

## HR - PRIVACY NOTICE

The wording in this document reflects the requirements of the UK General Data Protection Regulations (UK GDPR).

### Data controller:

South Norfolk Council (SNC) and Broadland District Council (BDC) are data controllers for the purposes of the UK General Data Protection Regulations (UK GDPR) and associated domestic law.

For current staff and councillors, the primary Data Controller of your data is determined by the Council you have an employment contract with or the Council you are elected to. The primary controller may also share your data with the other council – instances of this are detailed elsewhere on this Notice. The Councils are committed to being transparent about how they collect and use that data and to meeting their data protection obligations.

In terms of individuals who apply for vacancies and are not successful and information processed in order to conduct staff surveys, the Data Controller is both BDC and SNC on a joint controller basis.

Address for the controllers is: The Horizon Centre, Broadland Business Park, Peachman Way, Norwich, NR7 0WF.

### What information do the Councils collect?

The Councils collect and process a range of information about you.

#### Basic & Contact details

- your name, postal address and contact details, including personal email address and telephone number;
- date of birth;
- gender;
- information about your nationality and entitlement to work in the UK (eg, passport, work permit, driving licence)
- A photo used on your HR system profile which is visible to all employees (should you chose to upload one)
- information on your next of kin, dependants and emergency contacts
- information sent and received from Councils' ICT equipment, including usernames and IP addresses;
- application form information gathered at recruitment stage.

#### Employment data, employment history, training details

- the terms and conditions of your employment
- details of your qualifications, skills, experience and employment history via references, including start and end dates, with previous employers and with the Councils, and any additional work undertaken on behalf of the Councils;
- information about your remuneration, including entitlement to benefits such as pensions, childcare vouchers, cycle to work scheme, eye-care;
- 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;

### Health, safety and wellbeing data

- medical information declared during new starter onboarding.
- relevant medical information or absence history during employment with the Councils may be submitted councils Occupational Health provider where professional medical advice is needed. This would require employee permission to obtain and release on every occasion.
- information about medical or health conditions, including whether or not you have a disability for which the Council needs to make reasonable adjustments.
- Details about health and safety incidents at work, including medical and health conditions that may be relevant.

### Payroll

- details of your bank account and national insurance number;
- details of your previous jobs and/or student loans to ensure tax codes are correct;
- details relating to deductions to be made from pay / allowance, including trade union subscriptions, political party membership, attachment of earnings order etc, if applicable.
- details of your vehicle (registration number, vehicle details) in order to process and pay mileage claims.

### Conviction data

- information about your criminal record, depending on your role and safeguarding requirements.

### Performance and Disciplinary

- details of any disciplinary or grievance procedures in which you have been involved during your employment, including any warnings issued to you and related correspondence, including any allegations and issues raised;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence.

### Information relating to monitoring.

- information about your performance and competency in undertaking your role, including analysis and review of data captured and recorded at meetings, during telephone / Teams calls etc.
- Information about your access to data held by us for the purposes of criminal enforcement if you are involved with this work.
- Information derived from monitoring IT acceptable use standards.
- Photos and CCTV images.
- Location and login details relating to the lone worker system.
- Information captured via staff surveys, including your opinions and views on various aspects of your job, work environment, organisational culture, job satisfaction etc (including lived examples to demonstrate these views).

### Information relating to councillors

- Basic personal data as outlined above.
- Information required for payroll, to pay your allowance and mileage claims as outlined above.

### Equal opportunities monitoring information (if provided – this is not mandatory)

- including information about your age, gender, marital status, ethnic origin, sexual orientation, gender reassignment status, disability and religion or belief.

Where necessary, your personal data may be shared between the Councils in the following circumstances:

- to investigate and resolve employee relation issues (grievances, disciplinary etc):
- to ensure equity across the One Team, employed by both Councils in terms of pay, equalities, etc
- to ensure your data can be processed on the HR and payroll system (outlined elsewhere on this Notice)

The Councils collect this information in a variety of ways. For example, data is collected through application forms, CVs; 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 (via the payroll master form); from correspondence with you; by the use of Councils' ICT equipment; or through interviews, meetings or other assessments.

In some cases, the Councils collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law. Information provided by the OH supplier in relation to an OH referral.

Data is stored in a range of different places, including in your personnel file, in the Councils' HR management system and in other IT systems (including the Councils' email system).

## **Why do the Councils process personal data?**

The Councils need to process data to enter into an employment contract with you and to meet its obligations under said 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. The lawful processing ground for this information is Article 6(1)(b) of the UK GDPR. Other processing is conducted under Article 6(1)(f) of the UK GDPR, including considering you for a post you apply for and conducting staff surveys.

The Councils process data in relation to councillors in order to pay their allowance, and any claims for mileage and subsistence. The lawful processing ground for this is Article 6(1) (f) of the UK GDPR.

In some cases, the Councils need to process data to ensure that they are complying with their legal obligations. For example, it is required to check an employee's entitlement 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. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question. The lawful processing ground for these tasks is Article 6(1)(c) of the UK GDPR.

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 or health conditions and for health and safety purposes), or to ensure support is available with consent for employees to access and therefore continue to fulfil their aforementioned employment contract. Information about trade union membership is processed to allow the Council to operate check-off for union subscriptions. The lawful processing ground for these tasks is Article 9(2)(b) of the GDPR. Where the Council 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.

