

# Staff Privacy Statement

|                                                                              |   |
|------------------------------------------------------------------------------|---|
| Who are we and how do you get in touch?.....                                 | 1 |
| What is this document and why should you read it? .....                      | 1 |
| SOAS’s data protection responsibilities .....                                | 2 |
| Employee’s data protection responsibilities.....                             | 2 |
| What do we do with your personal data, and why?.....                         | 2 |
| What types of personal data do we collect and where do we get it from? ..... | 4 |
| Special category personal data (including criminal data) .....               | 5 |
| Who do we share your personal data with, and why? .....                      | 6 |
| Where is your data transferred to? .....                                     | 7 |
| How long do we keep your personal data for?.....                             | 8 |
| What are your rights? .....                                                  | 8 |
| Updates to this notice.....                                                  | 9 |
| Who regulates the use of personal data?.....                                 | 9 |

## Who are we and how do you get in touch?

We have appointed a Data Protection Officer whose role is to inform and advise us about, and to ensure that we remain compliant with, data protection legislation. The Data Protection Officer should be your first point of contact if you have any queries or concerns about your personal data. Our current Data Protection Officer is David Ogden who can be contacted at [dataprotection@soas.ac.uk](mailto:dataprotection@soas.ac.uk) or 0207 898 4817.

If the Data Protection Officer is unavailable, you can contact the Records Manager by email at [dataprotection@soas.ac.uk](mailto:dataprotection@soas.ac.uk), or by post at the address below:

Information Compliance Office, SOAS University of London, 10 Thornhaugh Street, Russell Square, London WC1A 0XG.

## What is this document and why should you read it?

This notice explains how and why SOAS processes personal and sensitive data about its employees, contractors, consultants, and temporary or agency workers

You should read this notice, so that you know what we are doing with your personal data. Please also read any other privacy notices that we give you, that might apply to our use of your personal data in specific circumstances in the future.

This notice is not part of your contract of employment, or any other contract to perform services.

## SOAS's data protection responsibilities

SOAS is a Data Controller in respect of your personal data. We have responsibilities to process your data lawfully, to tell you about how we are processing your data, and to safeguard your data. These responsibilities are outlined in the [SOAS Data Protection Policy](#)

## Employee's data protection responsibilities

You also have responsibilities whenever you process personal data in the performance of your role at SOAS. These responsibilities are outlined in the [SOAS Data Protection Policy](#). Employees are also responsible for informing us of any changes to the personal data that they have supplied during the course of their employment. If any of the information you have provided us with changes, please let us know as soon as you can by updating your [MyView record](#).

## What do we do with your personal data, and why?

We process your personal data for specific purposes relating to your employment or other engagement with the School. We will use some personal data to improve the management and administration of the School, for instance by ensuring resources are properly allocated and identifying developmental needs.

The School is required by law to always have a "lawful basis" for processing your personal data. This is a justification or reason for processing, and it must (a) fit the purpose of processing, and (b) protect your rights and freedoms.

There are six lawful bases to choose from under General Data Protection Regulation (GDPR). As a member of staff, you can identify the basis which SOAS has identified as most relevant for each purpose by looking at the table below:

| Purpose             | Processing                                                                                   | Lawful basis                 |
|---------------------|----------------------------------------------------------------------------------------------|------------------------------|
| Employee management | Communicating with you and providing you with information in connection with your employment | Article 6 (1)(b)<br>Contract |
| Employee management | Paying your salary or other benefits in line with your contract                              | Article 6 (1)(b)<br>Contract |
| Employee management | Calculating and administering tax, statutory sick entitlement under contract                 | Article 6 (1)(b)<br>Contract |
| Employee management | Arranging Give As You Earn, Childcare Voucher and other salary sacrifice benefits            | Article 6 (1)(a)<br>Consent  |

