

PRIVACY NOTICE FOR AGENCY AND CONTRACTORS' STAFF

About this document

This privacy notice (**Notice**) explains how Imperial College London (the **College, we, our, us**) collects, uses and shares (or "processes") personal data of agency and contractors' staff (i.e. individuals engaged by a third party that contracts with the College to provide services to the College) (**you, your**), and your rights in relation to the personal data we hold.

This Notice applies alongside any other information the College may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Notice also applies in addition to the College's other relevant policies, including:

- the College's [Data Protection Policy](#);
- the College's [CCTV Code of Practice](#);
- the College's [Information Security Policy](#); and
- the College's [safeguarding](#), pastoral, or [health and safety policies](#), including as to [how concerns or incidents are recorded](#).

Data controller and Data Protection Officer details

For the purposes of any applicable data protection laws in England and Wales, including the EU General Data Protection Regulation 2016/679 (**GDPR**), the College is the data controller of your personal data. The College has appointed a Data Protection Officer, who can be contacted via email at <mailto:dpo@imperial.ac.uk>, via telephone on 020 7594 3502 and via post at Imperial College London, Data Protection Officer, Faculty Building Level 4, London SW7 2AZ.

How we collect your information

We may collect your personal data in a number of ways, for example (for the avoidance of doubt, this is not an exhaustive list):

- from the information your employer/agency provides to us;
- from third parties, for example the Disclosure and Barring Service (DBS) (if this is applicable – see the section below on *Criminal convictions*);
- during the course of your provision of services to the College, for example when you provide or update your contact details and in the course of fulfilling your duties more generally; and
- in various other ways as you interact with us during your provision of services to the College, and afterwards, where relevant, for the various purposes set out below.

The types of information we collect

We may collect the following types of personal data about you:

- contact and communications information, including:
 - your contact details (including email address(es), telephone numbers and postal address(es));

- records of communications and interactions we have had with you;
- biographical, educational and social information, including:
 - your name, title, gender, nationality and date of birth;
 - your image and likeness, including as captured in photographs taken for work purposes or CCTV;
- work related information, including:
 - your personal data captured in the work product(s) you create while employed by or otherwise engaged to work for the College;
 - communications sent or received using the College's communication systems;
- and any other information relevant to your provision of services to the College.

Where this is necessary for your engagement to work for us, we may also collect special categories of data and information about criminal convictions and offences, including information concerning:

- your health, medical conditions and disabilities;
- criminal convictions and offences (see the section below on *Criminal convictions*).

For further information including the reasons why we process this data, see the section below on *The bases for processing your personal data, how that data is used and whom it is shared with*.

The bases for processing your personal data, how that data is used and whom it is shared with

(i) Performance of a contract with you

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, such as a contract of employment or other engagement with your employer/the agency that has employed/engaged you. In this respect, we use your personal data for the following:

- once you are engaged by your employer/agency to provide services to the College, for the performance of the contract between you and your employer/agency and, in turn, for the performance of the contract between your employer/agency and the College;
- monitoring your attendance (including absence) and your performance in your work;
- publishing the work product(s) you create while providing services to the College;
- for internal record-keeping, including the management of any feedback or complaints.

(ii) Legitimate Interests

We process your personal data because it is necessary for our or a third party's legitimate interests. Our "legitimate interests" include our interests in running the College in a professional, sustainable manner, in accordance with all relevant legal and regulatory requirements. In this respect, we use your personal data for the following:

- for security purposes, including by operating security cameras in various locations on the College's premises and the production of photo ID cards (the [College's CCTV policy can be found on this link](#));

- to enable relevant authorities to monitor the College's performance and to intervene or assist with incidents as appropriate;
- to safeguard students' welfare;
- to carry out or cooperate with any College or external complaints, disciplinary or investigatory process;
- to administer the College's regulations, codes of practice and policies;
- for the purposes of management planning and forecasting, research and statistical analysis and benchmarking;
- making travel arrangements on your behalf, where required;
- publishing your image and likeness in connection with your employment or engagement with us;
- promoting the College and its goods, services, events and resources, unless it is appropriate to gain your specific consent;
- to monitor (as appropriate) use of the College's IT and communications systems in accordance with the College's [Information Security Policy](#).

