

BEEAS

Staff Privacy Notice

How we use staff information

Birmingham Ethnic Education and Advisory Service (BEEAS) is a well-established organisation, whose purpose is to help adults from local communities in the City of Birmingham.

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| This Privacy Notice explains your privacy rights and how we gather, use, store and share your information. If you want to get in touch, please contact the Data Protection Officer (currently the Executive Director) at:1st Floor, Middle Office, Lozells Methodist Community Centre163 Gerrard StreetLozellsBirminghamB19 2AHTelephone – 0121 554 9360 Extension 6Email info@beeas.orgAn electronic copy of this document can be found on our website or email us for as copy.Alternatively, you can contact the Information Commissioner’s Office at http://www.ico.org.uk/concerns  |

BEEAS is committed to protecting the privacy and security of your personal information.

This Privacy Notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with relevant data protection rules.

BEEAS is a Data Controller. This means it is responsible for deciding how we hold and use personal information about you. We are required under Data Protection legislation to notify you of the information contained in this Privacy Notice.

**BEEAS collects the following categories of information**

Personal information, i.e. name, current address, telephone number/s, email address, date of birth, National Insurance and teacher number, and next of kin details;

* details of your previous qualifications, employment and educational history;
* special category information such as your gender, age and nationality;
* confirmation of your right to work in the United Kingdom, nationality and residency (i.e. a valid passport or birth certificate);
* bank and/or building society account details which are shared with our payroll providers.
* superannuation details shared with and HMRC;
* records concerning probation, training and progression;
* sickness and other absence information;
* contracts or terms and conditions of employment;
* correspondence between employee and BEEAS;
* correspondence such as references between BEEAS and third parties on behalf of a member of staff;
* records of grievances and disciplinary proceedings;
* investigations into breach of terms and conditions of employment;
* health and safety records (including accident reports); and
* maternity, paternity or adoption information.

**How we collect this information**

BEEAS collects and processes personal data relating to its employees to effectively meet its statutory obligations as a charity. BEEAS is committed to being transparent about how it collects and uses that data and to meet data protection obligations. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, BEEAS will inform you whether you are required to provide information and if you have a choice in the matter.

We collect information about whether you are able to work with vulnerable children and adults by completing DBS and restriction checks such as those related to prohibition; this is to protect the vital interests of others under GDPR Article 6D (Vital Interest) and in order to support individuals with a conviction under GDPR Article 6E (Public Task). Most information is collected directly via an application form. However, some information such as previous qualifications or special needs may be collected from exam boards, previous employers, the Disclosure and Barring Service, Occupational Health, Local Educational Authority or your previous employer.

Where we process other special categories of personal data such as information about ethnic origin, disability or health, this is for equal opportunities monitoring and to monitor our provision to improve services to specific groups. Where information is supplied under the lawful basis of consent, consent can be withdrawn at any time by contacting the Data Protection Officer.

Contact details will not be used for marketing or survey purposes without your consent, which can be withdrawn at any time. However BEEAS will use the information to contact you in order to carry out our duties to you.

**The lawful basis on which we process this information**

BEEAS processes this information under GDPR (General Data Protection Regulation) Article 6C (Legal Obligation) and 6E (Public Task). We will process special category information under Article 6 to comply with the GDPR.

We process this information to fulfil our contractual obligations, for the performance of our business as a charity and under our legal obligation and to allow us to comply with our statutory reporting obligations.

**BEEAS uses your information personal data for the following:**

* paying wages in to accounts to fulfil employment contracts (payroll information);
* HMRC, government tax and National Insurance requirements;
* pension scheme requirements;
* deducting pensions contributions appropriately;
* reviewing staff performance;
* monitoring absence and sickness records in line with the HR policy;
* enabling staff to undertake their roles;
* ensuring all staff have the relevant qualifications to carry out their role; and
* ensuring all staff are suitable for working with young people.

We process your personal data for our compliance with our legal obligations. In this respect we use your personal data for the following:

* to meet our compliance and regulatory obligations, such safeguarding; and
* in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

We also process your personal data where:

* it is necessary for medical purposes, e.g. medical diagnosis, provision of health or social care or treatment, or a contract with a health professional;
* it is necessary to protect your or another person’s vital interests; or
* we have your specific or, where necessary, explicit consent to do so.

