The lawful bases that we rely on are: pursuing our monitoring equality of opportunity and treatment, meeting our obligations as an employer, exercising our specific rights / your rights in the field of employment and assessment of employee working capacity. Data that we use for equality of opportunity and treatment is anonymised before it is used for reporting purposes.

**How does Walsall College share personal information?**

Your information may also be shared internally with Walsall College staff who need the data to provide a service to you. This will include special category data, where necessary.

We may share the personal information that you give us with the following organisation relying on the following legal basis:

| **Organisation**  | **Lawful basis** |
| --- | --- |
| Busy Bees Nursery Vouchers | Consent |
| College Auditors | Contract |
| Councils (Council Tax Arrears) | Legal obligation |
| Cycle to Work Scheme | Consent |
| Disclosure and Barring Service | Contract |
| DWP Debt Management  | Legal obligation |
| Criminal Enforcement Agencies  | Legal obligation / prevention or detection of crime |
| Employment Agencies | Contract |
| Employment reference requests | Contract |
| Equitable Life (AVCs) | Consent |
| Examination Awarding Bodies | Contract |
| Give As You Earn (CAF) | Consent |
| Health Services | Consent / Legitimate interests, provision of health services or occupational health services |
| HM Courts Tribunal Service | Legal obligation /provision of health services or occupational health services / prevention or detection of crime  |
| HMRC  | Legal obligation |
| Legal Services | Contract |
| Mortgage lenders (reference request) | Consent |
| Office of National Statistics | Legal obligation |
| Pension Scheme | Contract / Legal obligation |
| Prudential (Additional Pension Contributions) | Consent |
| Safeguarding Board | Legal obligation/provision of health services or occupational health services / prevention or detection of crime |
| Student Loans Company | Legal obligation |
| Travel West Midlands | Consent |
| Unison | Consent |
| Skills Education Group | Contract |
| JISC Survey | Consent |

If you use the Vacancy Filler website to complete an application form, they will collect your personal information on behalf of Walsall College as a Data Processor. They have their own Privacy Notice that you can review [here](https://www.vacancy-filler.co.uk/privacy-policy/).

If you sign up to the Togertherall Ltd services your personal data will be collected by Togetherall Ltd, so they are able to provide a service to you. When using the platform your personal data will be in an anonymised format, however, Togetherall Ltd will have access to your personal data, this is to ensure that all members are safe when using their services. To read Togetherall Ltd.’s Privacy Notice in full, please visit <https://togetherall.com/en-gb/privacy-policy/>.

**How does Walsall College protect personal information?**

Walsall college takes the security of your personal information seriously and has internal policies and controls in place to ensure that your information is not lost, corrupted, accidentally destroyed, rendered unavailable, misused or disclosed, and is not accessed except by authorised employees in the performance of their duties.

The Data Protection Policy is available to view on our website <https://www.walsallcollege.ac.uk/wp-content/uploads/2022/11/Data-Protection-Policy.pdf>, or can be collected from the Data Protection Officer.

Where Walsall College engages with third parties to process personal information on our behalf, we do so on the basis of written instructions; the third party is under a duty of confidentiality and are obliged to implement appropriate technical and organisational measure to ensure the security of the personal information.

**How long does Walsall College keep personal information?**

All Personal Information will be held as long as is necessary to fulfil our legal obligations or carry out public functions. Details of how long specific records are retained is set out in the Walsall College Retention Schedule. The Retention Schedule takes into account the need to meet any legal, statutory and regulatory obligations.

Any information that is no longer required will be disposed of securely. We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements

**What rights do you have?**

As an individual, you have a number of rights. You have the right to be informed about how and why your data is being processed and that is why we include the information in this privacy notice. You can also:

* access and obtain a copy of your data on request.
* require Walsall College to update incorrect or incomplete data.
* require the college to delete or stop processing your data, for example where the data is no longer necessary for the stated purposes of processing (specific circumstances only).
* obtain and reuse your data for your own purposes across different services. (limited circumstances).
* object to the processing of personal information (specific circumstances).
* object to the processing of your data for marketing purposes, this right always applies. Where the College is relying on its legitimate interests or performance of a public task as the legal basis for processing your personal data, you may also object to the processing and this will be considered on a case-by-case basis.

In certain circumstances you have the right to have your personal data deleted, this is where the College does not have a justification to retain it. Below is a list of circumstances where the College would delete your personal data:

* Where your personal information is no longer necessary for the purpose that the College originally collected and processed it.
* When the legal basis relied on is Consent and you withdraw that consent.
* If we are relying on our legitimate interests as the legal basis for processing and you have objected and your interests’ rights or freedoms override our legitimate interests.
* When you have objected to the processing and the College is using your data for direct marketing purposes.
* The personal data was unlawfully processed
* It is necessary to delete your personal information to comply with a legal obligation;
* The personal information is processed by the College as part of the delivery of information society services to a child under 16 years old.

\*ISS any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services. e.g. websites, apps, search engines, online marketplaces and online content services such as on-demand music, gaming and video services

However, the right to be forgotten does not apply where the College relies on the following:

* To comply with a legal obligation.
* In order to carry out a task in the public interest or in the exercise of our official authority as a public body and institute of higher education.
* To establish, exercise or defend legal claims.
* To exercise the right of freedom of expression and information.
* For archiving purposes in the public interest, scientific research, historical research or statistical purposes where erasure is likely to make it impossible or considerably difficult for to do this.

If you would like to exercise any of these rights, please visit our Individual Rights page on <https://individualrights.walsallcollege.ac.uk/>.

Where we reply upon consent to process data this consent can be withdrawn at any time by contacting Walsall College.

**What if I do not provide personal information?**

Data that is mandatory to provide will be highlighted on your application form or when you provide the data and failure to provide mandatory data required by the College to meet legal obligations in regard to provision to your contract of employment or our other legal obligations may affect your employment, apprenticeship or placement status.

**How to contact us**

Please contact us if you have any questions about this Privacy Notice, or information we hold about you:

By Email: dataprotection@walsallcollege.ac.uk

In writing: Data Protection Officer

Walsall College

Wisemore Campus

Littleton Street West

Walsall

WS2 8ES

By phone: 01922 657014

**Who can I complain to?**

If you believe that Walsall College has not complied with your data protection rights, you can complain to the Data Protection Officer at dataprotection@walsallcollege.ac.uk. You also have the right to complain to the Information Commissioner at [www.ico.org/concerns](http://www.ico.org/concerns) or by contacting the ICO helpline on 0303 123 1113.

**Changes to our privacy policy**

This Privacy Notice is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right at all times, to update, modify or amend this Notice. We will not significantly change how we use information you have already given to us without your prior agreement. The latest version of this Notice can be found at on the College’s website.

This Privacy Notice was last updated on 29 August 2023.