

General Teaching Council for Scotland

Privacy Notice for Employees, Secondees & Agency Staff

This is the Privacy Notice (“Notice”) of the General Teaching Council for Scotland (“GTCS”)¹ for its employees and agency staff and should be read in conjunction with the GTCS General Privacy Notice.

Our email address in respect of this Notice is informationgovernance@gtcs.org.uk. Any enquiries relating to the processing of personal data by GTCS, including matters arising from this Notice, should be addressed to our Data Protection Officer at:

General Teaching Council for Scotland
Clerwood House
96 Clerwood Road
Edinburgh
EH12 6UT

What is the purpose of this Privacy Notice?

GTCS is committed to protecting the privacy and security of its employees and agency staff. This Notice describes how we collect and use personal data about you during and after your time of employment with GTCS, in accordance with the General Data Protection Regulation (“GDPR”). This Notice applies to the personal data being processed by GTCS in respect of all its current and former employees, agency staff and colleagues who are on secondment with GTCS.

As a data controller, GTCS is responsible for making decisions about the means by which, and the purposes for which, we process your personal data. We are required under data protection legislation to notify you of the information contained in this Notice. It is important that you read this Notice, together with any other privacy notice we provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such information.

This Notice does not form part of any contract of employment or other contract to provide services. We may update this Notice at any time.

Changes to this Privacy Notice

We reserve the right to update this Notice at any time and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

¹ GTCS is a statutory body with its headquarters based at Clerwood House, 96 Clermiston Road, Edinburgh EH12 6UT. It is a data controller in terms of data protection law (under the EU General Data Protection Regulation and the Data Protection Act 2018).

How does GTCS collect your personal data?

We collect personal data about you in a number of ways, including from your:

- Contract of employment
- Employment agency
- Start forms
- Payroll information
- Pension information
- Emergency contact details
- Driving for work checks
- Performance and development reviews
- Time and attendance records
- Learning and development records
- Absence records
- Equal opportunities/equality and diversity monitoring information
- Medical Information in relation to Health & Safety
- Entries in the MitreFinch Time Management System
- GTCS Secondment Schedule (part of Secondment Agreement)

We will also collect additional personal data about you in the course of employment-related activities or in the provision of services, for the period of you working for us or providing services to us.

How will GTCS use your personal data?

We will only use your personal data where we are permitted to do so by law and in accordance with data protection law. Common circumstances where we will process your personal data are if we need to do so to perform a contract we have entered into with you, if we need to comply with a legal obligation or where it is necessary in the public interest or for the exercise of official authority.

We may also use your personal data where we need to protect your interests (or someone else's interests) or, very occasionally, for the pursuit of our legitimate interests in areas out with our public authority functions, provided your interests or fundamental rights and freedoms do not outweigh our legitimate interests.

Purposes for which we will use your personal data

We consider that we may need to process some of the categories of personal data as detailed in the GTCS General Privacy Notice (under the section "Category of Personal Data" we process about you) in relation to you, primarily to allow us to perform our statutory functions. In some cases, we may use your personal data to pursue legitimate interests of our own or those of third parties, but only in respect of functions which do not fall within our public authority functions. Purposes for which we expect to process your personal data are listed in the table below, setting out the category of personal data, the lawful basis for processing and the time-period for which we will retain that data in respect of each category of individual:

Purpose/Activity	Category of personal data	Lawful basis for processing including basis for legitimate interest	Retention period or criteria to determine retention period
Administering the contract we have entered into with you.	Identity data Contact data Professional data Financial data	Performance of a contract with you. Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Paying you and, if you are an employee, deducting tax and National Insurance contributions and any other contributions. Processing salary increases, expense claims or any other changes.	Identify data; Financial data	Performance of a contract with you. Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Making decisions about salary reviews and compensation	Identity data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
To liaise with your employer with regards to a secondment placement	Identity data Contact data Professional data Financial data	Performance of a contract with you.	All information will be retained for 7 years after the date on which the secondment with GTCS is terminated
Liaising with your pension provider such as enrolment, change of details, leavers, retirement.	Identity data; Contact data; Professional data	Performance of a contract with you. Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Checking you are legally entitled to drive for work and that vehicle used is roadworthy	Identify data	Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
To make contact with you or your nominated contact in event of emergency/business continuity event	Identity data; Contact data	Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS

			is terminated. Out of date information destroyed annually
To conduct Performance and Development Reviews (PDRs), manage performance	Professional data Identity data Communications system data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Assessing qualifications for a particular job or task, including decisions about promotion	Identity data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Gathering evidence for possible grievance or employment disciplinary proceedings and hearings	Identity data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Investigate and, where necessary, hold disciplinary, capability or grievance hearings; take appropriate disciplinary action	Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Making decisions about your continued employment or engagement	Identity data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Making arrangements for the termination of our working relationship	Identity data Contact data Financial data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
To record hours worked and absences/leave taken	Identity data; Professional data; Communications systems data; Image data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Education, training and development requirements	Identity data Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which

			employment with GTCS is terminated.
To record learning activities undertaken	Professional data	Performance of a contract with you.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
To monitor fitness to work. Ensure health and safety in the workplace. Administer benefits e.g. family (maternity or parental) leave, sick pay. Comply with legal obligations	Identity data; Special category personal data – health	Performance of a contract with you. Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Comply with Equality Act. Provide statistical data	Identify data; Professional data; Special category personal data – race, ethnicity, religious beliefs, sexual orientation, disability	To comply with a legal obligation. Performance of task in the public interest or exercise of official authority.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Comply with Health and Safety obligations	Special category personal data – health	Performance of a contract with you. Necessary to comply with a legal obligation.	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
To monitor your use of our communication systems to ensure compliance with our Information Security and other IT policies and to prevent unauthorised access to our computer and electronic communication systems. To prevent malicious software distribution.	Identity data Contact data Professional data Image data Communications system data	Necessary to comply with a legal obligation. Performance of a contract with you.	3 months from leaving for business continuity purposes
To ensure business continuity in the event of an office closure your manager/director will be able to contact	Identity data Contact data	Performance of a contract with you. Necessary to comply with legal obligation.	Duration of employment.

you using non-work email or mobile phone			
To enable the use of communications systems such as Skype and Microsoft Office 365	Identity data Communications system data Contact data Image data	Performance of a contract with you.	Duration of employment
To conduct data analytics studies to review and better understand employee retention and attrition rates	Identity data Contact data Professional data Special category data - health	Performance of a task in the public interest or exercise of official authority	All information will be retained for 7 years after the date on which employment with GTCS is terminated.
Equal opportunities/equality and diversity monitoring and reporting	Identity data Professional data Special category data – race or national or ethnic origin, religious, philosophical or moral beliefs, sexual life or sexual orientations and disability	Performance of a contract with you. Necessary to comply with a legal obligation (Equality Act 2010 compliance).	Anonymised information from original employment recruitment documentation entered onto a spreadsheet. Original documentation destroyed on completion of interview process. Spreadsheet of statistical information held for two years.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

If you fail to provide personal data

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

Change of purpose

We will only use your personal data for the purposes for which we collected it. We may, on occasion, need to use your data for another reason, but only where that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent. However, be assured that we will only do this where the purpose for processing is in compliance with the above rules, where this is required or permitted by law.

We may also access your email, desktop and desk area including drawers during times when you are absent from work if required.

Information about criminal convictions

GTCS has a responsibility to undertake certain checks during the recruitment process. As part of this, you will have disclosed whether or not you have any unspent criminal convictions. This information allows the GTCS Human Resources team to assess any disclosed unspent criminal convictions in order to consider your suitability for the role applied for.

All criminal conviction information will be retained for 7 years after the date on which employment with GTCS is terminated.