



NCG Staff Privacy Notice

1. Overview

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share your personal information, your rights in relation to your personal information and how to contact us and the Information Commissioners Office in the event that you have a complaint. NCG shall process your personal data in accordance with the UK General Data Protection Regulations (UK-GDPR) and the Data Protection Act 2018.

NCG are made up of the following colleges:

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

Our main establishment is based at:

NCG
Rye Hill House
Scotswood Road
Newcastle Upon Tyne
NE4 7SA

We are registered as a data controller with the Information Commissioner's Office under the registration number - Z6977454.

2. Types of personal data

We process the following personal data about our current and past employees:

- Identifiers – such as name, date of birth, nationality, gender, NI number, staff ID number, payroll number
- Contact details – including address, telephone number, email address
- Family details – including your next of kin contact details, marriage status, dependants and emergency contacts
- Attainment – including details of your qualifications, skills and experience
- Employment History – including start and end dates with your previous employers and references provided by them
- Attendance and Absence – including details of your work schedule, annual leave taken, 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
- Remuneration – including details of your salary, entitlement to benefits, pensions or insurance cover



- Financial Information – such as your bank details
- Nationality and your entitlement to work in the UK
- Conduct – including any information relating to disciplinary 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 – such as any information relating to any medical or health condition, including whether or not 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
- Information relating to your criminal records check
- Images – including your staff ID photograph and CCTV footage

At times we may record video meetings you attended, whether this be a one to one or 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.

We may process other factual information, expressions of opinion or other recorded information that identifies or relates to you.

3. Special category data and criminal convictions

Some of your data is considered a special category of personal data under the UK-GDPR. Examples of special category data include information that reveals the following:

- Racial or ethnic origin
- Political opinion
- Religion
- Philosophical belief
- Trade union membership
- Sexual orientation
- Health
- Genetic data
- Biometric data

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 Policy is available upon request and this explains our obligations to process these types of data.

In order to commence employment with NCG, you will be required to carry out a Disclosure Barring Service (DBS) check that discloses criminal conviction data. The NCG DBS and Criminal Disclosure Policy is available on request and this explains our obligations to carry out these checks.



4. 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 you provide during our onboarding process
- 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

In some cases, NCG collects personal data about you from third parties, such as 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.

5. Why we process personal data

NCG processes your personal data for the following purposes:

- 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 maintain a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- 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 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 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 effective general HR and business administration
- To provide references on request for current or former employees
- To respond to and defend against legal claims
- To 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.

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.
- 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.

For more information on our lawful basis to process your personal data, please see the data retention schedule in section 8 of this privacy notice.

6. When we will share personal data

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 that mean they should not do anything with your personal data unless we have instructed them to do so. They will not share your personal data with any organisation apart from us without our instruction and they will ensure it is stored securely for the period of time that we determine.

NCG will share your data with:

- HMRC
- Pension Providers
- First Advantage (to process DBS checks)
- Sugarman Health & Wellbeing (to process our medical checks)
- Funding Providers
- Government Depts where necessary

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.

Your personal data will not be sold to other organisations for marketing or sales purposes.

We may also share your data with third parties in the context of a sale of some or all of NCG's business.

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.



7. Transfer of data outside of the UK

The UK and Europe have approved each other's level of Data Protection. This means we can safely store data in European data centres if necessary.

NCG will always strive to store your data in the UK and does not routinely transfer your personal data to or 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 and where we have established contractual obligations with the hosting company.

8. How long we retain your personal data

You can find our personal data retention schedule at the following link:

<https://www.ncgrp.co.uk/wp-content/uploads/2017/03/Document-Retention-Schedule.pdf>

9. Your rights

Access to information

At any point you can contact us to request details concerning the information we hold about you, why we have that information, who has access to the information and where we got the information. In most cases you may be entitled to copies of the information we hold concerning you. Once we have received your request, we will respond within one month unless we need to extend that period owing to the complexity of your request.

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 and you will be able to select the type of correspondence you receive. If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency or method of these communications, you can unsubscribe or 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.

9. Complaints to the Information Commissioners Office

Should you be dissatisfied with NCG's processing of your personal data, you have the right to complain to the Information Commissioner's Office. For more information, please see the Information Commissioner's web site: <https://ico.org.uk/>

10. 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 processing your personal data, please do not hesitate to contact us at:

dpo@ncgrp.co.uk

or in writing to:

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