

## **Privacy Information for Staff, Job Applicants and Other Working at the University**

This privacy notice applies to current and former employees, workers, contractors, honorary position holders, volunteers, visiting professors and lecturers, Beacon professors, associate researchers and similar. It explains how we'll process your personal data. This notice does not form part of any contract of employment or other contract to provide services.

### **What information do we hold?**

We hold a range of personal data about you, some of which you provide to us directly and some of which we receive from third parties.

Here are some examples of types of personal data we hold:

- Personal details such as name, title, date of birth, gender, marital status and dependents
- Contact details such as address, telephone number and personal email address
- Next of kin and emergency contact information
- Social Insurance Number
- Bank account details, payroll details and tax status information
- Salary, annual leave, pension and benefits information
- Location of employment or workplace
- Recruitment information (including copies of qualifications, right to work documentation, references as applicable and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Immigration information (for example passport details and language proficiency)
- Performance information
- Disciplinary and grievance information
- CCTV footage and other information obtained through electronic means such as keycard records
- Information about your use of our IT systems
- ID card image and photographs

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, disability, age, religious beliefs, gender reassignment, sexual orientation, political opinions, marriage and civil partnership and pregnancy and maternity
- Trade union membership
- Information about your health, including any medical condition, health and sickness records
- Information about any criminal convictions, offences and barred list status

### How do we use it and why?

We process your personal data to help us to effectively administer the employment relationship between you and the University.

We only process data for specified purposes and if it is justified in accordance with data protection law. The table below lists the various reasons why we process personal data and the justification for it.

Some processing of your personal data is justified on the basis of contractual necessity. In general, this applies to personal data you provide to us at when you first start working for us and throughout the duration of your employment with the University. It is to manage the employment relationship and to monitor performance

Without this information we wouldn't be able to employ you and follow the law, assess your application, offer you work with the University or make reasonable adjustments. Some personal data is also required to fulfil our legal obligations (for example, immigration or Income Tax Office).

Why we process your data	
Purpose	Legal basis and justification
To make a decision about your recruitment or appointment	Necessary prior to entering into an employment contract and to comply with Employment Law
To determine the terms on which you work for us	Necessary for the performance of the employment contract and to comply with Employment Law
To allocate and manage work responsibilities	Necessary for the performance of the employment contract and to comply with Employment Law

To pay salary, tax and pension contributions and process associated benefits	Necessary for the performance of the employment contract and to comply with Employment Law
To manage performance and conduct	Necessary for the performance of the employment contract and to comply with Employment Law
To manage training and development needs and opportunities	Necessary for the performance of the employment contract
To monitor equality, diversity and inclusion	Necessary for our legal obligation to promote an inclusive work environment and to comply with Employment Law and our other legal obligations
To implement and ensure compliance with University policies	Necessary for the performance of the employment contract, and to comply with University policy, Employment Law and GRA guidance
To assess and manage fitness and capability to work and manage sickness absence	Necessary for the performance of the employment contract and to comply with Employment Law
To manage regrading and promotion processes	Necessary for the performance of the employment contract and to comply with Employment Law
Providing management information and testing functionality of HR system developments	Necessary for the performance of the employment contract, to comply with Employment Law and our legitimate interests to ensure HR systems operate securely and efficiently and, also, to inform management decisions
To communicate with you as an applicant (including to survey you about your experiences) and during your employment	Necessary for the performance of the employment contract and to comply with Employment Law and our other legal obligations and our legitimate interest in consulting with staff and raising awareness of initiatives and opportunities
To provide you with employment related benefits	Necessary for the performance of the employment contract

To liaise with your pension provider	Necessary for the performance of the employment contract and to comply with Employment Law
To sponsor international staff (where necessary) to work in Gibraltar	Necessary for the performance of the employment contract and to comply with Employment Law and our other legal obligations
To check right-to-work status and support visa applications	Necessary for the performance of the employment contract and to comply with Employment Law and our other legal obligations
To gather evidence for possible grievance or disciplinary hearings	Necessary for the performance of the employment contract and to comply with Employment Law
To make decisions about your continued employment or arrangements for the termination of our working relationship	Necessary for the performance of the employment contract and to comply with Employment Law
To provide references on request	Necessary for the performance of the employment contract or where consent has been given
To assess suitability and eligibility to undertake work at the University (including pre-employment checks)	Necessary for us to engage with you on the process of establishing a contract (contractual necessity) and in our legitimate interest
Providing services administered by key suppliers including travel, insurance, accommodation and vehicle hire	Necessary for the performance of the employment contract to comply with Employment Law
Carrying out internal research and analysis for non-academic purposes including monitoring performance and quality at an institutional level and where there is no direct impact on data subjects	Legitimate interest in ensuring that the University is able to benefit its staff and students through understanding how they are impacted by its practices

There may be other processing in addition to the above. This is done on the basis of our policies and we'll inform you at the time when the data is obtained or as soon as possible afterwards.

