

Privacy Notice for employees

Oxford Brookes University (“the University”) is committed to protecting the privacy and security of personal data. Personal data is information that could identify you. The University will be the Data Controller of any personal data that you supply.

This notice explains what personal data the University holds about you; what we may use it for; how it may be shared; the reasons why; how long we will keep the information and what your legal rights are in relation to the personal information we hold about you.

Please note that this notice does not form part of your contract of employment or other contract to supply services.

The University publishes additional privacy notices applicable to other groups, facilities and activities. Subject to your circumstances, other notices may also apply to you so please read this privacy notice in conjunction with other applicable privacy notices that may be accessed via the University website [here](#).

Under UK Data Protection and Privacy Law, all organisations must ensure that personal data is:

- a) processed fairly and lawfully;
- b) processed for limited and legitimate purposes;
- c) adequate, relevant and limited to what is necessary;
- d) accurate and, where necessary, kept up to date;
- e) not kept for longer than is necessary;
- f) kept securely to protect your data;
- g) processed in line with data subjects’ rights;
- h) not transferred to other countries without adequate protection.

The University’s legal basis for collecting your data is:

- We need to use this to enter into a contract with you or maintain an existing one
- We have a legal obligation to use your data (such as reporting statistical data to government etc)
- We need to use this data to protect you or others from the risk of harm
- We need to process this data for the performance of a task carried out in the public interest
- We need to process the data to fulfil our legitimate interests
- Prevention and detection of crime
- Explicit consent you have provided to us

If the University asks you for special category data such as; racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, data concerning health or sexual life, genetic/biometric data or criminal records we will use these data because:

- You have given us explicit consent to do so

- We need to use this data for employment, social security or social protection law, or a collective agreement
- We need to use this data to protect you or others from the risk of harm where consent can't be given
- We need to use this data for legal purposes
- We need to use this data to assess, diagnose, administer and offer services for workplace health and wellbeing services
- For the completion of statistical returns, both statutory and voluntary
- Reasons of public interest in the area of public health

What rights do you have regarding my personal data that the University holds?

Subject to certain conditions and exceptions set out in UK Data Protection Law and dependent on the circumstances in which the University holds your data, you may have:

- the right to be informed
- the right of access to your data
- the right to correct data if it is wrong
- the right to ask for your data to be deleted
- the right to restrict use of the data we hold
- the right to data portability
- the right to object to the University using your data
- rights in relation to using your data automated decision making and profiling
- the right to withdraw your consent (where the lawful basis for processing your data is consent). This will not affect the validity of any lawful processing of your data up until the time you withdrew your consent.

What types of personal data will the University use?

- Your name and records of name changes
- Home address and personal contact details
- Staff email address and contact details
- Staff HESA identification number
- Date of birth
- Legal sex and diversity information
- NI/passport number
- Bank details
- Emergency contact details
- Academic qualifications, regulatory body memberships and previous employment
- Confirmation of fitness to work from occupational health
- Copies of passport and any documentation regarding the right to work in the UK, sponsorship information, visa/immigration status
- Record of Disclosure and Barring Service (DBS) check being carried out, result of DBS check, copy of DBS check for tier 2 staff in relevant roles
- Your contract of employment, subsequent amendments and other paperwork relating to contractual requirements such as probation period
- Employment records including appointment history, pay history, working pattern and hours of work, job description and applications for regrading, applications for promotion and outcomes, risk assessments for homeworking
- Documentation around termination of employment, including settlement agreements

and voluntary severance

- Records relating to employee benefits and leave, including occupational pension scheme membership, tax saving schemes, purchased additional annual leave, maternity, maternity support, adoption, shared parental, study leave and jury service
- Grievance/disciplinary/capability records
- Sickness record and records of occupational health referrals and outcome
- Training records
- Records of accidents and incidents that take place on university premises or involve university staff, students or associates
- Survey and exit questionnaire responses
- Images and recordings (academic)(facilitating lecture capture and the recording of student academic contact sessions)
- Images and media posted on the University website (academic)(to acknowledge and celebrate student achievements)
- Research record and activity

Where does the University source your data from?

- From you directly via your application for employment or additional data that you subsequently provide
- Referees if you apply for a new role or for promotion
- If you tell us that you have been employed at another UK university we will contact them to request your HESA staff identifier

Why does the University need your data?

