

Employee Privacy Notice



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The Council collects and processes personal data relating to its employees to manage the employment relationship. The Council is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What personal data does the Council collect?

The Council collects and processes a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- The terms and conditions of your employment;
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Council;
- Information about your remuneration, including entitlement to benefits such as pensions;
- Details of your bank account and national insurance number;
- Information about your marital status, next of kin, dependents and emergency contacts;
- Information about your nationality and eligibility to work in the UK;
- Information about your criminal record (if applicable);
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, 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 Performance Development Reviews (PDR's) and ratings, performance improvement plans and related correspondence;
- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- Equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion (where this has been provided);
- Your photograph being taken for your security ID pass and use of your photograph on the Council's organisational structure tool (OrgPlus).

The Council may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; 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, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in your secure electronic HR casefile, in the council's HR management systems and in other IT systems (including the Council's email system).

Why does the Council process personal data?

The Council needs to process data to enter into an employment contract with you and to meet its obligations under that employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit and pension entitlements.

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 an employee's eligibility to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the Council has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the organisation 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, capability and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- 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, obligations under health and safety law as met, 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; and
- Respond to and defend against legal claims.

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

Where the Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion, this is done for the purposes of equal opportunities monitoring. Data that the Council uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to your personal data?

Your employment information including personal and or special category data will be accessed by those who have authorised, justified and or legal basis to do so.

Your information may be shared internally with authorised officers of the Council. This may include, but it is not limited to, your Line Manager, Senior Managers and Human Resources.

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 (DBS).

The Council also shares your data with third parties that process data on its behalf for payroll, the provision of benefits and the provision of occupational health services.

How does the Council protect your personal data?

The Council takes the security of your personal data seriously. All appropriate, technical and organisational measures are taken to ensure security of storage of and access to your data.

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

For how long will the Council keep your personal data?

The Council will hold your personal data for the duration of your employment plus an additional 40 years. You can ask to access, rectify or erase the personal data we have about you by contacting us.

Your rights

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request;
- Require the Council to change incorrect or incomplete data;
- Require the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- Object to the processing of your data where the Council is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the Woking Borough Council Data Protection Officer.

Email: dataprotectionofficer@woking.gov.uk
Tel: 01483 743030
Post: Peter Bryant, Data Protection Officer, Woking Borough Council, Civic Offices, Gloucester Square, Woking, GU21 6YL

If you believe that the Council has not complied with your data protection rights, you can complain to the Information Commissioner.

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.
Telephone: 08456 30 60 60 or 01625 545745 or visit the ICO Website.

What if you do not provide your personal data?

You have some obligations under your employment contract to provide the Council with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Council with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Council to enter a contract of employment with you. If you do not provide other information, this will hinder the Council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.