

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

TCBC Service Area:	Resources Directorate
Work area:	Strategic Human Resources & Employee Services
Contact Details:	Tina Hulme, Head of HR Tel: 01495 762200 Email: tina.hulme@torfaen.gov.uk
Privacy Notice Name:	HUMAN RESOURCES PRIVACY NOTICE

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

Torfaen County Borough Council collects and processes personal data relating 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.

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. Personal information about unsuccessful candidates will be held for six months after the recruitment process has been completed, it will then be destroyed securely.

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

Yes

2) What information does Human Resources collect about you?

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 or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- 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 or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews 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 Council needs to make reasonable adjustments;
- whether or not you have a disability for which the Council needs to make reasonable adjustments during the recruitment process; and
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation, health and religion or belief.

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

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

The Council may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal record checks permitted by law. The Council 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.

We will store your data:

Data will be stored in a range of different places on a secure network in the Council's HR management systems and in other IT systems (including the Council's email system) and will include your application record and employment record. Access to this data is restricted in accordance with the Council's internal policies and in compliance with GDPR. In instances where we are required to provide paper copies these are kept in a secure environment then securely destroyed.

4) Why does the Council process your personal data?

The Council needs to process data to take steps prior to and when entering into a contract of employment with you 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 in accordance with your employment contract and to administer occupational pension payments and insurance 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 entitlement to work in the UK before their employment starts, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

The Council has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the Council to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Council may also need to process data from job applicants to respond to and defend against legal claims.

The Council may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

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

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.

The Council will not use your data for any purpose other than the recruitment exercise for which you have applied.

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 Council to:

- run recruitment and promotion processes;
- communicate with you in relation to employment matters, for example training opportunities, recruitment and employee welfare information;
- 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 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, 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; and
- respond to and defend against legal claims.

5) Special categories of personal data:

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). Criminal Record checks will also be carried out where it is a requirement for the role being undertaken.

Where the Council processes other special categories of personal data such as information about ethnic origin, sexual orientation or religion or belief, 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.

We can process this category of data because:

It is necessary to fulfil the obligations of the controller and data subject.

6) Who has access to your data?

The Council will 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.

Your data may be shared internally with members of the HR and Employee Services teams (including payroll), 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. Your data may also be shared with third parties who provide in-house training courses.

Data will also be shared with third parties in relation to the Council's Occupational Pension scheme which is administered by the Greater Gwent Pension Scheme.

The Council may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

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 security of 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 for the duration of your employment. The periods for which your data is held after the end of employment are set out relevant retention periods.

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

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

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;
- 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; and
- 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 Angela Rogers, HR Manager by emailing angela.rogers@torfaen.gov.uk or by telephoning 01495 742567.