

Introduction

The City & Guilds Group is committed to data security and the fair and transparent processing of personal data. This privacy notice (**Notice**) sets out how we will treat the personal data which you provide to us in compliance with applicable data protection law, in particular the General Data Protection Regulation (EU) 2016/679 (**GDPR**).

Please read this Notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data, how to contact us and supervisory authorities in the event that you would like to report a concern about the way in which we process your data.

Who are we?

The City and Guilds of London Institute is a charity incorporated by Royal Charter, with registered charity number 312832 (England and Wales) and SC039576 (Scotland) (**City & Guilds**). Our registered address is 1 Giltspur Street, London EC1A 9DD.

For the purposes of the GDPR, the member of the City & Guilds Group who is named as the employer on your employment contract is the 'controller' of the personal data you provide to City & Guilds or one of our associated companies in relation to your employment (together the **City & Guilds Group**).

This privacy notice sets out the basis on which members of the City & Guilds Group process personal data relating to your employment.

What personal data do we collect?

We may collect and process the following personal data:

- Your name, address and contact details, including email address and telephone number, date of birth, national insurance number, and gender;
- The terms and conditions of your employment;
- Details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and with City & Guilds;
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- Information about your bank details;
- Information about your marital status, next of kin, dependents and emergency contacts;
- Information about your nationality and entitlement to work in the UK;
- Information about your criminal record (Gen2);
- Driving licence details (where relevant for your role);
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave (including maternity, paternity, adoption, shared parental leave, parental and emergency leave), and sabbaticals and the reasons for the leave;
- Details of pay and terms for periods of leave of leave taken by you, including holiday,

sickness absence, family leave (including maternity, paternity, adoption, shared parental leave, parental and emergency leave), and sabbaticals and the reasons for payment;

- Details of any restructuring procedures in which you have been involved and any related correspondence;
- Details of disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- Assessments of your performance, including performance reviews and ratings, training and development you have participated in, performance improvement plans and related correspondence;
- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- Details of flexible working requests and associated correspondence;
- Details of trade union membership (where processed through payroll);
- Details of workplace accidents and associated injuries.

The City & Guilds Group collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of and during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

Data is stored in a range of different places, including your personnel file, in the organisation's HR management and benefit systems, payroll, and in other IT systems (including the organisation's email system). Pensions data is stored by the Pensions team; there is also data held separately by the Pension Scheme Trustees (see Pensions Privacy Notice).

Information we receive from other sources

In some cases, the City & Guilds Group collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks permitted by law (e.g. the Disclosure and Barring Service (DBS)).

Information about other people

If you provide information to us about any person other than yourself, such as your relatives, or next of kin, you must ensure that they understand how their information will be used, and that they have given their permission for you to disclose it to us and for you to allow us, and our outsourced service providers, to use it.

Sensitive personal data

In certain limited cases, we may collect certain sensitive personal data from you (that is, information about your racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life, or genetic or biometric data). However, we will only do so on the basis of your explicit consent.

How do we use your personal data?

Members of the City & Guilds Group need to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements.

In some cases, members of the City & Guilds Group need to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions in Gen2, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, members of the City & Guilds Group have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows members of the City & Guilds Group 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;
- Run recruitment, talent and promotion processes;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain occupational health or medical advice, to ensure that it complies with duties in relation to individuals with disabilities or other health conditions, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that City & Guilds complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of training and development, to ensure statutory or business requirements are met;
- Ensure effective general HR and business administration;
- Ensure effective pension scheme administration;
- Provide references on request for current or former employees (up to a period of 6 years after leaving our employment);
- Respond to and defend against legal claims;

- Maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed by payroll to allow the relevant member of the City & Guilds Group to pay employee union subscriptions.

Where a member of the City & Guilds Group processes other special categories of personal data, such as information about ethnic origin, sexual orientation, age range, health or religion or belief, this is done for the purposes of equal opportunities and diversity monitoring.

Where required by law: we may also process your personal data if required by law, including responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud.

You have the right to object to the processing of your personal data on the basis of legitimate interests as set out below, under the heading 'Your rights'.

Who do we share your personal data with?

We may share your personal data with members of the City & Guilds Group. You can read more about our group companies at www.cityandguildsgroup.com

We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it.

The City & Guilds Group also shares your data with third parties that process data on its behalf, including:

- Payroll services;
- Employee benefit and insurance providers;
- Pensions providers and associated advisers;
- Occupational Health Services;
- Employee Engagement Survey provider;
- Employee Forum elections provider;
- HR IT Service providers, including providers of our Learning Management Systems;
- Training Providers for our Apprenticeship programme;
- Legal and other professional advisers.

We may also share your personal data with trusted third parties including previous employers in order to obtain employment references for you or to obtain the necessary criminal records checks from the Disclosure and Barring Service. Details of training records may be shared with external verifiers or auditors where there is a statutory or business reason to do so.

We will ensure there is a contract in place with the categories of third parties listed above which

include obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

Where a third party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission where the data protection authority does not believe that the third country has adequate data protection laws.

We will share personal data with law enforcement or other authorities if required by applicable law.

How long will we keep your personal data?

The City & Guilds Group will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in the Data Retention Policy to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities, to provide employment references, and to provide data about you if you re-apply for a role in the City & Guilds Group.

Where do we store your personal data and how is it protected?

We take reasonable steps to protect your personal data from loss or destruction.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Where you have a username or password (or other identification information) which enables you to access certain services or parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our site; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

What if you do not provide personal data?

You have some obligations under your employment contract to provide a member of the City & Guilds Group with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide data may mean that you are unable to exercise your statutory rights or take up benefits that may be due to you.

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 into a contract of employment with you. If you do not provide

other required information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision making

Employment decisions are not based solely on automated decision making.

Your rights

Under the GDPR, you have various rights with respect to our use of your personal data:

Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond with 30 days of request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information. Or if your request is manifestly unfounded or excessive.

Right to rectification

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

Right to erasure

You have the right to request the deletion of your personal data where, for example, the personal data is no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

Right to object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate

interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. Please contact us using the contact details provided below.

Right to data portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to request that your personal data is ported to you, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

Contact

If you have any queries about this Notice, the way in which members of the City & Guilds Group process personal data, or about exercising any of your rights, please send an email to gdpr@cityandguilds.com or write to Data Protection, City & Guilds, 1 Giltspur Street, London EC1A 9DD.

Complaints

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you may lodge a complaint with the applicable supervisory authority or seek a remedy through the courts. Please visit <https://ico.org.uk/concerns/> for more information on how to report a concern to the UK Information Commissioner's Office.

Changes to our Privacy Notice

Any changes we may make to our Notice in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Notice.