

## **PN003 – HUMAN RESOURCES PRIVACY NOTICE**

Torfaen County Borough Council is committed to protecting your privacy when you use our services. This Privacy Notice is designed to give you information about the data we hold about you, how we use it, your rights in relation to it and the safeguards in place to protect it.

<b>TCBC Service Area:</b>	Resources Directorate
<b>Work area:</b>	Human Resources & Employee Services
<b>Contact Details:</b>	Tina Hulme, Head of HR Tel: 07939 536717 Email: <a href="mailto:tina.hulme@torfaen.gov.uk">tina.hulme@torfaen.gov.uk</a>
<b>Privacy Notice Name:</b>	Human Resources

### **Data Controller:**

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

If you wish to raise a concern about the handling of your personal data, please contact the **Data Protection Officer** using the details below:

**Tel: 01495 762200**

**Email: [dpa@torfaen.gov.uk](mailto:dpa@torfaen.gov.uk)**

Torfaen County Borough Council collects and processes personal data relating its employees to manage the employment relationship. When individuals apply to work for the Council, we will only use the information they supply to process their application and to monitor equal opportunities statistics. Once a person has taken up employment with the Council, we compile a personnel file relating to their employment. The information contained in this is kept secure and will only be used for purposes directly relevant to that employment.

### **1) Who provides your data to the Council?**

The personal information we process is provided to us directly by you.

### **AND**

We receive personal information indirectly from other areas of the Council and third party organisations.

We will only seek information from third parties once a job offer has been made and you have given your consent on the application form to do so.

## **2) How does the Council collect this information:**

The Council collects this information in a variety of ways, including:

- application forms
- Identity documents
- forms completed during employment
- correspondence – email and letter
- interviews – face to face and virtual
- meetings – face to face and virtual
- telephone conversations
- assessments.
- references from former employers
- background check providers
- criminal record checks.
- Video conference / meetings (including transcription if used for minuting purposes)

## **3) What information does the Council collect about you?**

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

- Name
- contact details including address, phone number and email address
- date of birth
- gender
- employment terms
- qualifications
- employment history
- remuneration details such as bank account information
- national insurance number
- marital status
- benefits
- pension
- any applicable insurance cover
- information about your nationality
- criminal record
- work schedule
- leave/absence

- disciplinary procedures
- performance
- health conditions
- equal opportunities monitoring
- next of kin and emergency contacts
- vehicle details
- driving licence details

#### 4) **Why does the Council process your personal data?**

Under Article 6 of the UK General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

- (b) We have a contractual obligation.
- (c) We have a legal obligation.
- (e) We need it to perform a public task.

The Council processes data to fulfil employment obligations, such as issuing contracts, processing payments, and administering benefits. Legal obligations include verifying the right to work in the UK, deducting taxes, and complying with health and safety regulations.

#### **Data Usage**

We use your data to:

- Manage recruitment, employment, and promotion processes.
- Communicate with you regarding employment matters, for example training opportunities, recruitment and employee welfare information
- Maintain accurate employment records and contact details.
- Operate disciplinary and grievance processes.
- Plan for career development and workforce management.
- Manage absence and leave procedures.
- Obtain occupational health advice and comply with health and safety laws.
- Provide references.
- Communicate with you via phone, email, face to face and virtual meetings.
- Assess your performance, such as appraisals, performance reviews, performance improvement plans and related correspondence.
- Assess disabilities for which the Council needs to make reasonable adjustments.

#### 5) **Special categories of personal data:**

We collect the following special category data:

- personal data revealing racial or ethnic origin
- personal data revealing political opinions
- personal data revealing religious or philosophical beliefs
- personal data revealing trade union membership
- data concerning health
- data concerning a person's sex life
- data concerning a person's sexual orientation

Some of these special categories of personal data may be processed to carry out employment law obligations (e.g. health data for which the Council needs to make reasonable adjustments).

Where the Council processes other special categories of personal data such as information about ethnic origin, sexual orientation or religious belief for the purposes of equal opportunities monitoring, this Data will be anonymised. Employees are entirely free to decide whether to provide such data and there are no consequences of failing to do so.

Employees may also choose to provide special category data for other purposes (e.g. profile within the self-serve portal, next of kin etc) however this is not mandatory as part of the recruitment process or ongoing employment relationship.

We collect this under Article 9 of the UK GDPR.

## **AND**

For some roles, the Council is obliged to seek information about criminal convictions and offences. Where the Council seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

Where we collect criminal data, this is processed within the Council under Article 10 of the UK GDPR.

## **6) Who has access to your data?**

Your data is shared internally only with the appropriate staff where it is necessary for the performance of their roles, and externally with third parties for pre-employment references, background checks, training, and pension administration. We ensure that third parties comply with confidentiality and data protection requirements.

Your data may also be shared externally with:

- third parties who provide in-house training courses.
- third parties in relation to the Occupational Pension schemes, administered by the Greater Gwent Pension Scheme and Teachers Pensions.
- third parties in the context of a sale of some or all its business. In those circumstances the data will be subject to confidentiality arrangements.

Apart from where previously stated, we do not pass your details to third parties unless we are lawfully required do so.

**Is the Data transferred out of the UK?**

No

**7) How does the Council keep your data secure?**

The Council has internal policies in place to ensure the data it processes is not lost, accidentally destroyed, misused or disclosed. Access to this data is restricted in accordance with the Council's internal policies and in compliance with the UK GDPR.

- Data is stored securely in our HR management systems and other IT systems (including the Council's email system).
- Paper copies are kept in a secure environment and destroyed securely.

Where the Council engages third parties to process personal data on its behalf, they do so based on 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. At the end of the retention period the Council will securely destroy or dispose of the data in line with retention schedules.

- The Council will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in our retention policy.
- Personal information about unsuccessful candidates will be held for six months after the recruitment process has been completed

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

No

## **Your rights**

You have a number of Rights you can exercise:

- Access - to obtain a copy of your data on request
- Rectification – to require the Council to change incorrect or incomplete data
- Object, Restrict or Delete - 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
- Data portability – to receive and/or transmit data provided to the Council to other organisations (this applies in limited circumstances)
- Withdraw your consent at any time (where consent has been given)
- To know the consequences of failing to provide data to the Council
- To know the existence of any Automated Decision-making, including profiling, and the consequences of this for you.
- To lodge a complaint with a supervisory authority (Information Commissioners Office)

If you would like to exercise any of these rights, please contact: Angela Rogers, HR and Learning and Development Manager:

Email: [angela.rogers@torfaen.gov.uk](mailto:angela.rogers@torfaen.gov.uk)

Tel: 01495 742567

The Information Commissioner can be contacted at: The Information Commissioner's Office (Wales), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone 0330 414 6421 or e-mail [Wales@ico.org.uk](mailto:Wales@ico.org.uk).

