

PROCEDURE TITLE		DATE OF APPROVAL
NCG Staff Privacy Notice		May 2024
APPROVED BY	VERSION NO.	VALID UNTIL
Executive Board	2	May 2027

OWNER	Director of Assurance & Risk		
GROUP EXECUTIVE LEAD	Chief Finance Officer		
DOCUMENT TYPE	Policy <input type="checkbox"/> Group Procedure <input checked="" type="checkbox"/> Local Procedure <input type="checkbox"/>		
PURPOSE	This privacy notice describes how we collect and use your personal data before, during and after your employment. This notice states the type of personal information which we collect, how we collect and process that information, who we share it with in relation to the services that we provide, as well as your rights under the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018.		
APPLICABLE TO	Current and former NCG employees, contractors, and candidates for new positions.		
EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
KEY THINGS TO KNOW ABOUT THIS POLICY	This notice contains information about who we are and how to contact us in relation to your personal data. The notice is designed to comply with relevant legislation including the Data Protection Act 2018 and the UK General Data Protection Regulation GDPR.		
EXPECTED OUTCOME	Readers are expected to understand the organisational position on the privacy notice, know their responsibilities in relation to the procedure and comply with the terms.		

MISCELLANEOUS	
LINKED DOCUMENTS	<ul style="list-style-type: none"> • NCG Data Protection Policy • NCG Special Category Data and Criminal Convictions Data Policy • NCG Criminal Records Disclosure Policy • NCG Records Management Policy

	<ul style="list-style-type: none">• NCG IT Acceptable Use Policy
KEYWORDS	<ul style="list-style-type: none">• UK General Data Protection Regulations (UK GDPR)• Data Protection Act 2018• Personal Data

Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?	<input type="checkbox"/>	<input type="checkbox"/>	
Age	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Disability / Difficulty	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Marriage and Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Race	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Sex	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
EIA 6 - How do you know that the above is correct?	<p>This is 'reality check' question to ensure that this is not a simple box ticking exercise.</p> <p>A simple way of ensuring that this is the case is to ensure that the policy/process author has consulted with peers and appropriate groups of people in the Group.</p> <p>As a general rule, the wider the reach and potential impact of the Policy the wider the consultation.</p>		

1. GENERAL PROCEDURE STATEMENT

This privacy notice describes how we collect and use your personal data before, during and after your employment. This notice states the type of personal information which we collect, how we collect and process that information, who we share it with in relation to the services that we provide, as well as your rights under the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018.

This notice also contains information about who we are and how to contact us in relation to your personal data. This notice applies to current and former employees, contractors, and candidates for new positions. This notice can be updated at any time, and we will inform you if this occurs.

2. DATA CONTROLLER

NCG is a registered data controller with the Information Commissioner's Office (ICO) with the registration number Z6977454. This means that we are responsible for how we hold and use your personal data.

NCG and the colleges that it consists of (referred to collectively as "NCG" or "we" or "our") are responsible for your personal data. NCG is made up of the following colleges (in addition to its Professional Services departments):

- Carlisle College
- Kidderminster College
- Lewisham College
- Newcastle College
- Newcastle Sixth Form College
- Southwark College
- West Lancashire College

Our registered head office address is:

NCG

Rye Hill House

Scotswood Road

Newcastle Upon Tyne

NE4 7SA

3. KEY DEFINITIONS

‘Personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

4. THE TYPES OF DATA WE HOLD

We process one or more of the following personal data about our current and former employees, and contractors, and candidates for new positions:

- Identifiers – including name, date of birth / age, title, nationality, gender, National Insurance number, staff ID number, payroll number.
- Online Identifiers – including internet protocol (IP) addresses when you connect to NCG’s Wi-Fi networks using your personal devices. You may use your personal device such as your mobile phone to set up multi-factor authentication to securely access NCG’s network.

To enable this, we will capture the IP address, media access control (MAC) address and the host name of the device used.

