

## University of Plymouth Enterprise Limited - Staff Privacy Notice

### 1. Introduction

Our privacy statement explains what types of personal information will be gathered and how this information will be used. In this statement “UoPEL”, “us”, “our” and “we” means University of Plymouth Enterprise Limited.

University of Plymouth Enterprise Limited (UoPEL), a wholly owned subsidiary of the University of Plymouth, is committed to protecting your personal and sensitive personal data, working in accordance with current data protection legislation. UoPEL is registered as a data controller with the Information Commissioner’s Office under registration number Z2829314. UoPEL will process your personal data in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and this privacy notice is issued in accordance with the GDPR articles 13 and 14. UoPEL’s Data Protection Officer is responsible for monitoring this privacy notice who can be contacted at [dpo@plymouth.ac.uk](mailto:dpo@plymouth.ac.uk).

This privacy notice outlines how UoPEL collects, processes and uses your information. This notice is applicable to all UoPEL employees (current, past or prospective) and other colleagues who have a temporary or ongoing association with UoPEL, which includes, but is not limited to students, volunteers, honorary appointees, committee members and Boards of Directors. UoPEL is supported by teams within its parent company, The University of Plymouth, who provide it with certain support services. These teams include the Human Resources Department, Finance Department, Research and Innovation Department and other key areas who legitimately have access to and process data on behalf of UoPEL to carry out essential functions.

### 2. Why do we collect your data?

UoPEL collects information in order to fulfil its obligations as an employer. There is always a [lawful basis for processing](#) your information including, but not limited to, the performance of an employment contract and compliance with UoPEL’s legal obligations, which are outlined below. Where information is not provided by employees, the actions below will not be able to be undertaken. UoPEL will not process personal data for marketing purposes or transfer personal data outside of the EU framework and data is not subject to automated data processing.

It is important that the information held about you is accurate and current. Please ensure you notify your manager or Human Resources of any necessary changes to your information or update your information through Employee Self Service when necessary.

### 3. What type of data do we collect?

The following are examples of personal data (not exhaustive) which may be collected, stored and used:

- Personal contact details such as name, date of birth, title, addresses, telephone numbers, and personal email addresses
- Marital status and dependants
- Gender
- Next of kin and nominated emergency contact information
- National Insurance number, bank account details, payroll records and tax status information

- Salary, annual leave, pension and benefits information
- Copy of driving licence where your employment involves driving for UoPEL
- Recruitment information (including copies of right to work documentation, references and other information included in an application form, CV or cover letter or as part of the application process)
- Employment records (including job titles, conflicts of interests, work history, working hours, training records and professional memberships)
- Compensation history, including allowances and bonus payments
- Salary benchmarking and pay modelling
- Personal development information (including appraisal, training and progression)
- Disciplinary, grievance, sickness absence and performance management information
- Information relating to maternity, paternity, shared parental or adoption leave
- CCTV footage and other information obtained through electronic means such as swipe/identity card records
- Information about your use of our information and communications systems
- Photographs
- Passport and UKVI information

We may also collect, store and use the following types of special category personal data:

- Information related to protected characteristics as defined within the Equality Act for monitoring and institutional reporting, for example, equal pay
- Trade union membership
- Information about your health, including any medical condition, health and sickness records, and disability information
- Information about criminal convictions and offences, including details of DBS records for Ofsted auditing purposes where necessary

#### **4. When and how do we collect your data?**

UoPEL will collect your information in different ways prior to and during its relationship with you. These will include:

- Information you provide directly to us such as through the application or recruitment process or during your period of employment
- Information provided by other sources such as employment agencies, referees or former employers (some of which may be post- employment e.g. in relation to tax and/or pension).

#### **5. How do we use your data?**

UoPEL requires this information to manage the employment relationship with employees and the obligations and responsibilities, which arise from this. For example, UoPEL may use your information to:

- recruit and select new and existing employees, temporary workers and consultants including matching to future vacancies
- carry out any necessary checks to ensure that employees have the right to work in the UK and are eligible to work with children or other vulnerable individuals and have suitable references in relation to previous employment etc.;
- administer contracts of employment and other contractual arrangements related to temporary and casual workers, consultant and voluntary appointees;
- maintain accurate information for current members of staff in the HR database.

