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## **Privacy Notice – Deemed Workers and Self-Employed Contractors at York St John University**

All personal information gathered and held by York St John University relating to Deemed Workers and self-employed contractors is treated with the care and confidentiality required by the EU General Data Protection Regulation (GDPR) and associated UK Data Protection legislation. For these purposes York St John University is the data “Controller”.

Further information can be found in the [University’s Data Protection Policy](#).

### **Categories of personal data collected**

The categories of personal data we collect and use in relation to our Deemed Workers and self-employed contractors may include:

- your name, address and contact details, including email address and telephone number;
- details of your bank account and national insurance number;
- details of payments made to you and tax and NI deductions (if applicable).

## **How we collect and store this information**

The University will collect this information through correspondence with you; or via a form which you will complete.

You can make a request to update/amend your personal information at any time during by contacting Accounts Payable.

Your personal data will be held electronically on our payroll/finance system.

Your contact details may also be held within the Department or School where you are carrying out work to enable those responsible for engaging you to liaise with you regarding pieces of work available.

All records, regardless of the media they are held in, are held securely, only accessed by those who need to as part of their role and treated at all times with the appropriate levels of confidentiality.

All information held by the University, will be kept in line with our retention schedule.

## **Why we process this information and our lawful basis for processing**

The personal information we keep about Deemed Workers and self-employed contractors is necessary for the contract (GDPR Article 6 Lawfulness of Processing Section 1 (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract).

In some cases, the University needs to process data in order to comply with its legal obligation. Where an individual would have been an employee if they were providing

their services directly, they must pay broadly the same tax and National Insurance contributions (NICs) as an employee, [see public sector off-payroll working for clients guidance](#). In such cases the processing of personal data is necessary for compliance with a legal obligation (GDPR Article 6 Lawfulness of Processing Section 1 (c) processing is necessary for compliance with a legal obligation to which the controller is subject).

## **Who has access to the personal data**

Personal data may be shared internally where access to the data is necessary for performance of individual's roles. This includes those working in Finance, Human Resources, ITS and designated managers or administrators in the School/Department you may work.

The University is required to provide personal data about staff to HM Revenue and Customs in order to fulfil its obligations in relation to the processing of tax and NI. Further information on the information collected by HMRC, and how they store this can be found on the [HMRC website](#).

In order to carry out the processing described above the University uses an electronic payroll/finance system (OneUni). These systems ensure that the data can be more easily maintained, ensuring it is accurate and up to date, as well as providing appropriate levels of security. **This system is supported by third-party providers, and appropriate agreements and measures are in place to ensure the security of all personal data.**

The University will not transfer your data to countries outside the European Economic Area.

## **Retention period or criteria used to determine the retention period**

Records relating to payments made and tax deducted is required to be kept for 6 years after the end of the tax year in which you were last paid in order to comply with the obligations set out by HMRC.

## **Data subject's rights**

Under data protection legislation, staff have the right to request access to information about them that we hold. For details of how to make a request for your personal information, please see our [University Data Protection Policy](#).

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

Further information can be found in the [University Data Protection Policy](#).

## **The right to lodge a complaint with a supervisory authority**

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the [Information Commissioner's Office](#).

## **Further information**

If you have any queries relating to this privacy notice or the way your data is processed by York St John University's Finance Department then please contact Accounts Payable.