



London & South East Education Group Data Protection: Staff Privacy Statement

Comprises employees, volunteers, temporary and third party agency workers and from

London South East Colleges

London South East Academies Trust

“the Group Organisations”

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1. Introduction

- 1.1 Under data protection law, individuals have a right to be informed about how the London & South East Education Group uses any personal data that is held about them. We, London & South East Education Group, comply with this right by providing this Privacy Notices to individuals where we are processing their personal data.

2. Document purpose

- 2.1 The purpose of this Privacy Notice is to explain how we, London & South East Education Group and its associated organisations of London South East Colleges and London South East Academies Trust, collect, store and use personal data about you.

3. Data controller and processors

- 3.1 London South East Colleges and London South East Academies Trust (the Group Organisations) are the Data Controllers for the purposes of data protection law and therefore will determine the purposes for which personal data is processed (the 'why' and the 'how').

Authorised 3rd parties, e.g. DfE, Awarding bodies, etc. process and 'use' data on behalf of (under the supervision/control) the Group Organisations are therefore Data Processors.

- 3.2 The postal address for the Group Organisations is

Rookery Lane, Bromley, Kent BR2 8HE

- 3.3 London & South East Education Group, Group Data Protection Officer is Jennifer Pharo and her contact details are at Section 15.

- 3.4 London & South East Education Group and its associated organisations of London South East Colleges and South East Academies Trust located at various sites and campuses will ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

4. The categories of personal data we hold for staff

We process data about the staff employed on a permanent, temporary or contractual, voluntary and seconded basis across all our provision and areas of the Group Organisations.

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Employment matters (including obtaining references, probation period reports, appraisals, attendance, conduct, personal development, internal post applications, interviews, appointments and promotions, leave and sickness absence, grievance issues and complaints, including academic misconduct investigations and employee disciplinary actions)
- Maintenance of employee records, including your emergency contact details
- Compliance with employment visa requirements
- Administering employee payments and salaries (including pensions and other employee benefits)
- Providing employee support services (including the Employee Assistance Programme and our Occupational Health Service)
- Provision of access to University sites and facilities, and use of IT services, including the IT systems tools you require for your role.

- Training records and personal information collected if enrolled on a course at one of our Group Organisations.

5. Why we use this data

We use this data to:

- Information required by the Home Office and UKVI, in connection with visa requirements and immigration
- HMRC in matters relating to pay, benefits and taxation
- Responding to requests for information from government bodies and their authorised agents in line with current UK Higher Education legislation
- Monitoring Equal Opportunities, Equal Pay and the Gender Pay Gap at the University
- Ensuring the safety and security of employees
- Safeguarding and promoting the welfare and wellbeing of employees
- Responding to requests related to your rights under UK Data Protection Law
- As a public authority under the Freedom of Information Act (2000), responding where lawful to requests for information
- And as otherwise allowed in UK law

Additionally, as a public authority, and in the public interest, your personal information may be used to:

- Provide operational information and aggregate statistics to improve the organisations performance and services
- Conduct authorised research, surveys and analysis, which may involve third-party data processors
- Some information you give us for the above purposes, will be collected and processed on the basis of your explicit consent, eg Equal Opportunities information.
- In an emergency situation, contact details you have given to us will be used in relation to your or others' vital interests.

6. Our lawful basis for using this data

6.1 We will only collect and use your personal data when the law allows us to.

Most commonly, we will process it where:

- We need to comply with a legal obligation.
- We need to perform an official task in the public interest..

6.2 Less commonly we may also use your personal data where:

- We have obtained consent to use it in a certain way.
- We need to protect the individual's health interests (or someone else's interest).

6.3 Where we have obtained consent to use your data, this consent can be withdrawn at any time.

We will make this clear when we ask for consent and explain how consent can be withdrawn.

6.4 Some of the reasons listed above for collecting and using your personal data overlap, and there may be several grounds which justify our use of this data.

7. Collecting this information

- 7.1 While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you, we will make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

8. How we store and retain this data

- 8.1 We keep personal information about you while you are employed or volunteer on any basis for our Group Organisations.
- 8.2 We have a Records Retention Policy, which sets out how long we must keep information about you. You can request a copy of the by emailing GDPR@lsec.ac.uk or through the Group HR Department, if you want to understand the timelines in more detail.