- pay employees and ensure they are receiving the pay or other benefits (including pensions and reimbursement of travel and subsistence expenses) to which they are entitled and that the necessary deductions are being made i.e. tax, student loans etc.
- provide staff benefits and administer salary exchange arrangements i.e. childcare vouchers, cycle to work etc.
- manage the health and wellbeing of staff through maintenance of emergency contact details, pre-employment medical details, health screening for relevant roles, information related to disability, incident records, Personal Emergency Evacuation Plans and personal risk assessments.
- record staff absence including sickness, parental leave, jury service etc. and maintain absence management procedures for effective workforce management and employee wellbeing i.e. fitness to work and reasonable adjustments
- record and monitor staff performance, training, development and career progression
- operate and keep a record of disciplinary, grievance and other employee relations processes including employment tribunals to report on internal performance metrics and identify patterns or concerns in specific areas;
- report and monitor data relating to protected characteristics to inform and develop action plans that promote equality, diversity and inclusion at the recruitment stages and within the workplace;
- process specific reports and returns and participate in general statistical surveys for Governmental or regulatory bodies such as relevant Pension Providers and HMRC.
- facilitate internal day to day communications relevant to your employment with UoPEL and promotion of your work details on the staff directory which also covers managing the security and car parking through photographic staff ID cards;
- fulfil and monitor legal responsibilities and obligations, for example, within the Equality Act, immigration and health and safety legislation;
- provide references on request for current and former employees;
- provide relevant management information to support UoPEL with its effective financial forecasting, workforce management and business planning.
- support staff with making applications for research or other funding and regulatory approvals

## 6. What is the lawful basis for processing personal data?

UoPEL processes staff data for the above purposes under the following conditions:

- Where consent has been provided
- In order for UoPEL to fulfil its obligations under the contract of employment
- Where UoPEL needs to comply with a legal obligation (for example, the detection or prevention of crime and financial regulations)
- Where it is necessary for UoPEL's legitimate interests (or those of a third party) and the interests and fundamental rights of the member of staff do not override those interests
- To protect the vital interests of the member of staff or of another person (for example, in the case of a medical emergency)
- In order to perform a task carried out in the public interest

UoPEL will only process special category data with the employee's explicit consent or under the following conditions:

- For the purposes of the employee's and/or UoPEL carrying out its obligations in the field of employment providing appropriate safeguards are in place to protect the individual's fundamental rights and interests;
- For the establishment, exercise or defence of legal claims;

- When it is needed to protect the employee’s or another person’s vital interests and the employee is not capable of giving consent (for example, in an emergency);
- For reasons of substantial public interest; or
- Achieving purposes in the public interest, scientific or historical research purposes or statistical purposes.

If your consent is required for any specific use of your personal data, it will be collected at the appropriate time.

## 7. Who internally has access to your data?

Information is held by University of Plymouth where it provides support services to UoPEL on its behalf and is carefully controlled with access being granted only if it is needed for a legitimate business requirement i.e. related to one of the activities listed in the section on how we use your data. For example;

- For operational and business continuity purposes, your personal data may be shared with other relevant members of UoPEL including Senior Managers
- Your personal data is also shared across relevant IT systems and databases to facilitate the management and delivery of UoPEL services, legal requirements and equality reports
- Finance have access to certain information they require for effective forecasting and to process BACS payments
- Research and Innovation within the University of Plymouth have access to certain information they require for the purposes of grant / project funding proposals
- Reporting Managers have access to certain information through Manager Self-Service to fulfil their obligations and manage your employment
- Managers have access to certain information following incident reports in order to fully investigate those incidents and ensure appropriate control measures are in place
- If your contract is a joint contract (e.g. with a funding provider) or you are on secondment, then certain information will be shared with the host/ honorary employer in accordance with your contract

We take your privacy and the security of your data seriously and requests for access to your data are only approved if there is a legitimate reason, which is covered by the relevant lawful basis. If your consent is required that would be collected in advance of your information being shared.