|                     |                                                                                                                          |                                          |
|---------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Employee management | Managing leave entitlement and payments                                                                                  | Article 6 (1)(f)<br>Contract             |
| Employee management | Absence recording, contractual sick, related payments                                                                    | Article 6 (1)(b)<br>Contract             |
| Employee management | Parental leave management                                                                                                | Article 6 (1)(c)<br>Legal Obligation     |
| Employee management | Contacting emergency contact in event of emergency                                                                       | Article 6 (1)(d)<br>Vital interest       |
| Employee management | Health and Safety compliance obligations, including providing occupational health assessment                             | Article 6 (1)(c)<br>Legal obligation     |
| Employee management | Work station assessments to identify any adjustments needed                                                              | Article 6 (1)(c)<br>Legal obligation     |
| Employee management | Prepare risk assessments                                                                                                 | Article 6 (1)(c)<br>Legal obligation     |
| Employee management | Allocating and assigning responsibilities as necessary for workload management purposes, and measuring staff utilisation | Article 6(1)(f)<br>Legitimate interest   |
| Employee management | Performance reviews/management                                                                                           | Article 6 (1)(e)<br>Legitimate interests |
| Employee management | Administering and recording training records                                                                             | Article 6 (1)(e)<br>Legitimate interests |
| Employee management | Staff directories                                                                                                        | Article 6 (1)(e)<br>Legitimate interests |
| Employee management | Providing details of employment to new employer/bank                                                                     | Article 6 (1)(b)<br>Contract             |
| Employee management | Grievance/disciplinary case records                                                                                      | Article 6 (1)(e)<br>Legitimate interests |
| Employee management | Responding to reference requests from your prospective employer                                                          | Article 6 (1)(e)<br>Legitimate interests |

|                                 |                                                                                         |                                            |
|---------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------|
| Employee management             | Administering overseas teaching and training placements under Erasmus+ scheme           | Article 6(1)(e)<br>Legitimate interests    |
| Security and governance         | Identifying and authenticating employees, e.g. through access points and CCTV recording | Article 6 (1)(e)<br>Legitimate interests   |
| Legal and regulatory compliance | Managing EO reporting                                                                   | Article 6 (1)(e)<br>Legitimate interests   |
| Legal and regulatory compliance | Responding to binding requests from other bodies e.g. law enforcement                   | Article 6 (1)(c)<br>Legal obligation       |
| Legal and regulatory compliance | Responding to non-binding requests from other bodies e.g. local authorities             | Article (6) (1)(e)<br>Legitimate interests |

If we have said that we need to process your information because we have a legal obligation to do so, or because it is necessary carrying out or entering into a contract with you, please be aware that if you refuse to provide us with the information we need we will not be able to enter into a contract with you, or may not be able to continue with an existing contract.

Where SOAS has said that we have a legitimate interest in processing your personal data, we are satisfied that the purpose is legitimate and that the processing of your information is necessary to achieve that purpose. Finally, we will ensure that our legitimate interest does not override your interests by taking steps to comply with the principles set out in Article 5(1) of the GDPR.

We may also convert your personal data into statistical or aggregated form to better protect your privacy, or so that you are not identified or identifiable from it. Anonymised data cannot be linked back to you. We may use it to conduct research and analysis, including to produce statistical research and reports. For example, SOAS is required to produce statistical reports on gender equality and representation in academia as part of the Athena Swan submission.

We will also have to provide returns on staff to the Higher Education Statistics Agency (HESA); although no staff are named, staff have a HESA identifier, a numerical reference linked to them, which goes with them if they move to other HEIs.

## What types of personal data do we collect and where do we get it from?

We collect many different types of personal data for lots of reasons. Please see below for further details.

You will supply us with your personal data when you apply for a job with us, when you fill in our employee information forms or update your information on [MyView](#), and when you correspond with us during your employment. We also obtain some information from other sources, and create some information ourselves, as you will see in the paragraph below.

In addition to the information you supply us with, we also collect information about you from other sources. Examples include your previous employers or school/college, publicly available directories, recruitment agencies, emergency contacts, beneficiaries or dependents, third party benefit providers (such as pension providers), your co-workers and manager(s), and the School's automated assets, systems and platforms.

We will also create information ourselves such as annual Staff Development Review records, probation records, and staff development and training records.

**We collect the following categories of information from third parties:**

| Category of personal data                                                                                                                                                                                                            | Third party source                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Employee administration information<br>Job performance information<br>Financial information                                                                                                                                          | Former employer (providing references / employment confirmation for new employees)              |
| Special Category Data                                                                                                                                                                                                                | Medical professionals (providing medical advice in relation to sickness or occupational health) |
| Employee administration information<br>Investigation, grievance and disciplinary<br>Job performance and appraisal information<br>Staff Development & Review Records<br>Response to reference requests from your prospective employer | Line Manager (to support the management of the employee)                                        |
| Employee administration information                                                                                                                                                                                                  | External training provider (to provide confirmation of attendance / certification)              |
| Investigation, grievance and disciplinary                                                                                                                                                                                            | Legal representatives (in relation to the management of the employee)                           |
| Identifying and authenticating employees                                                                                                                                                                                             | Logs in SOAS's assets, platforms, systems (to access systems)                                   |

We cannot administer our employment or other relationship with you without your personal data. Where we don't need your personal data, we will make this clear, for instance we will explain if any data fields in our job application or other data collection processes are optional and can be left blank.

