

Staff Employment and Development Privacy Notice

Introduction

This privacy notice explains how the Council uses personal data to effectively manage our relationship with our employees and former employees as well as to meet our obligations as an employer.

We may update this notice from time to time. It is important that you read it and any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under data protection legislation.

There are several additional privacy notices relating to specific aspects of employment with the Council, which can be found below:

- [DBS Checks](#)
- [Pension Scheme](#)
- [Recruitment](#)

Agency Staff are employed by their agency through NCC's managed service provider, Reed, whose privacy notice can be found [here](#).

Some members of staff may also be service users. NCC processes information on all service users in accordance with the privacy notice published for those services. Details of these can be found on the [Council's Privacy Statement page](#).

Who will be using your data?

Nottinghamshire County Council will be the data controller for the data you provide to us.

We may also contract third party organisations to process your data on our behalf (e.g. suppliers of business systems such as our Business Management System).

What personal data do we use?

- **Personal details** (such as name, address, date of birth, National Insurance number, bank accounts details, HMRC tax code and contact details including home address, email address and telephone number).
- **Details of all payments made to you** in respect of salary, additional payments e.g. overtime payments, deductions, tax, NI and statutory payments

such as sickness and maternity/paternity. This will include records of statutory documents issued to you such as P60 and P11D.

- **Pension scheme details** and records of employee and employer contributions
- **Records of any other financial arrangements** related to employment such as loans, expenses etc
- **Details of job roles** held with NCC including salary, allowances, hours and days worked and dates of employment.
- Information from the **recruitment process** including your application form, references, copies of documents confirming right to work in the UK and confirmation of the completion of other statutory checks.
- **Details of criminal record checks** (Disclosure and Barring checks) where applicable to your job role
- Information relating to **ongoing or repeat checks** to meet statutory or contractual requirements to confirm continued suitability for employment including right to work in the UK, driving licence validity, professional registration and criminal record checks.
- **Equalities monitoring information**, including information about your age, gender, marital status, ethnic origin and disability status.
- **Performance information** such as EPDRs
- **Absence information** including holidays, sickness, maternity and paternity leave, special leave, unpaid leave etc...
- Information related to **management of the employment relationship** such as records of sickness (Return to work, Trigger meetings etc), grievance, disciplinary, redeployment or other proceedings.
- **Records of changes to personal details** and terms and conditions of employment
- **Records relation to leaving employment** with NCC including resignation, retirement, dismissal. Redundancy and TUPE processes including all associated payments and P45 records
- **Induction and training** records
- **Health and safety** information such as accident records
- **Pre-employment** medical declarations, assessment and implementation of adjustments to workplace/duties, health records or as a result of referrals during employment.
- During the course of your employment with NCC, use of Council equipment and premises may result in the collection of other data and this includes –
 - Dialed telephone numbers and the date, time and duration of incoming and outgoing calls
 - Website visited, including dates, times of visit
 - Emails sent and received including dates, times, subject, recipient and sender
 - Your GPS location, where you are using the Peoplesafe lone worker device or application on you mobile phone (see also [Peoplesafe privacy policy](#))
 - Details of any media files stored on the Council's network

- The use of USB devices.
- System login times and details of activity undertaken within systems such as BMS
- Door entry systems recordings
- CCTV footage

More details can be found at [ICT Security](#)

What types of special category personal data may we need from you?

- Information about medical or health conditions, including sickness absences and whether or not you have a disability for which the Council needs to consider reasonable adjustments.
- Biometric data is required for some colleagues to access Council bank accounts.
- Details of Trade Union Membership.
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, religion and belief (where you chose to provide it).
- We also process data about your criminal record.

Why do we use your data?

- To effectively manage the relationship between us (for instance to ensure you are paid correctly and receive the correct employee benefits; to make voluntary deductions from your pay in respect of Trade Union membership etc)
- To maintain accurate and up-to-date employment records, including training and apprenticeship records
- To enable us to meet our obligations and ensure compliance with the law and our policies and procedures (e.g. health and safety etc)
- To undertake service planning, organisational change or transfer services to third party providers
- To maintain and promote equality in the workplace.
- To prevent and detect crime or fraud
- To ensure effective general HR and business administration

What legal reasons allow us to use your data in this way?