Throughout your employment HR will keep records as required to administer your employment, pay and benefits. This will include electronic records on the HR system as well as copies of forms, documentation and correspondence. We need employee data for many reasons, including:

Purpose	Lawful basis for processing
To enter into and maintain a contract of employment with you	Necessary for the provision of a contract
To create and maintain an employee record on our HR/Payroll system (Core HR)	Necessary for the provision of a contract
To pay you in line with our contractual and legal requirements, including making statutory payments that you are entitled to whilst absent from work and at the end of your employment	Necessary for the provision of a contract Necessary to fulfil a legal obligation
To pass data to Payroll to enable them to complete the statutory RTI report for HMRC	Necessary to fulfil a legal obligation
To provide and administer employee statutory and occupational benefits such as maternity and shared parental leave, occupational pension schemes, childcare vouchers, eye test reimbursement, long service awards	Necessary for the provision of a contract Necessary to fulfil a legal

Purpose	Lawful basis for processing
	obligation
To comply with our legal requirements to check that employees have the right to work in the UK	Necessary to fulfil a legal obligation
To comply with our legal obligation to demonstrate that we have carried out a Disclosure and Barring Service for employees who are required to work with children or vulnerable adults	Necessary to fulfil a legal obligation
To complete the staff HESA return for academic staff (salaried and hourly-paid)	Necessary to fulfil a legal obligation
To voluntarily complete the HESA return for professional services staff (salaried only)	Necessary to fulfil a legitimate interest of Oxford Brookes
To administer the university grading system	Necessary to fulfil a legal obligation
To participate in sector salary surveys	Necessary to fulfil a legitimate interest of Oxford Brookes
To comply with Health and Safety legislation	Necessary to fulfil a legal obligation
To provide data to other parts of the organisation to enable them to carry out their functions e.g: <ul style="list-style-type: none"> to enable those with responsibility for finance to carry out monitoring and financial planning to enable Occupational Health to create an employee record for you in their eOPAS system submission of grant applications (including disclosing disciplinary warnings to Research and Business Development Office where these are relevant to the conditions of the grant) 	Legal basis for processing will vary but must be demonstrated before any new processing can be put in place.
To send you communications that the university believes are relevant to your employment (staff email address)	Necessary to fulfil a legitimate interest of Oxford Brookes
To monitor, analyse and report on anonymised employee data, including data on protected characteristics, in line with our Equality, Diversity and Inclusion policy and for submission of equality charter applications	Necessary to fulfil a legal obligation
To investigate allegations reported via the Report and Support tool	Prevention and detection of crime

Purpose	Lawful basis for processing
Provision of audio and video conferencing services (to include recording where necessary)	Necessary to fulfil a legitimate interest of Oxford Brookes
To maintain contact with you in the event of a major incident or disruption to business continuity	Necessary to fulfil a legitimate interest of Oxford Brookes
To contact your emergency contact/next of kin in an emergency	To protect your vital interests
To administer identity and access management system password resets (personal email address)	Necessary to fulfil a legitimate interest of Oxford Brookes
To administer the university room booking system	Necessary to fulfil a legitimate interest of Oxford Brookes
To administer and maintain records of formal and informal meetings as required by university governance and to enable efficient operation	Necessary to fulfil a legitimate interest of Oxford Brookes
To support and manage staff as required by university policy and operational requirements e.g records of annual leave, requests for flexible working	<p>Necessary for the provision of a contract</p> <p>Necessary to fulfil a legal obligation</p> <p>Necessary to fulfil a legitimate interest of Oxford Brookes</p>
To provide learning and development opportunities	<p>Necessary to fulfil a legal obligation</p> <p>Necessary to fulfil a legitimate interest of Oxford Brookes</p>
To complete the Research Excellence Framework (REF) submission	For the performance of a task carried out in the public interest
To administer and maintain contracts with third party contractors who provide outsourced services	Necessary to fulfil a legitimate interest of Oxford Brookes

Purpose	Lawful basis for processing
For reasons related to the Covid-19 pandemic detailed in the relevant privacy statements https://www.brookes.ac.uk/alerts/coronavirus/	Necessary to fulfil a legal obligation Reasons of public interest in the area of public health
To apply for research funding	Necessary to fulfil a legitimate interest of Oxford Brookes

Are there any consequences of not providing the requested data?

- Much of the data that we request is essential to allow us to employ and pay you in line with our legal duties. Therefore if you do not provide this data we may not be able to continue to employ you. The following fall into this category:
 - If you do not provide data for mandatory fields in our HR/Payroll system we will not be able to create an employee record on the HR database and pay your salary and other benefits
 - Date of birth and legal sex are required to fulfil our legal obligations to provide information to HMRC. Without it no payments can be made through payroll. Unless we know your NI number for HMRC you may not be taxed at the correct rate and your national insurance contributions may not be attributed to you. If you do not provide bank details we will not be able to make any payment to you
 - We will not be able to employ you if you do not provide all data required to prove your eligibility to work in the UK
 - We will not be able to employ you in a role involving working with children or vulnerable adults if you do not provide data on DBS checks. Where possible these requirements will be stipulated in your contract of employment but new requirements may arise during the course of your employment
 - Your contract of employment is subject to occupational health confirming that you are fit to undertake the role that you have been offered. If you do not provide occupational health with the information that they need to assess this we may not be able to continue to employ you
- If you do not provide the additional data that we need to administer certain employee benefits you may not be able to access those benefits
- If the University returns high levels of unknown values to HESA we will be set targets for improvement and this could have an adverse effect on our reputation. To avoid this we will chase employees for missing data and may ask local managers/heads of department to help with this. This includes previous employment, highest level of qualification and teaching qualifications (for academic staff)
- Diversity information and emergency contact details are not mandatory. We value this information as it helps us to fulfil the objectives of HR policies but there is no obligation to provide it. When collecting diversity information we offer a prefer not to say option whenever possible so you can tell us if you have actively chosen not to share your information

Will there be any automated decision making using your data?