**Special category personal data (including criminal data)**

We are required by law to treat some types of personal data with even more care than usual. These are called 'special categories' of personal data – and in this notice, we refer to them as Sensitive Information. For these categories of personal data, different lawful bases apply.

**In the table below you will be able to see the lawful basis we have identified for every case of Sensitive Information processing.**

| Processing                                                    | Lawful Basis                                                            |
|---------------------------------------------------------------|-------------------------------------------------------------------------|
| Managing and administering our equal opportunities monitoring | Article 9(2)(g)<br>Necessary for reasons of substantial public interest |
| Absence and contractual sickness records                      | Article 9(2)(b)<br>Necessary for carrying out obligations under         |

|                                                                                                             |                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                             | employment law                                                                                                                  |
| Contacting the appropriate person in the event of an emergency                                              | Article 9(2)(c)<br>Vital interests                                                                                              |
| Responding to employment and industrial relations matters                                                   | Article 9(2)(b)<br>Necessary for carrying out obligations under employment law                                                  |
| Processing Trade Union subscriptions                                                                        | Article 9(2)(a)<br>Explicit consent                                                                                             |
| Complying with health and safety obligations, including providing occupational health assessment            | Article 9(2)(h)<br>Necessary for purposes of providing medicinal or occupational health, assessing working capacity of employee |
| Responding to binding requests or search warrants from government, courts, regulatory or enforcement bodies | Article 9(2)(d)<br>Establish, exercise or defend legal claims                                                                   |
| Conducting grievance and disciplinary procedures                                                            | Article 9(2)(a)<br>Explicit consent                                                                                             |

SOAS is committed to ensuring that appropriate mechanisms are put in place to safeguard any Sensitive Information which we need to process for the purposes described above.

## Who do we share your personal data with, and why?

Sometimes we need to disclose your personal information to other people or organisations. Together they are called ‘third parties’ below.

Third parties assist SOAS in carrying out certain business functions, for instance by providing Human Resources management and payroll systems. These third parties will process your personal data on our behalf (as our processor) and under our instructions. We will disclose your personal data to these parties so that they can carry out the functions they have been contracted to perform. Before we disclose your personal data to other people or bodies, we will make sure that they have appropriate technological and organisational security standards in place to make sure your personal data is protected and we will enter into a written contract imposing appropriate security standards on them.

In certain circumstances, we will also disclose or share your personal data with third parties who will receive it as controllers of your personal data in their own right for the purposes set out above. Some of this information sharing occurs routinely whilst some is occasional. The main example of routine sharing is personal information (including Sensitive Information) that is passed to the Higher Education Statistics Agency every year, although your name and contact details will not be shared. For more information about what HESA do with your information, please read the HESA Staff Privacy Notice, which is available here: [https://www.hesa.ac.uk/files/HESA\\_Staff\\_Collection\\_Notice\\_2018-19.pdf](https://www.hesa.ac.uk/files/HESA_Staff_Collection_Notice_2018-19.pdf)

We have set out below a list of the categories of recipients to whom we are likely to disclose or with whom we may share your personal data:

- employment-related benefits providers and other third parties in connection with your benefits (such as pension trustees); at SOAS, this will include:
  - Universities Superannuation Scheme (USS)
  - Superannuation Scheme for the University of London (SAUL)
  - Prudential (Additional Voluntary Pension Contributions)
  - Robens Centre (occupational health)
  - TrueMotion Clinic (physiotherapy)
  - Optum (employee assistance service)
  - Posturite (ergonomics advice)
- consultants and professional advisors including legal advisors:
  - Mills and Reeve LLP
  - Eversheds Sutherland LLP
- business partners, such as IT systems or records storage service providers:
  - ResourceLink (provided by Northgate Arinso Information Systems)
  - iGrasp (provided by Lumesse)
  - VT2000/VTS (provided by General Technology)
  - Worktribe
  - PhD Manager
  - Workload Allocation Model (provided by Simitive)
  - Agresso (provided by UNIT4)
- courts, court-appointed persons/entities;
- professional bodies e.g. Universities and Colleges Employers Association;
- future employers;
- insurers; and
- governmental departments, statutory and regulatory bodies including the Department for Work & Pensions, the Home Office, UK Visas and Immigration, Higher Education Statistics Agency, Information Commissioner's Office, the police and Her Majesty's Revenue and Customs.
- Overseas Universities, in relation to the staff Erasmus+ Scheme.

