

## PRIVACY NOTICE: EMPLOYEES, WORKERS AND JOB APPLICANTS

### 1. Introduction

The Royal Academy of Music respects your privacy and is committed to protecting your personal data. This privacy notice sets out how the Academy processes the personal data of employees, workers and students working at the Academy, and job applicants. This privacy notice should be read in conjunction with any other privacy or fair processing notices we may provide on specific occasions when we are collecting or processing personal data about you so that you understand how and why we are using your data. We want to be as transparent as possible in the way in which we use your information so that you can be confident in providing the information to us and be clear on why we need certain information.

### 2. Contact details

Royal Academy of Music  
Marylebone Road  
London  
NW1 5HT

Data protection registration number: Z4819206

Data Protection Officer: [dpo@ram.ac.uk](mailto:dpo@ram.ac.uk)

### 3. Changes to the privacy notice and your duty to inform us of changes

This privacy notice may be varied from time to time, where necessary and possible we will notify you of any changes.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during the period of your employment or work at the Academy, or the job application process.

### 4. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, record and transfer different kinds of personal data about you which we have grouped together as follows:

**Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title.

**Identification Evidence Data** includes uploaded passport, EU Identity card or UK Driving Licence and National Insurance number for the purpose of validating your identity and checking your right to work in the UK.

**Contact Data** includes home address, correspondence address, email addresses and telephone numbers.

**Contextual Data** includes family and social circumstances, education and biographical information, competitions and prizes. Details of any procedures that you have engaged with during your employment or application for employment such as complaints, appeals and disciplinary processes.

**Financial Data** includes bank account and details of any transactions with the Academy, tax reference and National Insurance number.

**Image Data** includes CCTV footage captured in and around Academy premises and also photographs and video footage we commission or capture for the purposes of marketing, publicity and assessment/study.

We also collect and use **Special Category** personal data of employees, workers, students working at the Academy and job applicants, including racial or ethnic origin, religious or philosophical beliefs, sexuality, and physical health data, mental health data and medical information. We also collect information about criminal convictions from a safeguarding perspective. Some of this data is collected owing our statutory reporting requirements. When collecting the data we will be completely transparent about the purpose for its collection and link it back to this privacy notice.

## 5. How is your personal data collected?

We use different methods to collect data from and about you:

- Personal data and sensitive personal data/special category data is obtained directly from you, when you:
  - Apply for a job at the Academy (eg application form, CV, equality monitoring form)
  - Complete paperwork in relation to a job or engagement, such as information on referees, right to work documentation or your bank details
  - Communicate with us about other HR related procedures such as notifying us of sickness absence or undertaking training.
- We may also collect data from a third-party organisation, for instance pre-employment/engagement checks including right to work, medical reports, financial security checks (for roles with budgetary responsibility), references and disclosure and barring service (DBS) checks.
- Image data may be collected at any time during the period of your employment or work at the Academy, or during any visit to our premises.

## 6. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- a. Where we need to perform the contract we are about to enter into or have entered into with you.
- b. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- c. Where we need to comply with a legal or regulatory obligation.

See below to find out more about the types of lawful basis that we will rely on to process your personal data. We do not rely on **consent** for the purpose of using any employee, worker or job applicant personal data.

When we collect and use special category data as part of statutory returns, employment, work or job applicant processes, this information is stored in protected administrative systems, including the HR database.

When we require your explicit consent for processing your personal data for a specific purpose, then we will ask for your consent at the point of collecting that data from you (such as when prospective employers, landlords and other external organisations ask us to provide references about you, or in respect of an application for retirement on the basis of ill-health or incapacity). Any request for consent we make is clear and separate from other terms and conditions and you can withdraw your consent at any time.