**Keeping staff information**

BEEAS will store data in a range of different places such as the paper records in secure locations or electronic documents within a secure network.

Other data will be held as long as is necessary to fulfil our duty as a charity.

Any data provided by consent may be deleted on request. We hold workforce data for your period of employment and for seven years after termination of employment.

Further details can be found in our retention schedule.

**Sharing staff information**

BEEAS will keep your information in a secure locked place in the main office and on a secure network.

Access to your information is carefully controlled and may only be seen by the individual member of staff and the Executive Director.

The Executive Director will authorise access to relevant information by others in accordance with the operational needs of BEEAS.

Where we engage non-statutory third parties to process personal data on our behalf, BEEAS will require them to do so on the basis of written instructions; this is under a duty of confidentiality and an obligation to implement appropriate technical and organisational measures to ensure the security of data.

BEEAS may disclose certain personal data to external bodies as follows. Please note this is not an exhaustive list:

1. **Birmingham City Council**
2. **The Charities Commission**
3. **The Home Office (visas and immigration)**

Information about your residency status to ensure you are legally working in the UK.

1. **Disclosure and Barring Service (DBS)**

Required for all posts to assess the applicant’s suitability for positions of trust. Please refer to our recruitment policy.

As necessary, and with appropriate consideration of your rights and freedoms, we will store information where we have a duty; for example, to aid benefit and tax inspectors, the police, UK Visas and Immigration, or the Foreign and Commonwealth Office (FCO).

1. **HM Revenue and Customs (HMRC)**

Real-time information is released to HM Revenue and Customs (HMRC) in order to collect income tax and National Insurance Contributions (NICs) from employees.

1. **Mortgage lenders and letting agents**

In order to allow these organisations to verify mortgage and tenancy agreements. Release of this information is subject to written consent from the employee.

1. **Third party software suppliers**

Where external computer systems are required to facilitate the purpose of processing your personal data, staff data may be shared with software suppliers. Any such transfers will be subject to a formal agreement between BEEAS and suppliers to ensure the protection of your personal data.

1. **Teacher status checks**

All new teachers at the BEEAS must undergo a prohibition order check. This must be done as part of the pre-employment process and a record must be kept on the single central record to check for the following:

* the award of Qualified Teacher Status (QTS);
* completion of any teacher induction; and
* prohibitions, sanctions and restrictions which might prevent the individual from taking part in certain activities or working in specific positions.

 Further details can be obtained at:

 **<http://www.gov.uk/guidance/teacher-status-checks-information-for-employers>**

1. **Funders, partners and stakeholders who have either funded our work or have an interest in the work we do.**

At all times, the amount of information and the manner in which it is disclosed will be in accordance with the provisions and obligations of the GDPR.

**Why we share staff information**

BEEAS may share personal information with third parties for the purposes of education, training, employment and staff wellbeing; this includes for research/analysis, to produce statistics and/or provide information, advice and guidance. This takes place where the law allows in compliance with data protection legislation.

Where we engage non-statutory third parties to process personal data on our behalf, we require them to do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

**Protecting your data**

BEEAS has internal policies and controls in place to protect the security of your information. Details of these measures are available on request. We have put in place appropriate security measures to make sure your personal information is not lost, inaccurate, accidentally destroyed, misused or disclosed.

BEEAS takes the protection of your data extremely seriously.

**Your rights and consent**

As a data subject you have a number of rights that include:

* accessing and obtaining a copy of your data on request;
* requiring that BEEAS changes incorrect or incomplete data;
* requiring BEEAS to delete or stop processing your data (for example, where the data is no longer necessary for the stated purposes of processing); and
* objecting to processing of data where BEEAS is relying on its legitimate interests as the legal ground for processing (we will only use ‘legitimate interests’ as grounds for processing in a very few number of situations).

BEEAS will not always need consent to use your personal information such as when required to meet regulatory requirements.

**Changes to this Privacy Notice**

We reserve the right to update this notice at any time, and we will provide you with a new Privacy Notice when we make any substantial updates.

We may also notify you in other ways from time to time about the processing of your personal information.

April 2019