Processing this data allows the Council to:

- ensure employees contract of employment can be fulfilled by the employer.
- run recruitment 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, analyse, review and keep a record of employee performance and related processes, to plan for career development, set objectives, 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;
- provide employees and managers with advice and guidance on HR related matters.
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities or health conditions, 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 and councillors 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;
- ensure our workforce, IT systems and premises are safe
- ensure that our workforce is compliant with corporate policies and procedures;
- respond to and defend against legal claims;
- protect public funds it administers
- maintain and promote equality in the workplace, and
- Monitor and improve the performance of services and build cases for change.

## **Who has access to data?**

Your information will be shared internally, including with members of the HR team (including payroll), those involved in recruitment of a post you have applied for, your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles. Data sharing will only take place where there is a requirement for action and or work requires it to be shared, and will only be shared with those interested relevant parties.

The Councils share 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. The Council also participates in the Cabinet Office's National Fraud Initiative to help with the prevention of fraud and to protect the public funds the Council administers. Occupational Health providers with employee permission as to obtain advice and information to support the employee. The Councils may also share your data with third parties in the context of a TUPE transfer. In those circumstances the data will be subject to confidentiality arrangements.

If you have a local government pension, the Councils will also share relevant information with the Norfolk Pension Fund to administer the pension scheme and AVC Wise who administer additional contribution to your pension;

The Councils also share your data with third parties that process data on their behalf, in connection with payroll, support of the HR administration system, the provision of benefits and the provision of occupational health services and recruitment function and for the prevention of fraud. Specifically, the Councils share your data with:

- HR Management System, Ciphre Live Chat payroll & expenses suppliers

- Ciphrr: to host data and provide support regarding the HR system (including Live Chat) and provide the payroll service
- Webexpenses & Buddy HR: to host basic personal details data (name, work email and vehicle detail) to allow for expenses and mileage claims to be created and submitted via a digital approval process. Webexpenses is integrated with CIPHR HR where payment for approved expenses is processed.
- Idox in relation to document storage
- In addition, if Broadland District Council is the Data Controller in respect of your data, this will be shared with South Norfolk Council in order to utilise the HR and payroll system and payroll services (which is overseen by South Norfolk Council). The lawful processing ground for this is Article 6(1)(b) & 6 (1) (f) of the UK GDPR.
- Occupational Health Supplier- PAM who provide the Council's Occupational Health function;
- Employee Benefits Platform- Sodexo are provided with your payroll number and date of birth to allow you access to the Reward packages which are open to the Council's employees only
- The Councils' Recruitment Portal Supplier- iRecruit, who host the Council's recruitment portal
- Ad-hoc payments and budgeting – Integra Centros
- Lone worker technology provider –TotalMobile, to monitor your location when working alone and following escalation, to contact emergency response.
- The Councils' Staff Survey Administration Supplier- WorkBuzz who run the staff surveys
- Disclosure and Barring Service for DBS checks (where appropriate for your role)
- The Cabinet Office's National Fraud Initiative, a data matching exercise to assist in the prevention and detection of fraud. We are required to provide particular sets of data to the Minister for the Cabinet Office for matching for each exercise, as detailed on [GOV.UK - National Fraud Initiative](https://www.gov.uk/national-fraud-initiative)
- various training providers in order to enrol you on relevant training sessions and courses.
- Health & Safety advice and management – Norfolk County Council
- Various additional data processors may be used on an ad-hoc basis to supply the Council with services to undertake functions detailed in this Notice

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

## How do the Councils protect data?

Your information will be kept strictly confidential. It will be stored in a secure, password-protected IT systems / data bases documents on the Councils' computer systems.

The Councils take the security of your data seriously. The Councils have 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 in the performance of their duties. The Councils have Data Protection policies to which they adhere to and systems which hold your data are password protected and only accessible to those employees who have a requirement to access it in line with the duties of their role.

Where the Councils engage third parties to process personal data on their 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.

## For how long do the Councils keep data?

Your personal information will be kept for as long as is detailed on the Councils' Retention schedules. In summary, this is as follows:

**Staff / successful applicants & Councillors** – the majority of information will be held for six years (plus current) after you leave the Councils' employment or cease to be a councillor. Some details such

emergency contact details will be destroyed 2 months following an employee's leave date, but full details are in the Councils' Retention Policy.

**Unsuccessful Applicants** – all your data collected as part of your application, and if applicable, interview process, will be destroyed one year after the recruitment has been finalised.

We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary, update these privacy notices.

## Your rights

You have a number of rights available to you, including the right to see copies of all the data held about you, to ask for it to be corrected or deleted, to request the Council to restrict what it does with your data in certain circumstances, to object to what the Councils may do with your data, and to data portability.

Please note that these rights are not absolute and there are circumstances where they do not apply or the Councils may override these rights, however, if this is the case you will be informed of this.

If you want more information you may contact the Councils' Data Protection Officer at [data.protection@southnorfolkandbroadland.gov.uk](mailto:data.protection@southnorfolkandbroadland.gov.uk)

If you believe that the Council has not complied with your data protection rights, you can complain to the Information Commissioner. You can find contact details via their website: [Contact us | ICO](#)

## What if you do not provide personal data?

You have some obligations under your employment contract to provide the Councils 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 Councils 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.

## Automated decision-making

Employment decisions are not based solely on automated decision-making.

## Changes to this notice

We may amend this privacy notice at any time so please review it frequently. The date below will be amended each time this notice is updated.

This notice was updated November 2024.