

 **EMPLOYEE PRIVACY NOTICE**

**Who are we?**

Warwick SU is a democratic membership charity of 25,000 + students from across the UK and overseas, which provides extensive services in terms of representation on academic issues, welfare, campaigns and social provision as well as support for 300+ societies and sports clubs. Engaging with all of our members is crucial for us to deliver on our mission to positively impact on students’ lives at Warwick and beyond.

**Here at Warwick SU we are committed to protecting and respecting your privacy**

This privacy notice explains when and why we collect personal information about our employees, both during and after employment with us, how we use it, the conditions under which we may disclose it to others and how we keep it secure. The way we handle your data isn’t changing, but we encourage you to read this notice carefully so that you are aware of how and why we are using your information.

**General Data Protection Principles**

The new General Data Protection Principles that came into force on the 25th May 2018, require that the personal information we hold about our employees must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purpose that we have told you about and limited only to those purposes.
4. Accurate & kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

**Why do we collect and process information about you?**

* As your employer, Warwick SU needs to keep and process information about you for normal employment purposes. The information we hold and process is used for our management and administrative use only. We keep and use it to enable us to run the organisation and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue the legitimate interests of the organisation and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.
* In pursuit of achieving our mission we may sometimes need to process your data for genuine business reasons, for example, to prevent fraud, administrative purposes or reporting potential crimes. We will never process your data where these interests are overridden by your own interests.
* Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees.

**What type of information is collected from you and how is it used?**

We collect and process **‘personal data’** from you which is information relating to an identified

or identifiable person e.g. name, address, date of birth, phone no.,email, national insurance no., payroll no. etc…..

Other information we hold includes:

* your application form / CV and references,
* your contract of employment and any amendments to it
* correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary;
* information needed for payroll, benefits and expenses purposes
* contact and emergency contact details
* records of holiday, sickness and other absence
* information needed for equal opportunities monitoring policy
* records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records.
* Photos for staff ID cards / right to work documents

This data is collected and processed to comply with your obligations under your contract of employment.

* Where necessary, we may keep information relating to your health, which could include reasons for absence and GP and /or occupational health reports and notes. This information is used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We also need this data to administer and manage statutory and company sick pay as well as critical illness and life insurance policies.
* Where we process **‘special category data’** which includes information relating to your racial or ethnic origin, religion, age, physical or mental health condition, sex, sexual orientation, gender reassignment, marriage & civil partnership, pregnancy & maternity, biometric data or trade union membership, we will always obtain your explicit consent to those activities unless this is not required by law.
* In addition, we monitor computer and electronic communications use, as detailed in our ‘Computer Use Policy’, available on ‘Grapevine’ (the staff intranet). We also keep records of your hours of work by way of a Biometric Employee Register Terminal (BERT) as detailed in the Staff Induction booklet on ‘Grapevine’. The Computer Use Policy and the Staff Induction booklet can be obtained in paper format from the HR department.
* You will, of course, inevitably be referred to in many organisation documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the organisation. You should refer to the Data Protection Policy, which is available on ‘Grapevine’ (the staff intranet) or in paper format from the HR Department.

**When would we transfer data to a third party?**

* Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to payroll, pension, health insurance schemes or HMRC.
* In limited and necessary circumstances, your information may be transferred outside of the EEA or to an international organisation to comply with our legal or contractual requirements. All documents will be encrypted to ensure the security of your data during transfer.

**How long do we keep your personal data?**

The criteria for determining how long your personal data will be stored for will be based on business needs, professional guidelines and statutory requirements. Some examples of statutory requirements for retaining personal data are listed below:

* Records sufficient to establish that every worker is being, or has been, remunerated at a rate at least equal to the national minimum wage and/or national living wage, will be retained for three years from the day the pay reference period immediately following that to which the records relate ends.
* Pregnancy related absence and statutory maternity pay records will be held for three years after the end of the tax year in which the employee's maternity pay period ended.
* Statutory paternity pay, statutory shared parental pay and statutory adoption pay records will be held for three years after the end of the tax year in which payments of SPP, ShPP or SAP were made.
* Right to work documents as provided by the worker in support of their entitlement to work in the UK will be kept for the period of employment and two years’ post-employment.
* Wages & deductions records will be retained for three years after the end of the income tax year to which the records relate.

The organisation reserves the right to retain records for longer than the statutory requirement if there is a legitimate business interest to do so.

**Your rights?**

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA) you have a number of rights with regard to your personal data.

* You have the right to **request** from us access to and rectification or erasure of your personal data, the right to restrict processing, object to processing as well as in certain circumstances the right to **‘data portability’**. (data portability enables you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability).
* If you have provided consent for the processing of your ‘special category data’, you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.
* You have the right to lodge a complaint to the Information Commissioner’s Office if you believe that we have not complied with the requirements of the GDPR or DPA 18 with regard to your personal data.

These rights are subject to exclusion where the organisation has a legal obligation to keep certain data. Should you wish to request the right to exercise your rights with regard to your personal data you should do so in writing to the HR department or where appropriate by completing a change of personal details form which can be found on ‘Grapevine’ (the staff intranet) and returning it to the HR Department.

**EMPLOYEE PRIVACY NOTICE ACKNOWLEDGMENT**

By signing this form, you acknowledge that you have read and understood the Warwick SU Employee Privacy Notice, and where consent is required, are giving us permission to process your personal data specifically for the purposes identified. Where we are asking you for special categories of data, you understand that we will always ask for your explicit consent by writing to you to tell you why and how the information will be used.

In certain circumstances you may exercise your right to request the withdrawal of consent at any time by writing to the HR Department.

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| **Name:** |  |
| **Job Title:** |  |
| **Signature:** |  |
| **Date:** |  |

Warwick Students’ Union is the Controller and Processor of data for the purposes of the DPA 18 and GDPR.

If you have any concerns as to how your data is processed you can contact the Data Protection Officer by writing to them at:

Warwick Student’s Union, University of Warwick, Coventry, CV4 7AL.