

Recruitment Privacy Policy

This policy applies on and from 25 May 2018

The Pirbright Institute ('Pirbright') (**we** or **us**) is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the organisation collect?

Pirbright collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth 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 the organisation;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- 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 and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training 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;
- security clearance
- motor vehicle details if driving for business;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

We collect this information in a variety of ways. For example:

When you apply for a job with us we collect

- data by application forms, CVs or resumes;
- through interviews, meetings or other assessments

When you are appointed to a role

- data from your passport or other identity documents such as your driving licence;
- from forms completed by you at the start of or during employment (such as benefit nomination forms);
- from correspondence with you.

When you are an employee

- details of your pay
- annual appraisals of your performance
- holidays and absence
- flexible working requests e.g. parental leave
- information necessary for our legal obligations such a grievance

Additionally, Pirbright seeks and collects data from third parties about you with your consent, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in our HR management systems and in other IT systems (including the organisation's email system).

Why do we process personal data?

We need to process data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, 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, Pirbright needs 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, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

Processing employee data allows the organisation to:

- run recruitment and promotion processes;
- 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;
- 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 advice, to ensure that it complies with duties in relation to individuals with disabilities, 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 the organisation 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;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- promote equality in the workplace.

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

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).

We process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the organisation uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Information you share with us will be restricted for use only to those members of The Pirbright Institute who need access to the data. This would include

- members of the HR and recruitment team (including recruitment panel and payroll)
- Health and Safety, Bio-Safety
- your line manager
- managers in the business area in which you work and
- IT staff

We use a number of third parties, such as outsourced providers, to assist us in processing of your data

- aCloud – our recruitment system to host the data for any job adverts we place and allow to apply for role we offer
- to undertake the screening checks
- to complete references and background checks
- for administering payroll
- for administering other staff benefits e.g. pension, insurance, occupational health services

We may also share your data with third parties in the context of a sale of some or all of its business e.g. under TUPE legislation. In those circumstances the data will be subject to confidentiality arrangements and you will be informed of these events.

We currently do not share any data outside the EEA for our UK clients but should we need to transfer personal information to third parties located outside the UK, we will ensure that information is protected to a level which meets the requirements of UK and European data protection regulations

How do we protect data?

Pirbright takes the security of your data seriously. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect. We are certified to the UK Cyber Essentials scheme.

Pirbright engages with third parties to process personal data or sensitive personal data on its behalf, they 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.

Please note that clicking on links from job boards' data privacy practices may be different to that of Pirbright. Visitors should consult the other websites' privacy policies as we are not responsible for, and have no control over, information that is submitted to or collected by these third parties.

For how long do we keep data?

We 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 our [Retention Record](#).

Controlling your personal information

As a data subject, you have a number of rights

You may choose to

- request details of personal information which we hold about you
- restrict the collection or use of your personal data
- to correct any records we hold, on you that may not be accurate
- or even to delete any records that we may hold;

If you would like us to do this or should you have any questions about this privacy policy or our treatment of your personal information, please write to us at or contact us by email askhr@pirbright.ac.uk.

In some cases we may not be able to comply with your request or will need withhold such personal information to the extent permitted by law.

If you believe that we has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You have some obligations under your employment contract to provide the organisation 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 the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Changes to our privacy policy

This privacy policy may be changed by The Pirbright Institute at any time. If we change our privacy policy in the future, we will advise you of changes or updates to our privacy policy accordingly.

Continued use of this website or our services after such changes will constitute your acceptance of such changes.

If, at any time, you have questions or concerns please feel free to e-mail us at askhr@pirbright.ac.uk.