The Council needs to process your data in order to:

- enter into an employment contract with you (e.g. to pay you).
- meet our legal obligations (e.g. to deduct tax).
- protect your vital interests (e.g. if you become seriously ill at work and information needs to be disclosed to the emergency services)

- process data in the public interest (e.g. when concerns are raised under our Whistle-Blowing Policy or in relation to safeguarding children and vulnerable adults)

Our legal basis for processing your special category personal data is:

- for the Council to carry out our legal obligations or exercise specific rights in the field of employment law, including defending legal claims.
- to protect your vital interests
- where there is a substantial public interest
- where you have given explicit consent. This will be in certain, limited circumstances (e.g. for us to obtain an Occupational Health Report about you).

Who may we share your data with or receive it from?

It may be necessary for us to collect or share your personal data from / with other organisations / partners. These include:

- Employment-related benefits providers and other third parties in connection with your benefits (such as pension trustees)
- Occupational health services and employee benefits providers
- Consultants and professional advisors including legal advisors and accountants
- Courts, court-appointed persons/entities, receivers and liquidators;
- Organisations with whom the Council is transferring some or all of its business or is engaged in a joint venture with
- Trade Unions
- Professional bodies
- Insurers and auditors
- Other publicly available sources
- Governmental departments and other statutory bodies including the Police, Department for Work & Pensions and Her Majesty's Revenue and Customs (HMRC).
- Regulatory bodies including Ofsted, the Care Quality Commission and the Information Commissioner's Office

We may also share your personal data with third parties, as directed by you.

Sometimes we need to disclose your personal data to third parties where they have legitimate reason for the information and we have a legal basis to disclose it.

May personal data be transferred overseas?

The Council may for operational purposes transfer personal data overseas. In these cases, we will ensure that your personal data is protected and there are safeguards

for the protection of your rights. Please refer to the [County Council's privacy statement](#) for further details.

How long is your data kept for?

We will hold your personal data during your employment and after the end of employment. We the length of time we retain is set out in our [Retention Schedule](#). The law may specify the minimum amount of time we have to retain certain information.

What will happen if you do not provide or we cannot obtain the data needed?

You have some obligations under your employment contact to provide NCC with data. You may also have to provide NCC with data in order to exercise your statutory rights, for example in relation to statutory leave entitlements. If you do not provide the required data it 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 NCC to enter into a contract of employment with you. If you do not provide certain information it may hinder NCCs ability to efficiently administer the rights and obligations arising as a result of the employment relationship.

Does the service make decisions using fully automated processes?

No automated decisions are made by the Council using the personal data you provide under the matters covered by this privacy notice.

What rights do you have over this use of your data?

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

- To be informed about how we use your data
- To access an obtain a copy of your personal information – see [Request personal information](#)
- To have us change incorrect or incomplete data
- To restrict our processing of your personal data
- To object to the use of your data
- To have your personal data erased
- To request that we transfer your information to you or another organisation
- To object to fully automated decision making
- To withdraw your consent (if it is the legal reason why we use your data).

Some of these rights are subject to exceptions. Please refer to the [County Council's privacy statement](#) part 10 for further details.

Your duty to inform us of changes

It is important that the personal information that we hold about you is accurate and current. Please keep us informed if your personal information changes, for example your name, your home address during your working relationship with us.

If you are a BMS ESS user, please logon to [BMS](#) where you can make changes to the following –

- Home Address
- Bank information
- Personal Data
- Additional Personal Data

If you are member of the Nottinghamshire Local Government Pension Scheme, please complete the online [change of details form](#).

Contact the Data Protection Officer:

If you have any concerns about how the Council is using your data, you can contact the Council's Data Protection Officer by writing to:

DPO@nottsc.gov.uk

Or

Data Protection Officer
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

Please see the County Council's privacy statement for further information:

<http://www.nottinghamshire.gov.uk/global-content/privacy>

Contact details of the Information Commissioner's Office:

If you are unhappy with how your data has been processed by the Council or you feel your data protection rights have been breached, you have the right to complain to the Information Commissioner's Office at:

www.ico.org.uk

Or

Wycliffe House
Water Lane
Wilmslow
SK9 5AF