

Privacy Notice for employees

Under the General Data Protection Regulations (GDPR), all organisations must ensure that personal data is:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Oxford Brookes University will be the Data Controller of any personal data that you supply. This means that it will make the decisions on how your data is used and for what reasons. These are outlined in this document.

Oxford Brookes 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 the data to fulfil our legitimate interests
- Prevention and detection of crime

If Oxford Brookes University asks you for sensitive 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

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

- You have the right to be informed
- You have the right of access to your data
- You have the right to correct data if it is wrong
- You have the right to ask for your data to be deleted
- You have the right to restrict use of the data we hold
- You have the right to data portability
- The right to object to Oxford Brookes University using your data
- You have rights in relation to using your data automated decision making and profiling.

What types of personal data will Oxford Brookes 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

Where does Oxford Brookes 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 Oxford Brookes 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:

- To enter into and maintain a contract of employment with you
- To create and maintain an employee record on our HR/Payroll system (Core HR)
- 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
- To pass data to Payroll to enable them to complete the statutory [RTI report](#) for HMRC
- 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
- To comply with our legal requirements to check that employees have the right to work in the UK
- 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
- To complete the statutory staff [HESA](#) return
- To administer the university grading system
- To participate in sector salary surveys
- To comply with Health and Safety legislation
- To comply with HR policies and procedures and wider University policies that relate to staff and to enable colleagues outside HR (e.g. line managers and heads of department) to fulfil the requirements placed on them by these policies and procedures.
- To provide data to other parts of the organisation to enable them to carry out their functions e.g. to enable those with responsibility for finance to carry out monitoring and financial planning, to enable the Occupational Health department to create an employee record for you in their eOPAS system.
- To send you communications that the university believes are relevant to your employment (staff email address)
- To monitor, analyse and report on anonymised employee data, including data on protected characteristics, in line with our Equality, Diversity and Inclusion policy
- To investigate allegations reported via the [Report and Support](#) tool

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 Oxford Brookes University share your data with?

- Higher Education Statistics Agency, via the statutory staff [HESA](#) return in anonymised 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.
- 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
- External auditors
- Salary survey providers
- Research Excellence Framework
- Third parties engaged to provide services to the university e.g. staff survey provider, legal advisers
- 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
- New employer if your employment transfers via TUPE

Will Oxford Brookes 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 Oxford Brookes University keep your data?

Your data will be kept while you are an employee of the 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.

Postal Address: GDPR Queries, Information Management Team, IT Services, Room 2.12, Gibbs Building, Headington Campus, Gypsy Lane, Oxford, OX3 0BP

Email: info.sec@brookes.ac.uk

Tel: 01865 485420

Date of last review: June 2019