

Research and Innovation Privacy Notice for

REF-eligible staff¹

Introduction

London School of Economics & Political Science (“LSE”, “School”, “We”, “Our”, “Us”). LSE is one of the world’s leading social science universities. We are committed to a strategy that will build on our strengths, address challenges and maintain our worldwide reputation for excellence.

This Privacy Notice explains how LSE processes the personal data of our REF-eligible staff and your rights in relation to the personal data we hold. It sets out the obligations of LSE, a private company limited by guarantee, registered in England under company number 70527, whose registered office is at Houghton Street, London WC2A 2AE, UK.

For the purposes of any applicable data protection laws in England and Wales, including the General Data Protection Regulation 2016/679 (GDPR), the School is the data controller of your personal data. The School **Data Protection Officer is Rachael Maguire**, who can be contacted via email at glpd.info.rights@lse.as.uk , via telephone on +44 20 7849 4622 and you can write to us at the above address.

REF-eligible staff member

All REF-eligible staff in the School are one of the following:

- Academic faculty on teaching-and-research contracts (i.e. Assistant Professors, Lecturers, Associate Professors, Senior Lecturers, Readers and Professors)
- Research-only staff who are on New Research Staff Career (NRSC) contracts (i.e. Assistant Professorial Research Fellows, Associate Professorial Research Fellows and NRSC Professorial Research Fellows)
- Research-only staff who are not on New Research Staff Career contracts but who hold an independently won, competitively awarded fellowship where research independence is a requirement.

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This notice also applies in addition to the School's other relevant terms and conditions and policies, including:

Contract Between The School and Staff Member	Employment contract
Data Protection Policy	Policy
Ethics	Ethics Code
Information Technology	Information Security Policy
Physical Security Policy	CCTV Code of Practice
Health and Safety Policy	Link
Terms of Use	Link
Breach Reporting Process And Procedure	Data Breach Procedure

¹ <https://info.lse.ac.uk/staff/divisions/research-and-innovation/research/REF/What-is-REF>

Third Party Arrangements	Data Sharing Agreement
Disclosure and Barring Service (DBS) Process Guidance Note	Recruitment Guide
Records Management Guidance	Retention Schedule

All staff members should also be aware of and comply with the School's external privacy notice for students and prospective students, the contractual responsibilities to protect the personal data of others (staff, student, visitors etc.) and the School's **data protection policy** also provide further information about how personal data will be used.

What is personal data?

The GDPR defines “personal data” as any information relating to an identified or identifiable natural person (a “data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Processing

The term ‘processing’ refers to all actions related to the handling of personal data and therefore includes collection, the holding and use of such data, as well as access and disclosure, through to final destruction. Staff should be aware that in certain circumstances, Data Protection legislation permits us to process an employee’s personal data, and, in certain circumstances, sensitive personal data, without their explicit consent.

LSE data protection obligation

LSE will use the personal data you provide, as well as personal data for which you have given consent for us to receive (e.g. from your job application form) to process your application and employment in accordance with the General Data Protection Regulations, Data Protection Act 2018 (“DPA”) and any other data protection legislation passed in the UK.

As the data controller of your personal data, we determine the purposes for which, and the manner in which, any personal data is, or is likely to be, processed. We are legally responsible for the personal data we collect and hold about you and we must comply with the data protection principles.

It is also our responsibility to tell you about the different ways in which we are likely to use your personal data, what information we collect, our legal basis for doing so, why we collect it, where we collect it from and whether and with whom we will share it. We also need to tell you about your rights in relation to your personal data. In addition to the information in this statement, you may be given further information about the uses of your personal data when you sign up to use specific services and facilities we offer, and in certain situations, you may be asked whether you give your consent to us processing information about you.

How we collect and process your information

In order to comply with our contractual, statutory, and management obligations and responsibilities, we need to process personal data relating to our employees, including 'sensitive' or special categories' of personal data, as defined in Data Protection legislation which includes information relating to health, racial or ethnic origin, and criminal convictions. In certain limited circumstances, Data Protection legislation permits us to process such data without requiring the explicit consent of the employee.

All personal data will be processed in accordance with the Data Protection Laws and the School Data Protection policy. We will collect and process the following information about you:

- First Name(s)
- Last name
- Title
- Date of birth (age)
- Contact Info (Email)
- Finance information (including Fellowship sponsor details)

Information about your present and employment history since 1 January 2014 including:

- Job title
- Salary band
- Working hours

Sensitive or special category data we will also process includes:

- Your ethnicity
- Your chosen Gender
- Occupational Health
- Disability type and severity

You have the right to not provide this information in which case the School will note to statutory bodies that you elected not to provide this information.