**7. Purposes for which we will use your personal data**

We have set out below, in a table format, a description of the main ways we plan to use your personal data, and which legal basis/bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

| Purpose/Activity  | Type of data  | Lawful basis for processing                          | Further information and retention period   |
|---|---|--|--|
| To manage the recruitment process, including the appointment of successful candidates | Identity<br>Contact<br>Contextual<br>Financial<br>Image<br>Special Category | Performance of a contract<br><br>Legitimate interest | <b>Academy employees:</b> for the duration of your employment and for a period of time after your employment has ended, depending on the kind of data and in accordance with legal and contractual obligations. The majority of HR data is kept for 6 years from your leaving date, following which basic summary data is retained so that your employment history can be confirmed in reference requests.<br><br><b>Workers and students working at the</b> |

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|  |  |   | <p><b>Academy:</b> for the duration of your engagement and for a period of time after your engagement has ended.</p> <p><b>Job Applicants:</b> we keep a record of any data you have provided to us during the recruitment process and for a period of time after the completion of the recruitment process.</p> |
| To carry out pre-employment/engagement checks and assess the working capacity of employees, workers or job applicants, including right to work, medical reports, financial security checks (for roles with budgetary responsibility), references and disclosure & barring service checks | <p>Identity</p> <p>Contact</p> <p>Contextual</p> <p>Financial</p> <p>Image</p> <p>Special Category</p> | <p>Performance of a contract</p> <p>Legal obligation</p> <p>Legitimate interest</p> | Duration of employment plus 6 years  |
| To manage all HR contractual processes, including the probationary period, absence management, and disciplinary and grievance processes  | <p>Identity</p> <p>Contact</p> <p>Contextual</p> <p>Financial</p> <p>Image</p> <p>Special Category</p> | <p>Performance of a contract</p> <p>Legitimate interest</p>                         | Duration of employment plus 6 years  |
| To administer payment processes including payroll, pension enrolment, pension payment, staff benefits, expense claims and invoices   | <p>Identity</p> <p>Contact</p> <p>Contextual</p> <p>Financial</p>                                      | <p>Performance of a contract</p> <p>Legal obligation</p>                            | Duration of employment plus 6 years  |

|   |   |  |                        |
|---|---|--|------------------------|
| from self-employed personal service providers   | Image<br>Special Category                             |  |                        |
| To support professional development, training, job evaluation and workforce planning  | Identity<br>Contact<br>Contextual<br>Special Category | Performance of a contract<br><br>Legitimate interest                                       | Duration of employment |
| To manage the health, safety and wellbeing of all and facilitating additional requirements or reasonable adjustments where necessary (ie in respect of declared disability, religion and other protected characteristics) | Identity<br>Contact<br>Contextual<br>Special Category | Performance of a contract<br><br>Legal or regulatory obligation<br><br>Legitimate interest | Duration of employment |
| To compile statistics, perform statistical research and provide data to government agencies and regulatory bodies   | Identity<br>Contact<br>Contextual<br>Special Category | Legal or regulatory obligation   | Duration of employment |
| To process equal opportunities data for Higher Education Statistical Agency (HESA) purposes   | Contextual<br>Special Category                        | Legal or regulatory obligation   | Duration of employment |
| To ensure you have access to Academy facilities   | Identity<br>Contextual<br>Special Category            | Performance of a contract<br><br>Legitimate interest                                       | Duration of employment |
| To enable us to contact a nominated next of kin and emergency contact   | Identity<br>Contact<br>Contextual                     | Legitimate interest  | Duration of employment |

|  |   |   |   |
|--|---|---|---|
| To manage leaving the Academy by resignation, redundancy, retirement or dismissal from service | Identity<br>Contact<br>Contextual<br>Special Category | Performance of a contract<br><br>Legitimate interest      | Duration of employment plus 6 years   |
| Internal and external auditing   | Identity<br>Contact<br>Contextual                     | Legal or regulatory obligation<br><br>Legitimate interest | Duration of employment  |
| Fulfilling our obligations under other laws and legislative requirements                       | Identity<br>Contact<br>Contextual<br>Special Category | Legal or regulatory obligation                            | Duration of employment plus 6 years   |
| Security   | Image/CCTV footage                                    | Public Task<br><br>Legitimate interest                    | 30 days unless retained as part of an internal investigation or legal process                         |
| To capture your image in video footage or photographs for the purpose of promoting the Academy | Identity (video/ photographic image)                  | Performance of a contract<br><br>Legitimate interest      | Video footage and/ or photographs may be held in perpetuity as part of the Academy's historic archive |

