

Privacy Notice

This document describes how and why we collect, store, protect, process and share personal information about you during and after your working relationship with West Berkshire Council. This privacy notice does not form part of any contract of employment or other contract to provide services, it exists so that we can be transparent about what data we will collect, what happens to it and why, and your rights. We may update this notice at any time.

Date of Issue: 23 May 2018

Update History:

Version 1	First issue of a new Privacy Notice

Directorate: Resources
Service: Human Resources
Team: HR Strategy and Operations

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

The Data Protection Officer for West Berkshire Council is:

James Gore AMBCS BA

Contact details can be found here: <http://info.westberks.gov.uk/dpofficer>

What data will we collect about you?

The Council collects and processes personal data relating to its employees to manage the employment relationship. In the case of contractors paid under IR35 and agency workers the Council collects and processes personal data in order to manage the contract for the services you provide.

The data the Council collects includes:

- your name, address and contact details, including email address and telephone numbers
 - your date of birth
 - your employment history with West Berkshire Council including job titles of positions held, start and end dates and the terms and conditions of your employment
 - information about your remuneration, including entitlement to benefits such as pensions and car allowances;
 - details of your education, qualifications, skills, experience and employment history, including start and end dates, with previous employers
 - details of any gaps in employment and details of any local government continuous service
 - details of whether you are a relative or a partner of, or have any close personal relationship with any employee or elected Councillor of the Council
 - details of your registration with or membership of any professional bodies required for you to be able to practice in your profession or meet the requirements of the role
 - photographs of you
 - details of your bank or building society account and national insurance number
 - details of any expense claims you make
 - details of deductions from pay such as tax, national insurance contributions, student loan repayments, court orders, trade union subscriptions
 - information about your marital status, next of kin, dependants and emergency contacts
 - information about your identity, nationality and entitlement to work in the UK
 - information about your criminal record where applicable to your role
 - details of your schedule (days of work and working hours) and attendance at work
 - details of periods of leave taken by you, for example holiday, sickness absence, dependents leave, and the reasons for the leave
 - details of any disciplinary, capability or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence
 - assessments of your performance, including appraisals, one to one supervision notes, performance improvement plans and related correspondence
-

- details of the training and assessments that you undertake
- information about medical or health conditions, including whether or not you have a disability for which the Council needs to make reasonable adjustments
- equal opportunities monitoring information, including information about your gender, whether you are married or in a civil partnership, ethnic origin, sexual orientation, religion or belief, health and disability
- where you drive on Council business/ have a lease car we will collect details of your driving licence and any driving offences that you incur
- information about your use of our ICT systems
- information obtained by electronic means such as your use of electronic pass card and use of e-learning

The Council will collect this information in a variety of ways. For example, data might be collected through application forms, obtained from your passport or other identity documents such as your driving licence, certificates, from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Council may collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

What will we use your data for?

The data we collect allows the Council to:

- run recruitment and promotion processes;
 - maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
 - operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
 - operate and keep a record of employee performance and appraisals.
 - operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
 - obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
 - operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Council complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
-

- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims
- maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Who will see your data?

Your information may be shared internally with authorised West Berkshire Council employees, including with members of HR and payroll, and members of recruitment panels where you apply for a new role or seek redeployment within the Council, your line manager, managers in the service area in which you work and IT staff if access to the data is necessary for performance of their roles.

The Council shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service and our Occupational Health provider to seek pre-employment medical checks. The organisation may also share your data with third parties in the context of a transfer of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Council also shares your data with third parties that process data on its behalf in connection with the provision of benefits, e-learning and the provision of occupational health services.

The Council shares your data with third parties where it is legally required to do so, such as to comply with requirements for statutory reporting or where it is required to report a dismissal to the Disclosure and Barring Service or to a professional body. We will not share your information with family members or friends unless you have given us permission to do so

Why do we do this?

The Council needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you and to facilitate administration of your pension.

In some cases, the Council needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check your entitlement to work in the UK, to deduct tax, to comply with health and safety laws, to enable you to take periods of leave to which you are entitled and to make statutory returns and make referrals to professional bodies or Government Departments where there is a legal requirement to do so.

In other cases, the Council has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Where the Council relies on legitimate interest as a reason for processing data it has considered whether or not those

interests are overridden by the rights and freedoms of applicants and have decided that they do not.

Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

You are under no obligation to provide any of the data listed, but a refusal to do so will clearly affect the ability of the Council to provide you with employment, manage your pay or perform any of the other usual functions and duties of an employer.

You can access information about your rights with respect to the data we collect below (see "Your Rights").

How long will your data will be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

How is your data stored and processed?

The Council takes the security of your data seriously. The Council has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees for legitimate purposes in the performance of their duties.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions or contracts, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Transfer overseas

Your data will not be stored or sent outside of the European Economic Area.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire
SK9 5AF

END