- Your contact details – including your home address, telephone and mobile number and email address.
- The contact details of your next of kin / the emergency contact details which you have provided, your marriage status and dependants.
- Attainment – including details of your qualifications, professional memberships, skills, and experience.
- Employment history – including start and end dates with your previous employers and any references that they have provided to us.
- Attendance and absence – including details of your work schedule, annual leave taken/planned, sickness absence, family leave and sabbaticals and the reasons for the leave.
- Current employment details – including the terms and conditions of your employment, details of your work schedule and attendance at work, start and end dates (if applicable), and location of employment or workplace.
- Financial Information – such as your bank account details, payroll records, tax status information, any remuneration including details of your salary, entitlement to benefits, pensions or insurance cover.
- Recruitment documentation – copy of passport/nationality information, proof of your entitlement to work in the UK, references, CV, cover letter, and any other additional information provided as part of the application process.
- Data regarding your work conduct – including any information relating to disciplinarys or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence.
- Progression – including assessments of your performance, appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence.
- Health and safety – such as any information relating to any medical or health condition, including whether you have a disability for which the organisation needs to make reasonable adjustments.
- Equal Opportunities Monitoring – including your ethnic origin, sexual orientation, health and religion or beliefs.

- Details of trade union membership where these have been provided by you.
- Details of other business interests and contributions to the community.
- Information about your use of our information and communications systems.
- Information relating to your criminal records check.
- Images, audio, and video recordings (such as your staff ID photograph and CCTV footage).

At times we may record video meetings you attended, whether this is on a one-to-one basis or during a group session to be used for future reference. Prior to the recording being taken you will be notified and provided with the details of what the recording will be used for, who it will be shared with and for how long it will be kept.

When you join us, you will be given a college or NCG email address and access to our IT systems. Routine activity, logging of the use of this email and other IT based systems takes place to ensure the proper functioning of those systems. There may be exceptional circumstances when a duly authorised officer of NCG is permitted to monitor an individual's activity for security, safeguarding, network or other management reasons without prior consent. This is outlined in our IT Acceptable Use Policy accessible on our website [here](#). NCG will also maintain access to systems for former employees for 30 days unless stipulated otherwise to enable business continuity.

We may process other factual information, expressions of opinion or other recorded information that identifies or relates to you. This list is not exhaustive and there may be other categories of data not listed which may be required for the proper administration of your contract.

5. SPECIAL CATEGORY DATA AND CRIMINAL CONVICTION DATA

Some of your personal data is recognised under the UK GDPR as special category data which is data that reveals any of the following:

- Racial or ethnic origin
- Political opinion

- Religion
- Philosophical belief
- Trade union membership
- Sexual orientation
- Health
- Genetic data
- Biometric data

Depending on employee circumstances, NCG may process the types of personal data outlined above.

NCG will only process special category data and data that reveals information about criminal convictions where you have provided consent, or where there is a lawful reason to do so.

The NCG Special Category Data and Criminal Convictions Data Policy explains our obligations to process special category data and is available on our website [here](#) and can be made available upon request.

To commence employment with NCG, you will be required to carry out a Disclosure Barring Service (DBS) check that discloses any criminal conviction data. The NCG Criminal Records Disclosure Policy is available on our website [here](#) and can be made available upon request and this explains our obligations to carry out these checks.

6. HOW WE OBTAIN PERSONAL DATA

Most of the personal data that is processed by NCG is provided directly by you via the following means:

- Job application forms, CV or resume.
- Documents and information you provide during the application, recruitment and onboarding process.
- Job-related activities throughout the period you are employed by us.
- Identity documents such as your passport, driving licence.

- Forms that you complete at the beginning of your employment.
- Interview notes, correspondence, meetings or other assessments such as performance appraisals.

In some cases, NCG collects personal data about you from third parties, such as recruitment agencies, references supplied by former employers, information from employment background check providers, from criminal records (DBS) checks and from occupational health service providers.

We may receive information relating to you from your legal representatives, law enforcement agencies or government agencies.

7. WHY WE PROCESS PERSONAL DATA

The information we hold about you will be primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. Situations in which we will process your personal information are listed below. It is not intended to be exhaustive and there may be other processing activities required to be carried out under the above grounds.

NCG processes your personal data for the following purposes:

- To make decisions about your recruitment or appointment.
- To determine the terms on which you work for us.
- To check that you are legally entitled to work in the UK.
- To administer the contract, we have entered into with you.
- To administer, supervise, monitor and manage your working relationship with NCG.
- To maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights.