## 8. Purposes for which we will share your personal data outside of the Academy

| Purpose/Activity  | Type of data  | Lawful basis for processing    | Further information and retention period |
|---|---|--------------------------------|--|
| To meet our obligations for statutory reporting to HESA, Office for Students (OfS), United Kingdom Research and Innovation (UKRI), Office for National Statistics (ONS), Her Majesty's Revenue & Customs (HMRC), UK Visas & | Identity<br>Contact<br>Contextual<br>Special Category | Legal or regulatory obligation | Duration of employment plus 6 years      |

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|--|--|---|--|
| Immigration Service (UKVI)   |  |   |  |
| External pension providers: Teachers' Pension Scheme (TPS), Group Pension Plan (GPP), Universities Superannuation Scheme (USS) and National Employment Savings Trust (NEST)                        | Identity<br>Contact<br>Contextual<br>Special Category                        | Performance of a contract<br><br>Legal or regulatory obligation | Duration of employment plus 6 years  |
| Internal and external auditors   | Identity<br>Contact<br>Contextual<br>Special Category                        | Legal or regulatory obligation                                  | As a public-funded organisation, the Academy is subject to audit and is required on occasion to give the auditors' access to personal details, in order for the integrity of Academy processes to be reported on |
| Sending photographs to external organisations for PR/marketing purposes or to third party organisations (eg production imagery)  | Identity (video/ photographic image)   | Performance of a contract                                       | The period of the processing activity (sharing of data)  |
| To maintain your electronic employment record via our HR database  | Identity<br>Contact<br>Contextual Data<br>Special Category<br>Financial data | Performance of a contract<br><br>Legal or regulatory obligation | Duration of employment plus 6 years  |
| In exceptional circumstances we may also have to share data with an external party without your express consent where it is necessary to protect the vital interests of you or another person, for | Identity<br>Contact<br>Contextual Data<br>Special Category                   | Performance of a contract<br><br>Legal or regulatory obligation | Duration of employment   |

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| instance in the case of an emergency or legal proceedings   |   |                                      |                        |
| For a specific purpose such as when prospective employers, landlords and other external organisations ask us to provide references about you, or in respect of an application for retirement on the basis of ill-health or incapacity | Identity<br>Contact<br>Contextual<br>Financial<br>Image<br>Special Category | Consent<br>Performance of a contract | Duration of employment |

## 9. Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

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, in compliance with the above rules, where this is required or permitted by law.

## 10. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 8 above.

The Royal Academy of Music employs the services of third-party photographers or videographers to shoot or record events. Please note that these individuals/organisations may hold the right to retain the images taken. Details on the organisations who may hold your images are available upon request.

Higher Education sector organisations who require us to share your data, such as:

- The Office for Students (OfS)
- The Higher Education Statistics Agency (HESA)
- The Arts and Humanities Research Council (AHRC)

If you would like more details of organisations with whom we share your data, please contact [dpo@ram.ac.uk](mailto:dpo@ram.ac.uk)

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your



personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **11. International transfers**

We may transfer the following enrolled student personal data outside of the European Economic Area (EEA):

- Photographic images of employees and workers used in the Academy's marketing and publicity for the Prospectus and international guides
- To facilitate the arrangement of overseas projects (for example an overseas festival may book flights for staff participants and require information from us in order to do this).

### **12. Data security**

We have in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place 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 benchmark the adequacy of our data systems and the supplier that are in place and where applicable data privacy impact assessments have been conducted.

### **13. Data retention - how long will you use my personal data for?**

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes.

Please refer to the information in the table in paragraph 7 for information on retention periods and the Data Retention Schedule - Human Resources for full details of how long we keep personal data. The retention schedule is available on the Academy website <https://www.ram.ac.uk/privacy>.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

### **14. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **15. Glossary**

### **Legal Basis**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **Third Parties**

#### **External Third Parties**

- Service providers acting as processors based in the EU who provide IT and system administration services (such as Jane HR and Sage Payroll).

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based the United Kingdom who require reporting of processing activities in certain circumstances.

## 16. Action you can take

If you wish to exercise any of the rights set out below, please contact us.

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. You can access and update personal details (eg home address, bank account details, contact details and next of kin) via the HR department. Please contact [hr@ram.ac.uk](mailto:hr@ram.ac.uk).

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated

information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us to raise any concerns in the first instance.

May 2020