

Privacy notice – Staff Privacy Notice

The Data Controller of the information being collected is: UHI North, West and Hebrides, Ormilie Road, Thurso, Caithness, KW14 7EE. For any queries or concerns about how your personal data is being processed you can contact the NWH Data Protection Officer at dpo.nwh@uhi.ac.uk

This privacy statement relates to the following processing:

UHI North, West and Hebrides (UHI NWH) collects and processes personal data relating to its employees to manage all aspects of the employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

Your information will be used for the following purposes:

Purpose 1: Employee lifecycle	<ul style="list-style-type: none"> • Recruitment • Contract management • Job changes • End of contract
Purpose 2: Leave and absence management	<ul style="list-style-type: none"> • Leave • Absence management • Special leave administration
Purpose 3: Training and development	<ul style="list-style-type: none"> • Induction and training records • Performance monitoring and management • Employee development records
Purpose 4: Grading and contract management	<ul style="list-style-type: none"> • Role grading and review process • Contract management including alterations • Participation in national review, grading and evaluation processes under the National Bargaining framework
Purpose 5: Protection of Vulnerable Groups Scheme (PVG)	<ul style="list-style-type: none"> • Disclosure and PVG if required for your role • Reports to PVG and disclosure agencies where required by law, ordinarily Disclosure Scotland
Purpose 6: Statutory and internal and external reporting and requests for information; internal and external audit	<ul style="list-style-type: none"> • Submission of data to Office for National Statistics and other organisations where required by law • To support internal management decision making • Responding to requests under legal obligations such as FOI • Union facility time monitoring and reporting • Reporting to national bodies including on the Research Excellence Framework (REF) • Use of Data for Auditing Purposes

Purpose 7: Payroll and pensions	<ul style="list-style-type: none"> • Payroll administration, including staff remuneration as dictated by their contract. • Decide your eligibility for a workplace pension and whether you are to be auto enrolled. • To enroll you on a workplace pension (auto or voluntary enrollment) • To process pension, opt-outs or changes • Provide relevant data to pension providers to assist them with any queries, or instructions they receive from you • Contribute to the determination of your eligibility, and calculation of the benefits, for various provisions in the scheme, as required.
Purpose 8: Grievances and disciplinary	<ul style="list-style-type: none"> • To investigate complaints or suspicions that any practice or conduct does not meet the standards of employment or professional expectations or requirements.
Purpose 9: Preventing Fraud	<ul style="list-style-type: none"> • Data may be shared with the National Fraud Initiative for the purposes of detecting and preventing fraud
Purpose 10: Business Planning and Organisational Development	<ul style="list-style-type: none"> • Returns from staff surveys when these are not anonymous
Purpose 11: Occupational Health	<ul style="list-style-type: none"> • Referrals to Occupational Health service • Reports from Occupational Health service
Purpose 12: Equalities Monitoring and Reporting	<ul style="list-style-type: none"> • To encourage, enhance and monitor equality of opportunity and treatment • To create and assess such reports as are required for that function (such as: mainstreaming equalities report as required by the Equalities and Human Rights Commission and equalities reporting duty in the Scottish Funding Council Staffing return) • To take steps to encourage and monitor equality
Purpose 13~: TUPE, restructuring and consultations	<ul style="list-style-type: none"> • To facilitate the transfer of staff into the employment of UHI NWH under the auspices of the Transfer of Undertakings (Protection of Employment) Regulations 2006. • Plan and consult on restructuring or employment changes.

Our legal reasons for using the data are:

To achieve the following purposes:

Purpose 1: Employee life cycle**Our legal reasons to use the data are:**

- 1) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being your contract of employment.
- 2) Use is necessary for us to comply with legal obligations such as the Employment Act and HMRC regulations.