Staff can access their personal details through Employee Self-Service.

## 8. Who do we share your data with outside of UoPEL?

UoPEL will disclose certain personal detail for specified purposes to external bodies for the legitimate interests of UoPEL or of third parties as detailed below.

<b>Disclosure to</b>	<b>Details and legitimate grounds for processing data</b>
<b>University of Plymouth</b>	For the provision of services such as HR and Finance
<b>UK Visas and Immigration</b>	To meet obligations as an employer.
<b>Disclosure and Barring Service and GB Group acting as an umbrella body on behalf of UoPEL</b>	To ensure applicants’ suitability for particular positions of trust where clearance is required, to prevent harm arising to children, young people or adults.

<b>Mortgage companies and letting agencies</b>	For mortgage and letting verification purposes. Information will only be disclosed with written consent of the employee.
<b>HM Revenue and Customs (HMRC)</b>	For the collection of income tax and national insurance contributions from employees.
<b>Pension providers: Local Government Pension Scheme; Aviva</b>	To allow provision of pensions by these providers.
<b>Training Providers</b>	To facilitate the delivery of identified training programmes.
<b>Local Authorities or Regulatory Bodies eg Plymouth City Council</b>	For the purposes of meeting regulatory and safeguarding requirements.
<b>UK government and other agencies eg Police, DWP, UKVI, FCO, Unions, ONS</b>	Relating to detection of crime, safeguarding national security, benefits, union membership, collection of tax or other payments, and government reporting activities.
<b>UK Enforcement Organisations e.g. The HSE, Home Office, LA, Devon and Somerset Fire and Rescue Service, Cornwall Fire and Rescue Service</b>	Relating to investigation and enforcement of UK Health and Safety, Fire and other statutory legislation.
<b>Funding bodies</b>	To support the requirement for funding applications and to demonstrate compliance within funding regulations.
<b>Third party software suppliers</b>	Where external computer systems are used, for example, the iTrent HR/Payroll system, there may be occasions where access is granted to ensure operational management. A formal agreement will be entered into by third parties and UoPEL to protect employee data.
<b>Audit companies</b>	To enable internal / external audit / investigation
<b>Publicly available on website</b>	To enable effective communication certain information is included on the UOPEL web pages i.e. name, work contact details.
<b>Transfer of Undertakings Protection of Employment (TUPE)</b>	Where your employment has transferred to another employer, your details will be passed to your new employer under the TUPE regulations.

## 9. How long do we keep your data?

Your personal information will be kept as long as necessary for the purpose(s) for which it was collected in line with the University of Plymouth's Records Retention Schedule and will be securely destroyed when no longer required.

## 10. What rights do I have?

As a data subject you, have a number of rights in relation to your personal data. You can:

- access and obtain a copy of your data on request
- require UoPEL to amend incorrect or incomplete data
- require UoPEL to stop processing your data, for example where the data is no longer necessary for the purposes of processing
- object to the processing of your data where UoPEL is relying on its legitimate interests as the legal ground for processing
- require us to erase your personal data

- require us to restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal)
- receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller.

Please note that the above rights are not absolute, and UoPEL may be entitled to refuse requests where exceptions apply.

If you wish to exercise any of these rights or if you have a complaint about the way you believe your data is being processed, in the first instance, please email: [dpo@plymouth.ac.uk](mailto:dpo@plymouth.ac.uk)

If you have a complaint and you remain dissatisfied with how your complaint has been dealt with you can take your complaint to the Information Commissioner's Office (ICO) for a review. They can be contacted at [casework@ico.org.uk](mailto:casework@ico.org.uk)

## **11. Changes to this notice**

This privacy notice is reviewed annually or when required to ensure compliance with data protection legislation. If significant changes are made to this notice and the way we treat your personal information we will make this clear and may seek to communicate this directly to you

## **12. Reminder of individual's responsibility**

Individuals also have a responsibility for the security of their data. Please remember UoPEL will never ask you to share your username and password and nor should you share them with anyone else. Policy and guidance on information security can be found at <https://www.plymouth.ac.uk/your-university/governance/information-governance/information-security>