Retention Record

Statutory Retention Periods

Type	Retention Period	Statutory Authority
<p>Accident books, accident records/reports</p> <p>Record of any injury resulting from a work-related accident that results in the worker being incapacitated for more than three days (not counting the day of the accident).</p>	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos).	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).
Accounting records	3 years for private companies, 6 years for public limited companies.	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006.
<p>Income tax and NI returns, income tax records and correspondence with HMRC</p> <ul style="list-style-type: none"> • tax code notices • Records of taxable expenses or benefits 	Not less than 3 years after the end of the financial year to which they relate.	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631).
Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry.	The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676).
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry.	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).
Medical records under the Control of Asbestos at Work Regulations: medical records containing details of employees exposed to asbestos	(Medical records) 40 years from the date of the last entry; (medical examination certificates) 4 years from the date of issue.	The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of

and medical examination certificates		Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)
Medical records under the Ionising Radiations Regulations 1999	Until the person reaches 75 years of age, but in any event for at least 50 years.	The Ionising Radiations Regulations 1999 (SI 1999/3232).
National minimum wage records <ul style="list-style-type: none"> • Pay • Itemised pay statements 	3 years after the end of the pay reference period following the one that the records cover.	National Minimum Wage Act 1998.
Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out.	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).
Records relating to children and young adults	Until the child/young adult reaches the age of 21.	Limitation Act 1980.
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	6 years from the end of the scheme year in which the event took place.	The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)
Statutory Maternity/Adoption/Paternity/Shared Paternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity/Adoption/Paternity/Shared Paternity period ends.	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.
Wage/salary records (also overtime, bonuses, expenses)	6 years.	Taxes Management Act 1970.
Working time records <ul style="list-style-type: none"> • Holiday pay • Opt outs • Records of night work • Records of young workers' working hours 	2 years from date on which they were made.	The Working Time Regulations 1998 (SI 1998/1833).
Pension auto enrolment records	6 years, with the exception of opt-out notices, which must be kept for 4 years.	
Immigration checks	2 years from termination of employment.	

Recommended (Non Statutory) Retention Periods

Type	Retention Period	Comment
Actuarial valuation reports	Permanently.	
Application forms and interview notes (for unsuccessful candidates)	12 months	<p>Recruitment records in relation to unsuccessful applicants should be retained for at least a year after the individual has been notified that they are unsuccessful. An applicant has three months to bring most Industrial Tribunal claims, but the Tribunal can extend the time limit if it considers the extension just and equitable.</p> <p>Successful job applicants documents will be transferred to the personnel file in any event.</p>
Health Surveillance – no exposure to chemicals evident	5 years	<p>Assessments under health and safety regulations and records of consultations with safety representatives and committees.</p> <p>These records will show the type of work carried out, the agent used, and records of exposures, accidents and incidents.</p>
Health Surveillance – exposure to chemicals evident	40 years	
Personal exposure to a chemical	40 years	
Inland Revenue/HMRC approvals	Permanently.	
Money purchase details	6 years after transfer or value taken.	
Parental leave	18 years from the birth of the child.	
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases (see 'comment' column for reference to period to bring a breach of contract claim)	For former employees, it will most likely be fine to keep personnel files for no longer than one year after termination of employment. An employee has three months to bring most

		Industrial Tribunal claims (6 months for a redundancy payment), and the Tribunal can extend the time limit if it considers the extension just and equitable. It is very unlikely that a claim brought by an employee who has left their employment more than one year ago would be entertained by a Tribunal. However, a breach of contract claim can be brought in the civil courts up to six years after the alleged breach so an employer may be able to justify keeping personnel files for this length of time to cover the unlikely scenario of a breach of contract claim from a former employee.
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy (as above)	
Senior executives' records (that is, those on a senior management team or their equivalents)	6 years after employment ceases	
Statutory Sick Pay records, calculations, certificates, self-certificates	6 years after employment ceases	The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However if there were to be a contractual claim for breach of an employment contract it may be safer to keep records for 6 years after the employment ceases.
Trade union collective agreements	10 years after ceasing to be effective.	
Trust deeds and rules	Permanently.	

Trustees' minute books	Permanently.	
Works council minutes	Permanently.	