We use special category data to achieve this purpose, that being: Race, ethnic origin, religion and sexual orientation.**Our special category condition for using this data for this purpose are:**

- 1) Use is necessary for compliance with employment law.
 - 2) Use is necessary to ensure equality of opportunity and treatment in the public interest in line with the Equality Act 2010. We produce reports based on anonymised data to demonstrate, and allow meaningful investigation of, our compliance with the Equality Act 2010.
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To achieve the following purposes:

Purpose 2: Leave and absence management**Our legal reasons to use the data are:**

- 1) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being your contract of employment.
- 2) Use is necessary for us to comply with legal obligations such as the Employment Act and HMRC regulations.

We use special category data to achieve this purpose, that being: Health**Our special category condition for using this data for this purpose are:**

- 1) Use is necessary for compliance with employment law.
 - 2) Use is necessary for compliance with social protection law, in this case the Equality Act 2010. We produce reports based on anonymised data to demonstrate, and allow meaningful investigation of, our compliance with the Equality Act 2010.
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To achieve the following purposes:

Purpose 3: Training and development**Our legal reasons to use the data are:**

- 1) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being your contract of employment.
 - 2) Use is necessary for us to comply with legal obligations such as the Employment Act and HMRC regulations.
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To achieve the following purposes:

Purpose 4: Grading and contract management

Our legal reasons to use the data are:

- 1) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being your contract of employment.
- 2) Use is necessary for us to comply with legal obligations such as the Employment Act and HMRC regulations.
- 3) Use is necessary for us to carry out a task in the public interest, namely delivery of the key strategic priority of National Bargaining as identified by the Scottish Funding Council (SFC).

To achieve the following purposes:

Purpose 5: Protection of Vulnerable Groups Scheme (PVG)

Our legal reasons to use the data are:

- 4) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract your contract or employment.
- 5) Use is necessary for us to comply with legal obligations such as the Protection of Vulnerable Groups (Scotland) Act 2007 and UHI NWH's Duty of Care.

We use special category data to achieve this purpose, that being:
Criminal conviction data

Our special category condition for using this data for this purpose are:

- 1) Use is necessary for compliance with employment law and social protection law and statutory purposes in the public interest, in this case the provisions of the Protecting Vulnerable Groups (Scotland) 2007 Act and UHI's Duty of Care.

To achieve the following purposes:

Purpose 6: Statutory and internal and external reporting and requests for information; internal and external audit

Our legal reasons to use the data are:

- 1) Use necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- 2) Use is necessary us to comply with legal obligations such as the Employment Rights Act 1996, the Statistics of Trade Act 1947, and the Equality Act 2010.
- 3) Use is necessary for the performance of a contract with you, that being your employment contract.
- 4) Use is necessary for the performance of a public task where the reporting is in direct pursuance of supporting the exercise of UHI's research and teaching aims, where those aims are UHI NWH's public task under the Further and Higher Education (Scotland) Act.

We use special category data to achieve this purpose, that being:
Race, ethnic origin, religion, health and sexual orientation

Our special category condition for using this data for this purpose are:

- 1) Use is necessary for compliance with employment law.
- 2) Use is necessary for compliance with social protection law, in this case the Equality Act 2010. We produce reports based on anonymised data to demonstrate, and allow meaningful investigation of, our compliance with the Equality Act 2010.

Grievances and disciplinary**Purpose 7: Payroll and Pensions****Our legal reasons to use the data are:**

- 1) The organisation is required to process your data to meet its contractual obligations to remunerate staff. It may also be necessary for contract relating to any salary sacrifice scheme on which you have enrolled.
- 2) Use is necessary for use to comply with legal obligations regarding the correct payment of staff, correction calculation and payment of tax/NI and other statutory adjustments.
- 3) The organisation is required to provide by law to make a pension scheme available to staff and make all payments into such schemes as the law requires.

We use special category data to achieve this purpose, potentially personal data relating to your health. You will be informed if this is the case.

Our special category condition for using this data for this purpose are:

- 1) Use is necessary for compliance with employment law that being the UHI NWH's obligations under the Pensions Acts 2014 and 2017.

