**Legal Justifications for Processing – Staff Records**

The following table records the legal justifications for processing of staff personal data

| **Purposes of Processing** | **Article 6 (1)** | **Official Authority (2)** | **Legal obligation** | **Special Categories Article 9 (3)** | **Data Protection Act 2018 Schedule 1 Condition for processing(4)** |
| --- | --- | --- | --- | --- | --- |
| Absence management including sickness absence and annual leave | b |   |   | b,h, j | Sch.1, Pt.1, 2 – Health or Social care |
| Administration and provision of education and training | b,e | C3(a),(c),(y) & (z) |   |   |   |
| Administration of grants and research funding | b,e | C3(a)&(p) |   |   |   |
| Administration relating to staff and employment | b,c,e | S3,S9(6)(g) |   | b |   |
| Administration of visas and Home Office requirements | c |   | Complying with Home Office requirements underpinned by various pieces of legislation, the main one being the Immigration Act 1971 | b,g | Sch.1, Pt.2, 6(2) – Statutory and government purposes |
| Alumni events, including fund raising | b,e | C3(s) |   |   |   |
| Audit investigations | e | S7 |   |   |   |
| Compile records and statistics for research purposes, management information and to monitor equal opportunities policies | b,c,e | C3(a)&C18 | Equality Act 2010 | b,g,j | Sch.1, Pt.1, 4 – Research/Statistics; Sch.1, Pt.2, 6 – Statutory and government purposes, 8 – Equality of opportunity or treatment |
| Disclosure Scotland/Protecting Vulnerable Groups checks for relevant staff | c |   | Protection of Vulnerable Groups (Scotland) Act 2007 |  | Article 10 based on Sch.1, Pt.2, 10 – Preventing or detecting unlawful acts, 18 – Safeguarding individuals at risk; Sch.1, Pt.1, 1 – Employment, social security and social protection |
| Employers or potential employers of current or former staff | a |   |   |   |   |
| External debt collection agencies | e | C3(s) |   |   |   |
| External survey providers carrying out staff surveys | f |   |  | g | Sch.1, Pt.2, 8 – Equality of opportunity or treatment |
| Governance & Legal requirements | b,c,e | S9(6)(a) |  | b,g,j | Sch.1, Pt.1, 4 – Research/Statistics, Pt.2, 6 – Statutory; 18 – Safeguarding individuals at risk |
| Handling grievance matters, disciplinary cases, complaints and appeals | b,c,e | S17 |   | b,g,h | Sch.1, Pt.1, 2 – Health or Social care; Sch.1, Pt.2, 10 – Preventing or detecting unlawful acts, 11 – Protecting the public against dishonesty (including criminal convictions) |
| Identification checks and ID cards | b,e | C3(y) |  |  |  |
| Including contact details in academic publications or prospectuses/course material | a,b |   |   |   |   |
| Including staff details in directories and on the website | a,b,e |   |   |   |   |
| Liaising with HMRC and pensions providers | b,c,e | S9(6)(g)&C3(y) | Tax and pension laws | b,g | Sch.1, Pt.2, 21 – Occupational pensions |
| Maintaining contact with past employees | a |   |   |   |   |
| Maintenance/testing of information systems | b,e | C3(a)&(y) |  |   |   |
| Making external/statutory returns | c,e | C3(y)&(z) | Equality Act 2010, condition of funding | b,g,j | Sch.1, Pt.1, 4 – Research/Statistics, Pt.2, 8 – Equality of opportunity or treatment |
| Management and administration of University and privately-owned property (including accommodation services & car parking), | b,e,f | C3(n) |   |  g | Sch.1, Pt.2, 6 – Statutory |
| Management of University services such as computing, library, student accommodation, careers service, web, sports centre | b,e | C3(a)&(y) |   |   |   |
| Managing financial systems, budgeting, payments and receipts | b,e | S9(6)(a) |   |   |   |
| Managing HR processes e.g. salary and other payments, promotion, professional development reviews, workload allocation | b,e | C3(a),(l),S9(6)(g),S17 |   | b |   |
| Managing referrals to the Occupational Health and other support services | a,b,e | C3(y)&(z) |   | b,h | Sch.1, Pt.1, 2 – Health or Social care  |
| Monitoring compliance with the Equality Act 2010 | c |   | Equality Act 2010 | b,j | Sch.1, Pt.1, 4 – Research/Statistics  |
| Monitoring engagement | b,e,f | C3(c),(y)&(z) |  |  |  |
| Nomination and participation in award and accreditation schemes | f |  |  |  |  |
| Organising insurance | b,e | S9(6)(a) |   |   |   |
| Preventing and detecting crime e.g. by use of CCTV, including body worn cameras | b,e,f | C3(y)&(z)  |   | b,e |   |
| Provide advice and support on academic, pastoral and any relevant funding matters | b,e | C3(a),(p)&(y) |   |   |   |
| Providing information to professional bodies or sponsors e.g. the Law Society of Scotland, Scottish Social Services Council | b,e  | C3(k),(y)&(z) |   | b,j | Sch.1, Pt.1, 4 – Research/Statistics  |
| Publicity and marketing including the use of images and photographs | a |   |   |   |   |
| Recruitment of staff | a,b,e | S3(5)&(6) |   | a,b |   |
| Recording presentations and lectures (Listen Again) | b |  |  |  |  |
| Sports Centre Management System | b,f |  |  |  |  |
| Trade Union membership | a |  |   | a  |   |
| Transfer to other educational establishments or employers for the purposes of external study, placements or studying with partner institutions | b,e | C3(g),(h)&(k) |   | b,j  |  Sch.1, Pt.1, 4 – Research/Statistics  |

Notes:

1. The Article 6 references refer to the paragraphs in Article 6(1) of the EU General Data Protection Regulation (GDPR).
2. The Official Authority references refer to relevant articles and paragraphs of the University of Stirling Charter (C) and Statutes (S) which provide official authority for the University to carry out particular processes
3. The Article 9 references refer to the paragraphs in Article 9(2) of the EU General Data Protection Regulation and provide justifications for processing Special Categories of Personal data. Special Categories are defined in Article 9(1) of GDPR.
4. In accordance with Part 2 Section 10 of the Data Protection Act 2018 processing of special categories of personal data based on Articles 9(1)(g) need to meet a Schedule 1 requirement