- To enable us to contact others in the event of an emergency (we will assume you have checked with the relevant individuals prior to providing us with these details).
- To respond to your queries and communicate with you (such as by email, post, and telephone).
- To pay you and, if you are an employee, deduct tax and National Insurance contributions.
- To liaise with your pension provider.
- For business management and planning e.g. data reporting to stakeholders and providing information for accounting and auditing purposes.
- To make decisions about salary reviews and compensation.
- To assess qualifications for a particular job or task, including decisions about promotions.
- For education, training and development requirements.
- Conducting performance reviews, managing performance, promotions and determining performance requirements.
- To gather evidence for possible grievance or disciplinary hearings.
- To maintain a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- To make decisions about your continued employment or engagement.
- To operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- To deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- To maintain a record of absence and absence management procedures and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- To ascertain your fitness to work.
- To make arrangements for the termination of our working relationship.
- To operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to ensure that the organisation complies with duties in relation to leave entitlement.

- To obtain occupational health advice, to ensure that NCG complies with duties in relation to individuals with disabilities and meets its obligations under health and safety law.
- To ensure consistent and effective general HR and business administration processes.
- To provide references on request and with your consent for current or former employees.
- To process your expenses.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To prevent fraud.
- To enable you to use of NCG's Wi-Fi networks on your personal devices.
- To ensure security on our premises and for the prevention and detection of crime such as using CCTV or attaching photos to ID cards.
- To respond to and defend against legal claims.
- To monitor, maintain and promote equality in the workplace.
- To ensure the appropriate safeguards are in place to protect our employees, learners and other customers of NCG.
- To meet our legal and statutory duties and responsibilities.
- For our statutory reporting and statistical research purposes.

This is not an exhaustive list and there may be other purposes not listed which are compatible with the original purpose for which your data is collated (employment with NCG).

Data protection legislation requires NCG to have a lawful basis to process your personal data and the lawful bases that we rely on include:

- **Contract** – When you commence your employment with NCG, you enter into an employment contract therefore, we need to process your personal data in order to perform the contract.
- **Legal Obligation** - NCG is governed by certain legislation, regulations and standards that may require us to retain your personal data as well as share it with a range of different organisations and public sector agencies or government bodies. Examples of these include Health and Safety, Employment, Tax and Financial laws and regulations.
- **Legitimate Interest** – We may process your personal data if it is necessary for our legitimate interests, and you would reasonably expect us to hold and use this data. When we process your personal data based on Legitimate Interest, we shall inform you of these interests.
- **Vital Interest** – In an emergency we may be required to share your personal details with the Emergency Services or Local Authorities.
- **Consent** – For any processing of personal data that falls outside of the other legal bases, we will rely on consent. In these instances, we shall seek to obtain and record your consent before we proceed with processing the data involved.
- **Public Task** - As an education provider, NCG are considered a public authority. Therefore, we may be required to process your personal data as part of our Public Task. An example of this is the processing of data relating to ethnic origin, sexual orientation, health and religion or belief as part of our Equal opportunities monitoring process, which we carry out under the General Equality Duty set out in the Equality Act 2010.

Some of the above grounds for processing will overlap and there may be a number of grounds which justify our use of your personal information. For more information on our lawful basis to process your personal data, please see further details in relation to the data retention schedule in Section 8 of this privacy notice.

8. WHEN WILL WE SHARE PERSONAL DATA

We will share your personal data internally in fulfilling the above referred purposes. We may share your information with third parties who provide services to us, or directly to you on our behalf.

These organisations are known as data processors. We have contracts in place with our data processors to safeguard your personal data and to ensure that they do not do anything with your personal data unless we have explicitly instructed them to do so.

Our data processors will not share your personal data with any organisation apart from us without our consent, and they will ensure it is stored securely for the timeframe that we instruct.

NCG will share your data with:

- HMRC.
- Pension Providers.
- First Advantage (to process DBS checks).
- Occupational Health Provider (to process our medical checks).
- Funding Providers.
- Government Departments where necessary.
- Trade Unions (where appropriate e.g. to offer you the opportunity to join or if you are being supported by a Trade Union).
- Workplace Employee Engagement Survey Provider.
- Internal and external auditors.

We may also share your personal data to facilitate occupational health referrals, obtain pre-employment references from other employers, obtain necessary criminal records checks from the Disclosure and Barring Service and respond to requests for information about you from your legal representatives.

NCG may be obliged to provide information to the police, local authorities, or relevant government departments if it is deemed necessary under the appropriate exemption/derogation for the prevention or detection of crime.