Grievances and disciplinary**Purpose 8: Grievances and disciplinary****Our legal reasons to use the data are:**

- 4) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering such a contract. That being your contract of employment.
- 5) Use is necessary for us to comply with legal obligations and our Duty of Care to protect staff, students and others by maintaining reliable, honest and safe professional standards.

We use special category data to achieve this purpose, potentially personal data relating to your health. You will be informed if this is the case.

Our special category condition for using this data for this purpose are:

- 2) Use is necessary for compliance with employment law, under the Employment Act 1996. The nature of the matters being processed may fall under different laws and regulations, or lawful bases, in certain circumstances.

To achieve the following purposes:**Purpose 9: Preventing Fraud****Our legal reasons to use of the data are:**

- 1) Use is necessary for us to comply with or legal obligation to contribute to the National Fraud Initiative under the Public Finance and Accountability (Scotland) Act 2000.
 - 2) Use is necessary for carrying out a task in the public interest, that being the detection and prevention of Fraud.
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~~To achieve the following purposes:~~

Purpose 10: Business Planning and Organisational Development

Our legal reasons to use of the data are:

- 1) Use is necessary for the performing of a task in the public interest, that being the College's public task as an educational establishment.
- 2) Use is necessary for the performance of a contract with you, that contract being your contract of employment.

To achieve the following purposes:

Purpose 11: Occupational Health

Our legal reasons to use of the data are:

- 1) Use is necessary for us to comply with or legal obligation as your employer.
- 2) Use is necessary for performance of a contract with you.

We use special category data to achieve this purpose that being: health information

Our special category conditions for using this data for this purpose are

- 1) Use is necessary for compliance with: employment law, health and safety law and other associated regulations such as RIDDOR etc.

To achieve the following purposes:

Purpose 12: Equalities Monitoring and Reporting

Our legal reasons to use of the data are:

- 1) Use is necessary for us to comply with legal obligations such as the Equality Act 2010.

We use special category data to achieve this purpose that being:

Only where you provide the data to us; Racial or ethnic origin, Religion and/or beliefs, Health data, sexual orientation.

Our special category conditions for using this data for this purpose is:

- 1) Use is necessary for compliance with employment law, social protection law and statutory purposes in the public interest, in this case the Equality Act 2010's obligation for employers to encourage, enhance and monitor equality of opportunity and treatment.

To achieve the following purposes:

Purpose 13: TUPE

Our legal reasons to use of the data are:

- 1) Necessary to comply with a legal obligation, such as the Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 2) Use is necessary for the performance of a contract with you.

~~If you were to withhold the personal information we require for these processes, the consequences would be:~~

You will not be meeting some of your obligations under your employment contract to provide the organisation with data. Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable us to enter a contract of employment with you. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights. Your data will, or may, be shared with the following recipients or categories of recipient:

- HMRC
- Payroll Management system processors
- HR system processors
- The providers of salary sacrifice schemes in which you are enrolled
- Pension administrators
- Office for National Statistics
- Disclosure Scotland
- University of the Highlands and Islands
- Colleges Scotland (for Employers' Association) ([Privacy Notice here](#))
- Scottish Funding Council (SFC)
- Professional bodies
- General Teaching Council Scotland (if applicable)
- UK Government Cabinet Office's National Fraud Initiative
- Occupational Health providers

Limited personal data will, or may, be shared with contracted third parties to enable the management of the employee contract and ICT provisioning. This includes:

- Microsoft 365
- Virtual learning environment (BrightSpace)
- Survey system (Jisc online surveys)

This process does not involve your data being sent outside of the European Union.

Your data will be retained in accordance with the UHI NWH's retention schedule.

The following rights are rights of data subjects:

- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

The following rights apply only in certain circumstances:

- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability

You also have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data.

The Information Commissioner's Office is UK's independent authority set up to uphold information rights in the public interest. Their website is www.ico.org.uk