- No

Who will the University share your data with?

- [Jisc](#), who collect the Higher Education Statistics Agency staff return, in pseudonymised form
- The occupational pension scheme that you are eligible to join, as specified in your contract of employment:
 - Local Government Pension Scheme
 - Teachers' Pension Scheme
 - Universities' Superannuation Scheme
- Organisations contracted to carry out audit and bodies with statutory audit powers, including Ofsted if you are employed in a role in which you are required to work with children or vulnerable adults or that is subject to HM Inspectorate.
- HMRC
- Disclosure and Barring Service
- UKVI/Home Office as required to comply with our legal requirements
- [ECC](#) who provide the grading system that we use
- [Computershare](#), who operate the childcare voucher scheme that staff can use
- ACAS if required for early conciliation process
- Trade unions for provision of membership services
- Internal auditors engaged by the university and external auditors with statutory powers
- Salary survey providers
- UKRI (Research Excellence Framework), information sharing for the purpose of completing the Research Excellence Framework (REF) submission
- Third parties engaged to provide services to the university e.g. staff survey provider, legal advisers, university insurers
- Training/accreditation providers of courses/qualifications that you undertake as part of your employment
- Third party employers with whom you are jointly employed
- Third party contractors who provide outsourced services to the university
- Third parties with whom you ask us to share data e.g. for provision or collection of references, confirmation of employment and salary (e.g. for mortgage or rental agreements)
- Third parties you ask to represent you if we have your consent to do so
- External members of university committees
- If you take up employment at another UK university, we will provide them with your HESA staff identifier on request. This is a 13-digit number that identifies you throughout your career in higher education
- Third parties and members of the public who contact the university for commercial or academic reasons will be provided with the university contact details of the employee(s) who can help them unless employee has notified us of a legitimate reason why that information should be withheld
- Police and other law enforcement agencies in the event of receipt of a serious allegation of misconduct
- Emergency services if essential in an emergency

- The emergency contact/next of kin whose details you have provided if essential in an emergency
- New employer if your employment transfers via TUPE
- Login details may be shared with JISC as part of a pilot project concerning information security at Brookes
- Third party consultant, Evalian, provider of data protection services
- Third party, Amadeus, an SMS service for the University staff abroad (a traveller tracking system that provides advice in emergency situations)
- University students who have taken advantage of lecture capture and student academic contact sessions for the purpose of teaching and assessment
- Third party, Calendly LLC, web-based meeting scheduling and productivity application supplier
- Third party, Google Hangouts and Google Meet
- Zoom Inc, Provision of audio and video conferencing services (to include recording where necessary)
- Third party, LinkedIn Learning, Provision of expert led online training courses on IT, Business, careers and soft skills
- Funding bodies: The Wellcome Trust, Cancer Research UK, Brain Research UK, British Heart Foundation, Breast Cancer Now
- Third party, think learning, who provide the staff learning system

Will the University transfer your data outside of the UK?

- Our HR/Payroll system is hosted by Core HR, who are based in Ireland. Therefore all data recorded in that system is transferred securely to and processed in the Republic of Ireland. Because Ireland is within the EEA, GDPR still applies. Therefore the same level of protection in relation to the processing of personal data is legally assured.

How long will the University keep your data?

Your data will be kept while you are an employee of the University, subject to any time limits in HR policies, e.g. in relation to disciplinary warnings. After your employment ends your data will be retained for as long as necessary to fulfil the purpose for which the data was collected and to fulfil our own legal obligations. Deletion of data will be carried out in a secure way.

The University [Retention Schedule](#) can be downloaded from our website and details the retention periods for different types of data.

Who can you contact if you have concerns?

You can contact the Information Management team.

Email: info.sec@brookes.ac.uk

In certain circumstances we may refer your query or concern to the University Data Protection Officer (DPO), a semi-independent role at Brookes required by UK Law. If you would prefer to contact the DPO directly please email BrookesDPO@brookes.ac.uk

The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. While we recommend that you raise any concerns or queries with us first, you have the right to

complain to the ICO directly if you believe the University is using your personal data unlawfully. Please visit www.ico.org.uk for information on how to make a complaint or you would like independent and impartial advice on data protection and privacy.