(iii) **Legal Obligations and the College's public task**

As a provider of higher education, the College is in certain respects a public authority. Your personal data will also be processed by the College for compliance with the College's legal obligations or as part of its public interest task. For example:

- to meet our legal obligations (for example, relating to child protection, diversity and gender pay gap monitoring, employment, health and safety, statutory reporting to the Higher Education Statistics Agency (HESA));
- for the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

(iv) **Special categories of data**

We process special categories of personal data (such as data concerning health or criminal convictions) because such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your work for the College.

In particular, we process the following types of special category personal data for the following reasons - your physical or mental health or condition(s) (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment).

We will also process special categories of personal data because:

- it is necessary to protect your or another person's vital interests, for example, where you have a life-threatening accident or illness in the workplace and we have to process your personal data in order to ensure you receive appropriate medical attention;
- it is necessary for the establishment, exercise or defence of legal claims; or
- we have your explicit consent to do so.

Criminal convictions

You or your employer/ agency (as applicable) will be asked to provide the College with details of criminal convictions where your role requires a DBS check. A DBS check will only be conducted under the lawful process provided for by law. We will only use the criminal convictions data for the purpose it was collected and it will only be retained for a limited period as set out in the College's Retention Policy (see the section below: *How long your information is kept*).

Sharing your information with others

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we will share your personal data with certain third parties. Depending on your role, we may disclose limited personal data to a variety of recipients including:

- your employer or agency (as applicable);
- other individuals similarly engaged to provide services to the College, College employees, agents, contractors and service providers (e.g. third parties processing data on our behalf);
- DBS and other relevant authorities and agencies such as the Higher Education Statistics Agency (HESA) who will use such information as described in the applicable HESA data collection notice located at <https://www.hesa.ac.uk/about/regulation/data-protection/notices>;
- our advisers where it is necessary for us to obtain their advice or assistance;
- law enforcement agencies; local authorities; HMRC; the Home Office, British overseas consulates; other international and national governmental and regulatory bodies;
- with future employers in the form of a reference, where we are asked for it or we are required to do so in compliance with our legal obligations or regulatory rules;
- third parties and their advisers where those third parties are acquiring or considering acquiring College assets.

As well as the organisations mentioned above, we may in specific circumstances need to share your personal data with third parties who have made legitimate requests under data protection or freedom of information law. We may also share data when the College is legally required to do so (by a court, government body, law enforcement agency or other authority of competent jurisdiction).

International transfers of data

The College will, in limited circumstances, disclose personal data to third parties, or allow personal data to be stored or handled, in countries outside the European Economic Area. For example, we may transfer data to IT or other service providers based overseas.

In these circumstances, your personal data will only be transferred on one of the following bases:

- where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission);
- a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent).

How long your information is kept

Personal data is stored in accordance with the College's retention policy available at <http://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/records-and-archives/public/RetentionSchedule.pdf>.

Your rights

Under the GDPR, you have the following rights:

- to obtain access to, and copies of, the personal data we hold about you. Further information of how to make such an application can be found at <http://www.imperial.ac.uk/admin-services/legal-services-office/data-protection/subject-access-requests/>;
- to require that we cease processing your personal data if the processing is causing you damage or distress;
- to require us not to send you marketing communications;
- to request that we erase your personal data;
- to request that we restrict our data processing activities in relation to your personal data;
- to receive from us the personal data we hold about you, which you have provided to us, in a reasonable format specified by you, including for the purpose of transmitting that personal data to another data controller; and
- to require us to correct the personal data we hold about you if it is incorrect.

Please note that the above rights are not absolute, and requests may be refused where exceptions apply. You can find out more about your rights at www.ico.org.uk.

If you have any questions about these rights or how your personal data is used by us, you should contact the Data Protection Officer whose details are set out in the section *Data controller and Data Protection Officer, details* above.

Contact and complaints

The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral to it. If you have any queries about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact the Data Protection Officer whose details are set out in the section *Data controller and Data Protection Officer, details* above.

If following such referral you are still not satisfied with how your personal data is used by the College you can make a complaint to the Information Commissioner (www.ico.org.uk).

This notice

The College will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

Document last updated on 26 June 2018.