➤ Information we receive from other sources

We work closely with third parties (including, for example, external funding and sponsorship partners, educational institutions, overseas agents, business partners and compliance services and may receive information about you from them if you have provided specific consent to this sharing of your personal data in your agreements with those third parties. If you have provided such consent, we may receive any of the following information from third parties: evidence of sponsorship (e.g. funder etc.), and other information in connection with your LSE activities.

➤ The use of Cookies and other technologies

We will also collect personal data about website usage through cookies which is a small file of letters and numbers that is stored on your device. Our website uses cookies to distinguish you from other users of the website. The cookies set may obtain information about you, how you use the website

and any other information you post, email or otherwise send to us. Your computer IP address, operating system and browser type, your use of our website and your general internet usage.

For more information about our use of cookies and similar technologies to allow you to browse our website effectively, see our [cookie page](#). You can also see [Google Analytics Privacy Policy](#) and how google [safeguard your data](#).

When we use your data to compile statistics and conduct research, we usually use anonymised data from which you cannot be identified, but where that is not possible, we do so on the basis that this is necessary. For more information on the use of data for research purposes, see our **Research privacy page**.

Purposes for which we process your personal data

Data Protection legislation requires that we meet certain conditions before we can use your data in the manner described in this notice, including having a "legal basis" for the processing. The legal bases on which your personal data are collected and processed are explained below.

➤ **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 the School/the agency that has employed/engaged you;
- once you are engaged by the School/your agency to work for the School, for the performance of the contract between you and the School/your agency and, in turn, for the performance of the contract between the School/your agency and the School;
- to administer HR-related processes, including those relating to undertaking performance appraisals and reviews, absence management, disciplinary issues and complaints or grievances;
- publishing the work product(s) you create while working for or providing services to the School;
- to administer remuneration, payroll, pension and other standard employment functions;
- for internal record-keeping, including the management of any feedback or complaints;
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Information Security Policy;
- to administer the School's regulations, codes of practice and policies.

➤ **Legitimate interest**

Our "legitimate interests" include our interests in running the School 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 School's premises and collect visual images for the purposes of the prevention and

- detection of crime (**See our CCTV policy**). The images captured are recorded and retained in the event that they may be needed as evidence of criminal activity;
- the creation of photo ID cards for easy verification of the staff member to secure access to School buildings;
 - to provide you access to relevant systems to undertake your role ([Access Control Policy](#));
 - to safeguard staff welfare;
 - for providing and administering benefits (including pension, voluntary healthcare schemes and others);
 - to carry out or cooperate with School or external complaints, disciplinary or investigatory process;
 - 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 School and its goods, services, events and resources, unless it is appropriate to gain your specific consent;
 - for effective communication by post, email and phone, including the distribution of relevant newsletters and circulars.

➤ **Legal obligations and the School's public task**

Your personal data will also be processed by the School for compliance with the School's legal obligations or as part of its public interest task as a provider of higher education. For example:

- to enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- 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](#)) and UK Research and Innovation ([UKRI](#)));
- for policy and legal governance requirements, obligation and compliance;
- for processing information regarding equality of opportunity and treatment of data subjects in line with the monitoring of equal opportunities and access;
- for providing references and information to future employers and, if necessary, governmental bodies;
- 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.

➤ **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 School. For example:

- we will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- we will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments and to administer benefits;
- to pay statutory sick pay and to make appropriate referrals to the Occupational Health Service;
- we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- we will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations;
- it is necessary for the establishment, exercise or defence of legal claims or we have your explicit consent to do so.

The lawful basis for processing this special category personal data will be as described in the GDPR Article 9(2) (b) 'processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment, social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.'

➤ **Special category personal data**

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

- we will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- we will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments and to administer benefits;
- to pay statutory sick pay and to make appropriate referrals to the Occupational Health Service;
- we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- we will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations;
- it is necessary for the establishment, exercise or defence of legal claims or we have your explicit consent to do so.

The lawful basis for processing this special category personal data will be as described in the GDPR Article 9(2) (b) 'processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment, social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.'

Who will your personal data be shared with

Your personal data is shared as is necessary, on a considered and confidential basis, with relevant staff of LSE and external organisations. Where this is necessary we are required to comply with all aspects of Data Protection legislation. 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);
- your funders and/or sponsors as relevant, for example, UK Research and Innovation (UKRI);
- relevant executive agencies or non-departmental public bodies (e.g. UK Visas and Immigration, HM Revenue and Customs, the Health and Safety Executive);
- other individuals similarly engaged to provide services to the School, School employees, agents, contractors and service providers (e.g. third parties processing data on our behalf);
- some information about staff is sent in coded and anonymised form to the Higher Education Statistics Agency (HESA), who will use such information as described in the applicable [data collection notice](#);
- family, associates and representatives of the person whose personal data we are processing;
- healthcare, social and welfare organisations, consultants and professional advisers;
- our advisers where it is necessary for us to obtain their advice or assistance;
- press and the media, financial organisations, auditors, trade union and staff associations;
- 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.

