

TITLE: Privacy Notice for Staff	REF: HSA012	VERSION: 4
APPROVAL BODY: GM	DATE: 1.6.21	REVIEW DATE: June 2027
LEAD PERSON: Data Protection Lead		
VERSION	REVIEWER/APPROVAL	REVIEW NOTES
Version 1 – June 2021	<i>John Pitchforth</i>	On behalf of the Senior Management Team
Version 2 – May 2022	<i>John Pitchforth</i>	On behalf of the Senior Management Team
Version 3 – February 2025	<i>John Pitchforth</i>	On behalf of the Senior Management Team
Version 4 – 01.06.2026	<i>Georgie Mann</i>	On behalf of the Senior Management Team

Privacy Notice for Staff at the Heritage Skills Academy

PRIVACY NOTICE FOR STAFF AT HERITAGE SKILLS ACADEMY

We issue this Privacy Notice in the interests of transparency over how we use ("process") the personal data that we collect from job applicants and employees ("you").

This Privacy Notice has been prepared in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and other applicable employment and data protection legislation.

Personal data for these purposes means any information relating to an identified or identifiable natural person.

‘Special Category Personal Data’ means personal data revealing:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Physical or mental health
- Sex life or sexual orientation
- Genetic data
- Biometric data used for identification purposes

Criminal convictions and offences data is no longer classified as Special Category Personal Data under UK GDPR and should be treated separately under Article 10 UK GDPR.

Criminal convictions data may be processed where necessary for safeguarding, safer recruitment, Disclosure and Barring Service (DBS) checks, or compliance with legal obligations.

DATA CONTROLLER

For data protection purposes, the Data Controller is Heritage Skills Academy (HSA).

Contact details for the Data Protection Lead:

Georgie Mann gm@heritageskillsacademy.co.uk

PURPOSES OF PROCESSING THE DATA

It is necessary for us to process personal data of job applicants and employees for the following reasons:

- To identify individuals during recruitment processes
- To assess suitability for employment.
- To verify qualifications, references and right-to-work status.
- To administer employment contracts.
- To process payroll and pension arrangements.
- To manage attendance, absence, performance and professional development.
- To maintain health, safety and wellbeing.
- To comply with legal, regulatory and safeguarding obligations.

We may also process personal data to fulfil our safeguarding responsibilities and to protect learners, staff and visitors from harm.

LEGAL BASIS FOR PROCESSING

Our lawful bases for processing personal data include:

- Performance of a contract.
- Taking steps prior to entering into a contract.
- Compliance with a legal obligation.
- Protection of vital interests.
- Legitimate interests.

LEGITIMATE INTERESTS

Our legitimate interests include:

- Recruitment and workforce planning.
- Employment administration.
- Managing organisational operations.
- Protecting staff, learners and visitors.
- Network and information security.
- Business continuity and risk management.

Where legitimate interests are relied upon, HSA will ensure that those interests do not override the rights and freedoms of individuals.

SPECIAL CATEGORY PERSONAL DATA

We may process Special Category Personal Data including:

- Health information.
- Occupational health reports.
- Disability information.
- Information relating to workplace adjustments.
- Equality monitoring information.

Consent should not normally be relied upon in an employment context because of the imbalance of power between employer and employee.

In most circumstances HSA will process Special Category Personal Data under employment law obligations, health and safety requirements, safeguarding duties, occupational health purposes, or other lawful conditions permitted under Article 9 UK GDPR.

PROVISION OF DATA

There is no absolute statutory requirement to provide personal data; however, failure to provide information necessary for recruitment or employment administration may prevent HSA from entering into or maintaining an employment relationship.

RECIPIENTS OF PERSONAL DATA

Your personal data may be shared with:

- HR personnel.
- Recruiting managers.
- Line managers.
- Senior leadership.
- Individuals authorised to maintain personnel records.
- Professional advisers.
- HM Revenue & Customs (HMRC).
- Health and Safety Executive (HSE).
- Pension providers.
- Payroll providers.
- Occupational health providers.
- DBS and safeguarding agencies where required.
- Government bodies and regulators where required by law.