Where the basis of processing your personal data is contractual necessity and you don't provide us with the personal data needed, the University may not be able to fulfil its employment contract with you (such as paying you) or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

How we use particularly sensitive personal information	
Purpose	Legal basis and justification
We use information relating to your health to make decisions regarding reasonable adjustments	Processing of health-related data is necessary so that we can meet our obligations in the field of employment law
We use information about your race or ethnicity, religious beliefs, sexual orientation and political opinions to conduct equal opportunities monitoring	Necessary for our legal obligation to promote an inclusive work environment and to comply with Employment Law and our other legal obligations
We use trade union membership information to pay trade union premiums and to comply with employment law obligations	Processing is necessary so that we can meet our obligations in the field of employment law
We use information about your criminal convictions, reprimands and cautions where the law allows us to do so and if it is appropriate given the nature of the role to assess your suitability to carry out the work for which you are being engaged	Processing is necessary in the public interest and so we can meet our obligations in the field of employment law

### What information do we get from third parties?

Sometimes we receive your data from third parties. The following table lists what information we may receive from them.

Who we get data from	
Source	Data we may receive from them
Gibraltar Borders and Coastguard Agency	Your immigration status

Occupational Health Service, GPs/Medical Practitioners	Medical, accessibility related and similar information (we only obtain this information from third parties if you give us consent to do so)
Relevant professional body	Your professional registration status
External Training Providers	Training and development information
External Assessment Providers	Psychometric testing and assessment outcomes
Other employment agencies	Personal and contact details, your application and CV
Former employers	Your previous employment record

### Who do we share it with?

Sometimes may need to share your data, including sensitive personal data. The following table gives examples of this kind of data sharing.

Who we share data with	
Recipient	What data we might share with them
Line managers	Contact details, employment details, attendance, planned workload, performance, conduct, training and development information for the performance of the employment contract and health information to fulfil our duty of care and where necessary for the implementation of reasonable adjustments and/or the provision of additional health information
Our administrative and support staff	Contact details, employment details, planned workload, immigration details, attendance, training, and development and progression information. Health information only where necessary for the implementation of reasonable adjustments and/or the provision of other support
Trade Unions	Information relating to an employment relations matter
Investigation officers, hearing panel chairs and members, external solicitors and employment tribunals	Personal information relating to conduct, performance and employment

Third-party organisations who process personal data on our behalf, such as training providers, assessment providers and employment surveyors	Name, contact and employment details
Official bodies to which the University is obliged to report	Information supplied as necessary to fulfil the University's reporting obligations to these bodies. This may include relevant special category data
Future employers	Personal information relating to conduct, performance and employment, where we are asked for a reference
Professional development course tutors	Course attendance lists and contact details
Government agencies such as Civil Status Registration Office	Contact details, passport details, salary and other employment basis details for example fixed term or permanent contract status
University vetting providers (RGP)	Royal Gibraltar Police
The pension schemes operated by the University	Personal information including contact details and salary and pension contribution details
Income Tax Office	Contact, pay and benefit details
Professional regulatory bodies where you are professionally registered	Contact details, attendance and performance and conduct information
ICT department	All personal data held electronically (for back-ups and for the development of new systems)
The police (this will only be shared on request and where there is a legal basis for doing so)	Information will be supplied as necessary in order to fulfil the University's legal obligations with respect to the prevention and detection of crime

#### When do we transfer data overseas (outside of the European Union)?

We do not usually share data overseas (outside of the European Union). If we would need to share data, we would advise you accordingly.

## How long do we keep your data?

The University will only keep your personal data for as long as necessary to fulfil the purposes for which we collected it. Details of retention periods for different aspects of your personal information are available in our Retention Schedule.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Usually employment-related personal data will be kept for approximately six years after the end of your employment. This retention period is linked to contract law dispute legislation. Personal data held in connection with health and safety may be retained indefinitely in view of the lifelong potential for Personal Injury (PI) claims to be submitted against the University.

## Where can I get more information?

If you have any questions about this policy, please [contact the Information Compliance team](#).

We will keep this privacy notice under regular review and we will place any updates on this web page. This privacy notice was last updated on 22 January 2019.