Sometimes your personal data is processed by these organisations outside the European Economic Area (e.g. because they use a cloud-based system with servers based outside the EEA or to facilitate your participation in an exchange visit or to report to an overseas funding provider), and if so, appropriate safeguards are in place to ensure the confidentiality and security of your personal data.

We will not disclose any other personal information about your application to other external enquirers or organisations without your consent unless it is in your vital interests to do so (e.g. NHS services in circumstances relating to your vital interests)/ in the event of an audit undertaken by the REF 2021.

We do our utmost to protect your privacy. Data Protection Legislation obliges us to follow security procedures regarding the storage and disclosure of personal information in order to avoid unauthorised loss or access. As such we have implemented standard security systems and procedures to protect information from unauthorised disclosure, misuse or destruction. We have established procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. If we need to transfer any information to a country not recognised as providing equivalent protection, we will use additional safeguards approved by UK or EU regulators. We do not allow our service providers to use your personal data for their own purposes – we only permit them to process your personal data for specified purposes and in accordance with our instructions.

Principle of processing your personal information

We will handle your personal data in accordance with the principles set out below.

<u>Principle</u>	<u>Personal Data shall be:</u>
Integrity and confidentiality	Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
Lawfulness, fairness and transparency	Be processed lawfully, fairly and in a transparent manner in relation to the data subject.
Purpose limitation	Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
Accuracy	Accurate and, where necessary, kept up to date.
Storage limitation	Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
Data minimisation	Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
Accountability	Be able to demonstrate compliance with the above principles

Your rights

Under certain circumstances, by law you have the right to which we will always work to uphold:

- **The right of access.** This enables you to request a copy of your data we hold about you and to check that we are lawfully processing it.
- **The right to rectification.** If any of your personal data held by us is inaccurate or incomplete, this enables you to ask us to make correction as deem fit.
- **The right to erasure.** This enables you to ask us to delete or remove your data where consent has been withdrawn and there are no other legal grounds for the processing.
- **The right to object.** You can object the processing of your data where we are relying on our compelling legitimate interests. You also have the right to object where we are processing your data for direct marketing purposes and profiling.

- **The right to restrict processing of your data.** This enables you to ask us to suspend the processing of your data or stopping further processing where there is no further legitimate ground to continue processing it.
- **The right to data portability.** This means that, if you have provided personal data to us directly and we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data in a machine-readable format to re-use with another service.
- **Rights in relation to automated decision making and profiling** – Rights not to be subjected to a decision based solely on automated processing and profiling.

Please keep in mind that there are exceptions to the rights above, there may be situations where we are unable to do so depending on the circumstances and the nature of your request. It may not be possible for us to do what you have asked, for example, where there is a statutory or contractual requirement for us to process your data, it would not be possible to fulfil our legal obligations if we were to erase your data. However, where you have consented to the processing (for example, where you have asked us to contact you for marketing purposes), you can withdraw your consent at any time by completing our [Data Protection Form](#) and email it to us at glpd.info.rights@lse.ac.uk or by clicking the unsubscribe button on the marketing page. In this event, we will stop the processing as soon as we can. However, this will not affect the lawfulness of any processing carried out before your withdrawal of consent. The same form can be used to exercise any of the rights.

Keeping personal data up-to-date

The Data Protection Laws require us to take reasonable steps to ensure that any personal data we process is accurate and up-to-date. Employees are responsible for informing us of any changes to the personal data that they have supplied during the course of their employment. For example, where you have recently moved home, you will need to inform us of your new address; change of status or change of name. You can do some of this via MyView, otherwise contact Human Resources.

Data Retention

We will only retain your personal data at least until the next REF submission to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements, and in accordance with [LSE Retention Schedule](#) under our Information and Record Management page unless stated otherwise in a privacy notice.

Changes to Our privacy notice

We keep our Privacy Notice under regular review and may be updated from time to time. Any updates will appear on this webpage. This notice was last updated in July 2019.

How to contact us or make complaint to the regulator

If you want to exercise any of the rights described above or are unhappy with the way we have used your information, you should contact the School Data Protection Officer, **Rachael Maguire** at glpd.info.rights@lse.ac.uk. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of the GDPR and related Data Protection Legislation. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

Make complaint to the regulator

If you are dissatisfied with our response, or you believe that your data protection or privacy rights have been infringed, you should contact the UK Information Commissioner's Office (ICO), which oversees data protection compliance in the UK. Details of how to do this can be found <https://ico.org.uk/make-a-complaint/>.