Any third-party organisation processing personal data on behalf of HSA will be required to maintain appropriate security measures and process information only on HSA's instructions.

INTERNATIONAL TRANSFERS

HSA does not routinely transfer personal data outside the United Kingdom.

Should international transfers become necessary, HSA will ensure appropriate safeguards are in place in accordance with UK GDPR requirements.

DURATION OF STORAGE OF PERSONAL DATA

We will retain personal data only for as long as necessary to fulfil the purposes for which it was collected or to comply with legal obligations.

Examples include:

- Payroll records – normally retained for six years after employment ends.
- Recruitment records for unsuccessful applicants – normally retained for six months.

- Pension records – retained in accordance with statutory requirements.
- Safeguarding records – retained in accordance with safeguarding and legal requirements.

HSA maintains a Data Retention Schedule which specifies retention periods for different categories of information.

RIGHT TO ERASURE ("RIGHT TO BE FORGOTTEN")

You have the right to request that your personal data is deleted if:

- It is no longer necessary for us to store that data having regard to the purposes for which it was originally collected
- In circumstances where we rely solely on your consent to process the data (and have no other legal basis for processing the data), you withdraw your consent to the data being processed
- You object to the processing of the data for good reasons which are not overridden by another compelling reason for us to retain the data
- The data was unlawfully processed
- The data needs to be deleted to comply with a legal obligation

Requests for erasure will be assessed on a case-by-case basis against HSA's legal obligations and legitimate interests.

RIGHT TO DATA PORTABILITY

You have the right to receive the personal data which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit that data to another controller without hindrance from the controller to which the personal data have been provided (us) where:

- The processing is based on consent or on a contract, and
- The processing is carried out by automated means

Note that this right only applies if the processing is carried out by 'automated means' which means it will not apply to most paper-based data.

RIGHT TO WITHDRAW CONSENT

Where we process your personal data in reliance on your consent to that processing, you have the right to withdraw that consent at any time. You may do this in writing to your line manager or the Data Protection Lead.

RIGHT TO OBJECT TO PROCESSING

Where we process your personal data for the performance of a legal task or in view of our legitimate interests you have the right to object on 'grounds relating to your particular situation'. If you wish to object to the processing of your personal data you should do so in writing to your line manager or the Data Protection Lead stating the reason for your objection.

Where you exercise your right to object, we must stop processing the personal data unless:

- We can demonstrate compelling legitimate grounds for processing, which override your interest, rights and freedoms
- The processing is for the establishment, exercise or defence of legal claims

RIGHT OF SUBJECT ACCESS

So that you are aware of the personal data we hold about you, you have the right to request access to that data. This is sometimes referred to as making a 'subject access request'. Such requests should be sent your line manager who will respond within one calendar month.

RIGHT TO RECTIFICATION

If any of the personal data we hold about you inaccurate or incomplete, you have the right to have any errors rectified. Where we do not take action in response to a request for rectification you have the right to complain about that to the Information Commissioner's Office.

RIGHT TO RESTRICT PROCESSING

In certain prescribed circumstances, such as where you have contested the accuracy of the personal data we hold on you, you have the right to block or suppress the further processing of your personal data.

AUTOMATED DECISION MAKING AND PROFILING

HSA does not routinely make decisions based solely on automated processing. Employment decisions relating to recruitment, performance management, promotion, disciplinary action or dismissal will always involve meaningful human review.

DATA SECURITY

HSA takes appropriate technical and organisational measures to protect personal data against:

- Unauthorised access.
- Loss.
- Misuse.
- Accidental disclosure.
- Alteration.
- Destruction.

Access to personal data is restricted to authorised personnel only.

COMPLAINTS

Where you take the view that your personal data are processed in a way that does not comply with the GDPR, you have a specific right to lodge a complaint with the relevant supervisory authority. The supervisory authority will then inform you of the progress and outcome of your complaint. The supervisory authority in the UK is the ICO.

You can complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/make-a-complaint>
- Call 0303 123 1113

Before contacting the ICO, individuals are encouraged to raise concerns directly with HSA's Data Protection Lead so that concerns can be investigated and resolved where possible.