9. Data sharing

- 9.1 We do not share personal information about you with any third party without consent unless the law and our Group Organisations' policies allow us to do so.
- 9.2 London South East Colleges is the Sponsor Organisation for London South East Academies Trust, as a result of this relationship and association, a **Group Data Sharing Policy** has been approved by the respective Governing Boards of both legal entities (the Group Organisations), to ensure and provide assurance that practice and procedures (where there is a legitimate requirement to share staff information between the two organisations), is with due consideration and regard for data protection law, such data may relate to training, professional development, health & wellbeing and recruitment opportunities.

A copy of this policy is available on the Trust and College website.

- 9.3 Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:
- The Local Authority - to meet our legal obligations to share certain information with it.
 - The Department for Education (a government department) - to meet our legal obligations as part of safeguarding legislation and workforce development.
 - Your family or representatives - in case of emergencies such as a health matter.
 - Educators and examining bodies - necessary for the performance of our education function.
 - Suppliers and service providers - to enable them to provide the service we have contracted them for.
 - HRMC, for payroll and pension related matters.
 - Health and social welfare organisations / third parties - to enable us to comply with our duty of care and statutory safeguarding duties to you and our students.
 - Therapists, clinical psychologists.
 - Health and Safety/First Aiders
 - Occupational Health providers.
 - Police forces, courts, tribunals - to uphold law and order.
 - Where necessary, we may receive personal data about you from third parties. Examples include the following:
 - Your previous employment record
 - Personal and contact details, your application and CV
 - Employment Agencies
 - Your immigration status

- Home Office (UKVI)
- Information about criminal convictions (where appropriate)
- Disclosure & Barring Service
- Medical, mental health, accessibility-related and similar information
- (we only obtain this information from third parties if you give us consent to do so)
- Medical practitioners/ occupational health.

10. Transferring data internationally

10.1 Where we share data with an organisation that is based outside the European Economic Area, we will do so in accordance with data protection law.

11. Photographs and media

11.1 As part of our business activities, the Group Organisations may take photographs and allow external organisations to take photographs or to film within our sites in line with our Photograph and Media Policy. You will be made aware when this is happening and the context in which the photograph will be used.

11.2 LSEC will take photographs for its own use. Usually these will be unnamed and will generally be for internal Academy use, but may also include photographs for publication, such as:

- Photographs included in prospectus.
- Photographs to show as slides at an event.
- Photographs to be used on display boards.
- Photographs posted on our official web and media sites such as Twitter and Facebook sites.

Such sites can be accessed by the public and will therefore require close monitoring by our staff to ensure they are appropriate.

11.3 Named photographs will be used for internal use where there is a clear lawful basis for doing so e.g. for identification purposes such as a student, staff or visitor security pass, safeguarding requirements and as part of exclusion behaviour data.

11.4 For all other purposes, if we want to use named photographs then it will obtain specific consent.

12. CCTV

12.1 The Group Organisations operate CCTV on all our premises. This is considered necessary to protect staff and student's safety and our property.

13. Your rights

13.1 Individuals have a right to make a Subject Access Request to gain access to the personal information that we hold about them.

13.2 If you make a Subject Access Request, and if we do hold information about you or your child, we will:

- Give you a description of it.
- Tell you why we are holding and processing it, and how long we will keep it for.
- Explain where we got it from, if not from you.
- Tell you who it has been, or will be, shared with.
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this.

- Give you a copy of the information in an intelligible form
- Provide the information to you within one month of being made aware of the Subject Access Request.

13.3 If you want to make a request please contact complete the appropriate for on our website.

13.4 Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress.
- Prevent it being used to send direct marketing.
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.

13.5 To exercise any of these rights, please contact the Group Data Protection Officer at GDPR@lsec.ac.uk

14. Complaints

14.1 We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

14.2 To make a complaint please contact our Group Data Protection Officer at GDPR@lsec.ac.uk

14.3 Alternatively, you can make a complaint to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns>.
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

15. Contact details

15.1 If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact the Group Data Protection Officer, Jennifer Pharo at GDPR@lsec.ac.uk.