

## APPLICANT & EMPLOYEE PRIVACY NOTICE

### 1. Introduction

Queen Mary University of London - Malta Limited ("QMUL Malta"/ "we"/ "our"/ "us") is committed to protecting and respecting your privacy. We are pleased to provide you with our privacy notice and request you to read it carefully.

We have created this privacy notice to explain to you:

- i. how we use any personal data that we receive from you or may collect about you, and
- ii. your privacy rights under applicable privacy laws.

Our use of your personal data is subject to your instructions, the EU General Data Protection Regulation ("GDPR"), other relevant Maltese and EU legislation and our professional duty of confidentiality.

For the purposes of the GDPR, the Data Controller is:

#### **Queen Mary University of London - Malta Limited**

Company Registration Number: C 69087

Level 0/A, Centris Business Gateway

Triq is-Salib tal-Imriehel, Zone 3

Central Business District

Birkirkara, CBD 3020

Malta

#### **Contact us**

If you wish to request any clarification or additional information in relation to this privacy notice, or you may wish to exercise any of your rights in relation to your personal data, please send an email to our Data Protection Officer on [dpo-malta@qmul.ac.uk](mailto:dpo-malta@qmul.ac.uk).

### 2. Key terms

<b>Data Controller</b>	The person that determines the purposes and means of the processing of personal data
<b>Personal data</b>	Any information relating to an identified or identifiable natural person
<b>Processing</b>	Any operation which is performed on personal data such as collection, storage, use and erasure
<b>Sensitive Personal Data</b>	Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership  Genetic and biometric data  Data concerning health, sex life or sexual orientation

### 3. Personal Data that we collect, may process and what we may use it for

Most of the information we collect and process is given to us directly by you. This includes information that you provide us with over the telephone, email or any other medium. This includes all personal information that you have provided us with when you submitted your application and curriculum vitae and any other information and documentation you submitted to us during the recruitment process. We may also collect information on your behalf

in other ways such as where we conduct screening checks for safeguarding purposes or where we conduct visa monitoring and also where we receive your application from a recruitment agency acting on your behalf.

We may also collect personal data about you through our CCTV surveillance system (the "CCTV system" which we have installed outside and inside our premises at Queen Mary University of London Malta Campus, Triq I-Arcisqof Pietru Pace, Victoria, VCT 2520.

Signs are placed throughout our premises to inform you that CCTV is in operation. The CCTV system is capable of being monitored for 24 hours every day of the year. Cameras are monitored in the Control Room which is a secure area and accessible solely by authorized staff. All images captured by the CCTV System remain the property of QMUL Malta.

We can only use your personal data if we have a lawful reason for doing so. Under data protection laws we may process your personal data if you have given us your consent, or it is necessary:

- to comply with a legal obligation, or
- for the performance of a contract, or
- for our legitimate interests.

We process your personal data on the ground of legitimate interest when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

However, with respect to sensitive personal data we will only process such data upon your explicit consent or if one of the additional grounds set in the GDPR is met.

The table below sets out the types of personal data that we may process, for what we may use it and our legal bases, which are our reasons for processing:

<b>Activity</b>	<b>Personal data we may process</b>	<b>For what reasons we may use your personal data</b>	<b>Our legal bases</b>
Your application for a job at QMUL Malta	Curriculum Vitae, including all information provided therein:  Name, address, gender, date of birth  Contact details such as personal email address, mobile phone number  Applicant's qualifications and references  Applicant's Police Conduct Certificate  Special conditions (which may relate to disability, learning, specific learning difficulty, health issue)  Results of background checks including social media and to	Process and follow up on your job application	<b>For our legitimate interests:</b>  Satisfy our staffing requirements  Getting to know employees  Making sure any potential recruit is suitably qualified for the position.  <b>Performance of a contract:</b>  Taking the necessary steps at your request before entering into a contractual relationship with you.  <b>Consent:</b>

	<p>the extent permitted by law, criminal background checks.</p> <p>Any other data that you may provide to us through the application process.</p>		<p>You are providing us with your consent to process your personal data upon the submission of your personal data in the context of your application, which would include conducting necessary checks to satisfy our legitimate interests.</p> <p><b>Performance of a legal obligation:</b></p> <p>In satisfaction of our legal obligation to verify whether a candidate has the right to work in Malta.</p>
<p>Becoming an Employee of QMUL Malta</p>	<p>All the details listed above which you provided us throughout the application and recruitment process.</p> <p>Administrative and financial records about your employment at QMUL Malta.</p> <p>Other information or documentation which we may collect about you and/or which is in the public domain.</p>	<p>To identify and assess your suitability for a determined role.</p> <p>To administer your financial package and other employment matters.</p> <p>Maintaining staff records.</p> <p>To provide you with certain services and facilities and to monitor your use of these services and facilities, such as IT facilities.</p> <p>To communicate with you by any effective means including communications by email, phone, and post.</p> <p>To enable us to contact others in case of an emergency. In such instance, we assume that you have informed these contact persons indicated by yourself that you will be giving us their details.</p>	<p><b>Performance of contract:</b></p> <p>To administer your payroll and other employment matters relating to your employment at QMUL Malta, such as administration of annual leave and sick leave, performance, misconduct and disciplinary actions.</p> <p><b>Performance of a legal obligation:</b></p> <p>Compliance with relevant laws including employment, social security and tax laws.</p> <p>Complying with visa requirements</p> <p>Comply with our legal and regulatory obligations.</p> <p><b>For our legitimate interests:</b></p>

