

1.0 Live)

EQUALITIES (PSSU) PRIVACY NOTICE

The wording in this document reflects the requirements of the General Data Protection Regulation (GDPR) effective from the 25th May 2018.

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| TCBC Service Area: | Public Services Support Unit |
| Work area: | Equalities, Cohesion and Community Safety |
| Contact Details: | Kate.Williams@torfaen.gov.uk |
| Privacy Notice Name: | Equalities (PSSU) |

Data controller:

Torfaen County Borough Council
C/o Civic Centre
Pontypool
NP4 6YB

Data Protection & Information Governance Officer:

Susan Bullock
01633 647467V.uk

1) Have we sourced your personal data, directly from you?

Yes

2) What information does the Council collect about you?

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

Our workforce (i.e. employees and potential employees)

The type of information we collect, use and analyse includes:

- Sensitive information relating to an employee’s protected characteristic such as their age, sex, disability, ethnicity and nationality, sexual orientation, religion or belief, gender identity, marital status, pregnancy and maternity.
- The department the employee works in and the salary grade they are paid.
- Training that people have attended.

1.0 Live)

This information is primarily held in the Council's Human Resources and Recruitment system and is classed as confidential.

Our citizens, residents and service users (i.e. the people who live in Torfaen, visit Torfaen, receive services from us)

The type of information we collect, use and analyse could include:

- Sensitive information relating to an individual's protected characteristic such as their age, sex, disability, ethnicity and nationality, sexual orientation, religion or belief, gender identity, marital status, pregnancy and maternity.
- Services individuals access, their opinions about the service and how it could be improved

3) The Council may collect this information in a variety of ways:

Workforce information is obtained:

- Direct from the employee – for example on IFOR, recruitment application forms, staff profile audit questionnaires, surveys, training feedback forms and via information provided to the Line Manager
- We also produce our own data – for example the Workforce Development Team analyse information from the Human Resources and recruitment system to produce reports.

Citizen, resident and service user information is obtained:

- Direct from the service user when they contact us or receive Council services
- If applicable, we may also get information from other sources, for example carers and parental guardians.

We store information within a secure IT database which is provided by Civica, which has ISO 27001 certification.

4) Why does the Council process your personal data?

Data Protection law says that we are allowed to use and share personal information only where we have a proper and lawful reason for doing so.

The lawful basis for processing personal information for equality and diversity information is: to undertake our official Council duties and to satisfy our legal obligations under the legislation: Equality Act 2010

1.0 Live)

The Council provides services for local communities and the people who live in them. Undertaking this work means that we must collect and use information about the people we provide services to and keep a record of those services. We must also know about the diversity of our employees to ensure we are supporting them effectively. Because we collect and use personal information about individuals we must make sure that they know what we intend to do with their information and who it may be shared with.

This privacy notice focuses on equality monitoring and reporting to help us fulfil our legal duties under the Equalities Act 2010. Equality and diversity work is important to us and elements are also covered in other privacy notices. For example, if a service user makes a complaint about a service in relation to a protected characteristic, this would be dealt with in line with our complaints procedure. Also, if you complain about a work related issue in relation to a protected characteristic, this would be dealt with by Human Resources.

The duties that we strive to meet under the Equality Act 2010 are referred to as public sector equality duties. To help meet these duties we undertake equalities monitoring as we need to identify and support residents, service users and staff with protected characteristics in terms of ensuring their needs are met, to tackle prejudice, promote understanding, encourage participation in public life, remove or minimise disadvantage. Data that the organisation uses for these purposes is anonymised or is collected with the express consent of the individual. Individuals are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Protected characteristics include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

To help us fulfil our legal obligations the Council has an Equalities, Cohesion and Community Safety Manager with the PSSU. The team supports the delivery of the equality and diversity agenda for the Council through provision of the Strategic Equality Plan, collation of data and reporting on our statutory duties under the Equality Act 2010. The function also provides operational day to day advice on a range of equality issues.

1.0 Live)

Services within the Council also collect and use equality and diversity information about service users in order to fulfil the Council's Public Sector Equality Duty, to make society fairer by tackling discrimination and providing equality of opportunity for all. The type of data services collect include whether you have a protected characteristic and:

- What services you use
- Whether our services meet your needs and your opinions on how they could be improved.

This is to ensure that we offer inclusive services that are used by everyone and meet the needs of all our residents.

5) Special categories of personal data:

We collect data relating to an employee's protected characteristic such as their age, sex, disability, ethnicity and nationality, sexual orientation, religion or belief, gender identity, marital status, pregnancy and maternity. Also, the department the employee works in and the salary grade they are paid.

- We also collect direct from the service user when they contact us or receive Council services. If applicable, we may also get information from other sources, for example carers and parental guardians.

We can process this category of data because:

Services within the Council collect and use equality and diversity information about service users in order to fulfil the Council's Public Sector Equality Duty, to make society fairer by tackling discrimination and providing equality of opportunity for all. The type of data services collect include whether you have a protected characteristic and:

- What services you use
- Whether our services meet your needs and your opinions on how they could be improved.

This is to ensure that we offer inclusive services that are used by everyone and meet the needs of all our residents.

6) Who has access to your data?

The above information is only used internally by the Council for the purposes mentioned above and is not shared with any other third party organisation for

1.0 Live)

equality and diversity purposes unless we are required to do so by law. Any reports generated by using this data are anonymised.

Is the Data transferred out of the EEA?

No

7) How does the Council protect data?

The Council has internal policies in place to ensure the data it processes is not lost, accidentally destroyed, misused or disclosed. Furthermore data is not accessed by employees except 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. These third parties are also under a duty of confidentiality and are obliged to implement appropriate measures to ensure the security of data.

8) How long does the Council keep your data?

The Council will hold your personal data only for the period that is necessary and will follow organisational and Local Authority standards in this area. We will keep your information in line with our Local Authority retention schedules.

We will only keep your personal information for as long as we need it, depending on the nature of the information. For example, if you are a member of an equality forum we only keep your data for as long as you are a member, if you are a member of staff we may keep your information for as long as you are employed by the Council.

9) Are we making automated decisions/profiling with your data?

No

Your rights

You have a number of rights you can exercise:

- access and obtain a copy of your data on request
- require the Council to change incorrect or incomplete data
- under certain circumstances you can require the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- to know the period of time that the data will be stored for
- the right to data portability

1.0 Live)

- the right to withdraw your consent at any time
- the right to lodge a complaint with a supervisory authority (Information Commissioners Office)
- the consequences of if you fail to provide data to the Council
- the existence of and automated decision-making, including profiling and the consequences of this for you.

If you would like to exercise any of these rights, please contact Public Services Support Unit, Kate.Williams@torfaen.gov.uk

1.0 Live)

DOCUMENT CONTROL

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REVISION HISTORY

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| May 2018 | 1.0 Live | Form created to achieve GDPR Compliance | Sue Bullock |
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