Survey Providers

Marketing

At no time will your personal data be sold to other organisations for marketing or sales purposes. We may share your data with third parties in the context of a sale of some or all of NCG's business.

9. TRANSFERRING PERSONAL DATA OUTSIDE OF THE EUROPEAN ECONOMIC AREA (EEA)

NCG do not routinely transfer your personal data outside of the EEA. However, on rare occasions, some organisations that process data on our behalf may store data in cloud services outside of the EEA. These transfers will only be made to services hosted in countries with which there are appropriate safeguards.

10. HOW WE STORE PERSONAL DATA

Your information is securely stored by both NCG as your data controller and our data processors whom we have agreements in place with to safeguard your personal data.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

The time period we will store your personal data for is outlined within our Document Retention Schedule which can be accessed on our website and [here](#). Further details regarding how we manage our records at NCG including how we dispose your information is detailed within our Record Management Policy which can be accessed on our website and [here](#).

11. YOUR RIGHTS

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Access your Information

UK GDPR grants you the right to contact us to request details concerning the personal information we hold about you, why we have that information, who has access to the information and where we got the information from.

You can submit a subject access request to obtain access to your personal data that we hold by sending your request to DPO@ncgrp.co.uk. Once we have received your request, we will respond within one calendar month unless we need to extend that period owing to the complexity of your request (to a maximum of three calendar months in total).

Rectifying Data

If the data we hold about you is out of date, incomplete or incorrect, you can inform us, and we will ensure that it is updated.

Erasing Data

If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold. When we receive your request, we will confirm whether the data has been deleted or tell you the reason why it cannot be deleted.

Restricting Processing

In certain circumstances, you have the right to request that NCG stops processing your data. Upon receiving the request, we will contact you to tell you if we are able to comply or if we have legitimate grounds to continue. If the data is no longer processed, we may continue to hold your data to comply with your other rights.

Data Portability

You have the right to request that we transfer your data to another organisation or to receive a copy of your data in a common format. Once we have received your request, we will comply where it is feasible to do so.

Object to Direct Marketing

All communication with you, including in relation to updates to this privacy notice, will be made via the preferred method of communication that you have registered with us.

If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency or method of these communications, you can notify us of your decision at any time.

The Right to Object to Automated Decision Making / Profiling

You have the right not to be subject to automated decision making (making a decision solely based on automated means without any human involvement) and profiling (automated processing of personal data to evaluate certain things about the individual). NCG do not currently carry out any automated decision making or profiling.

Withdrawing Consent

In instances where we need your consent to process your information, we will ask you to make a positive indication e.g. to tick a box or insert your contact details on the relevant form or web page. By actively providing us with your consent, you are stating that you have been informed of the type of personal information that will be processed, the reasons for such processing, how it will be used, for how long it will be kept, who else will have access to it and what your rights are as a data subject and that you have read and understood this privacy policy.

Where processing is based on consent, you have the right to withdraw consent at any time, and you can request this by speaking to a member of staff or contacting our Data Protection Officer at the contact details below.

12. COMPLAINTS TO THE INFORMATION COMMISSIONER'S (ICO)

Should you be dissatisfied with our processing of your personal data, you have the right to complain to the ICO. For more information, please see the ICO's website: <https://ico.org.uk/>

13. NCG'S DATA PROTECTION OFFICER

If you would like to exercise any of the rights above, have any questions that you feel have not been covered by this privacy notice, or if you have concerns or a complaint in relation to NCG's processing of your personal data, please do not hesitate to contact us by email (dpo@ncgrp.co.uk) or in writing to:

Data Protection Officer (NCG)
Rye Hill House
Scotswood Road
Newcastle Upon Tyne
NE4 7SA

Copies of this privacy notice in alternative formats are available upon request.

14. STATEMENT ON IMPLEMENTATION

Upon approval, this procedure will be uploaded to the policy portal and communicated to staff via The Business Round-Up.

15. STATEMENT ON CONSULTATION

This procedure has been reviewed by the Governance and Risk team.

VERSION CONTROL				
Version No.	Documentation Section/Page No.	Description of Change and Rationale	Author/Reviewer	Date Revised
1	N/A	New Document	Director of Assurance & Risk	August 2022
2	Full Review	The notice has been reviewed to ensure it complies with the ICO guidelines. Minor amendments.	Director of Assurance & Risk	May 2024