		Other purposes such as carrying out statistical analysis, prevent or detect crime, promoting our services and dealing with complaints.	<p>For security purposes including CCTV surveillance.</p> <p>To provide you with certain IT facilities.</p> <p>For quality assurance purposes.</p> <p><b>Consent:</b></p> <p>On the basis of the consent that you have provided us, where this is required.</p> <p>You are consenting us to process your personal data upon the submission of your personal data in the context of your application, which would include conducting necessary checks to satisfy our legitimate interests.</p>
CCTV System	Images of persons including employees captured through the use of CCTV cameras which are installed within and outside our premises.	Used for security and monitoring purposes of employees and students.	<p><b>For our legitimate interests:</b></p> <p>Keeping our students and employees safe and secure by preventing crime, preventing employee misconduct and, ensuring compliance with health and safety procedures.</p>

#### 4. With whom we share your data

We will share your personal data internally with the relevant staff at QMUL Malta, as well as, with any member of Queen Mary University of London. We do not share your data with third parties, except with the following persons and in the indicated circumstances:

- i. **service providers** - we may disclose your personal data to third party service providers that provide us with services. These include payroll service providers, cloud storage providers, website hosting providers, consultants and our legal service providers.
- ii. **other third parties** - where necessary and as required. These include Government Departments and Agencies such as, Jobsplus, the Malta Central Visa Unit and Identity Malta, the latter to assist you with your visa and immigration requirements in Malta.

We may also disclose your personal data in response to any requests made from law enforcement agencies, government entities or public authorities, to comply with court orders, to obtain legal remedies and/or limit our damages, to protect your rights as well as our rights and the rights of our employees and where we deem necessary or appropriate under applicable laws and regulations.

We may also share your personal data with other parties in the event of a corporate reorganisation and/or disposition of our business, such as potential buyers of all or part of our business.

## 5. Where your personal data is held

We hold your personal data at our offices and those of our third-party service providers as described in clause 4 above. Some of these service providers may be located outside the European Economic Area (EEA). Any such transfers will be processed in accordance with specific EU and Maltese data protection laws as also provided in clause 6 below.

## 6. Transfers of your personal data outside the EEA

Transfers of personal data outside the EEA are subject to specific EU and Maltese data protection laws.

## 7. Personal Data retention period

We will retain your personal data even after the completion of our services to you. We will need to keep your personal data after we have provided you with our services in order to comply with our record keeping requirements in terms of the law and to be able to respond to any questions, complaints or claims made by you.

For information about how long we hold your personal data, please refer to our Records Retention Schedule accessible at <http://www.arcs.qmul.ac.uk/governance/information-governance/records-management/records-retention-schedule/>.

CCTV Surveillance footage derived from the CCTV system will be retained for a period of seven (7) days, unless otherwise necessary for the purpose of an investigation, in which case it will be retained for a longer period.

We will not collect more data than we require or retain your data for longer than necessary to fulfil the purposes outlined in this notice.

## 8. Your rights with respect to your Personal Data

You have the following rights if you reside in the EU:

### Right of Access

The right to access and be provided with a copy of your personal data.

### Right to Rectification

The right to require us to correct any inaccurate personal data about you.

### Right to be forgotten

The right to require us to delete your personal data in certain circumstances.

### Right to restriction of processing

The right to require us to restrict processing your personal data in certain circumstances.

#### **Right to data portability**

The right to receive your personal data which you provided to us, in a structured, commonly used and machine-readable format and the right to transmit that data to another data controller in certain circumstances.

#### **Right to object**

The right to object to the processing of your personal data in certain circumstances which include continued processing of your data conducted for the purpose of our legitimate interests.

#### **Right not to be subject to automated processing**

The right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or significantly affects you.

Should you require any further information on each of the above rights or would like to exercise any of them, please contact us on [dpo-malta@qmul.ac.uk](mailto:dpo-malta@qmul.ac.uk).

### **9. Protecting your personal data**

We have implemented security measures to protect your personal data that we collect from being used or accessed unlawfully or accidentally lost. We only grant access to your personal data to those persons who have a genuine need to access it. Those processing your personal data are subject to the duty of confidentiality.

### **10. Complaints**

We would like to resolve any concern that you may have about the processing of your personal data directly with you. However, you have the right to lodge a complaint with a supervisory authority, in the EU state in which you work, reside or where the alleged infringement of data protection laws took place. The supervisory authority in Malta is the Office of the Information and Data Protection Commissioner which may be contacted at <https://idpc.org.mt/en/Pages/contact/complaints.aspx>.

### **11. Changes to this Privacy Notice**

We review this Privacy Notice on a regular basis and may consequently update it when required. If we make any material changes that may affect you, we will promptly provide you with a clear notice.

**Last updated on 18<sup>th</sup> January 2023**