## Where is your data transferred to?

We do not generally transfer staff data outside of the European Economic Area (EEA). However, we do transfer your personal data outside of the EEA for the following purposes:

### **Communicating with you and providing information about your employment**

SOAS uses Gmail as its email management system. Gmail is a cloud-based service provided by Google. The data we provide to Google is held and processed in the United States (US) and any other country in which Google or its sub-processors maintain facilities. SOAS has entered into a Data Processing Agreement with Google to ensure that all personal data and Sensitive Information is secure, and that individuals can exercise their rights under the law and have access to effective legal remedies. Google is registered in the US and is signed up to Privacy Shield, the EU-US framework for transferring personal data between the US and EEA territories.

## Administering staff teaching and training placements under the Erasmus+ scheme

Some staff can apply under the Erasmus+ scheme to deliver teaching at another higher education institution (HEI) abroad, or to undertake a training event or undergo job shadowing/observation/training in a relevant organisation abroad. Whilst many of the participants in the Erasmus programme are in the EU, the programme also partners with institutions outside the EEA. We will only transfer your personal data if you have given us permission to do so.

### How long do we keep your personal data for?

As an employee with SOAS we will keep your data for the duration of your employment and then, after your employment here ends, for as long as necessary to preserve and uphold your and our rights and obligations. This means we keep some types of personal data longer than others.

We will only retain your data for a limited period. How long we keep your data depends on the following factors, which include but are not limited to:

- a) Any laws or regulations we must follow
- b) If we are engaged in a legal or other dispute with you, or with a third party
- c) The type of information we hold about you
- d) Whether we have been asked by you or a regulatory authority to keep your data for a valid reason

SOAS will keep records containing your personal information for varying periods of time, and depending on the factors listed above. For more specific information on the retention of staff data, please see the SOAS retention schedule here: [SOAS Retention Schedule](#)

### What are your rights?

You have certain legal rights in relation to your personal data. Some legal rights may not be available depending on the lawful basis under which we are processing your data. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, the School may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. A guide on how to make a 'Subject Access Request' is available on our website here: [Making a request for your data](#)

The School may need to request specific information from you to help the School confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

As a member of staff, we may process your personal data under the following legal bases:

- a) contract
- b) legal obligation
- c) vital interests
- d) legitimate interests

The table below shows which rights are available to you under each lawful basis:

| Lawful basis               | Individual's rights |            |             |                               |                  |                               |
|----------------------------|---------------------|------------|-------------|-------------------------------|------------------|-------------------------------|
|                            | Access              | Correction | Restriction | Erasure                       | Data Portability | Objection                     |
| <b>Consent</b>             | Y                   | Y          | Y           | Y (right to withdraw consent) | Y                | Y (right to withdraw consent) |
| <b>Contract</b>            | Y                   | Y          | Y           | Y                             | Y                | N                             |
| <b>Legal obligation</b>    | Y                   | Y          | N           | N                             | N                | N                             |
| <b>Vital interest</b>      | Y                   | Y          | N           | Y                             | N                | N                             |
| <b>Legitimate interest</b> | Y                   | Y          | Y           | Y                             | N                | Y                             |

For further information about your rights as a Data Subject, and what to expect from SOAS in response to any request you make (a Data Subject Request), please read our [Data Protection Policy](#).

If you wish to exercise any of these rights, please contact our Data Protection Officer (contact details at the start of this notice) in the first instance.

### Updates to this notice

We may update this notice as necessary to reflect changes to the type of personal data that we process and/or the way in which it is processed. We will update you on changes to this notice by posting a message in the staff bulletin, or through other appropriate channels of communication.

### Who regulates the use of personal data?

If you think SOAS is processing your data unlawfully, you have the right to lodge a complaint with the Information Commissioner's Office, which is the UK data protection regulator. More information can be found on the Information Commissioner's Office website at <https://ico.org.uk/>