

# Privacy Notice Employment

for prospective, current or former employees



North East Lincolnshire Council is committed to being transparent about how it collects and uses personal data to meet its data protection obligations. This privacy notice explains how we (The HR People) a shared service with North Lincolnshire Council use any personal and sensitive personal information we collect about you in relation to your prospective, current or former employment with us. We will at all times process your personal data fairly and lawfully in accordance with the requirements of the Data Protection Act / General Data Protection Regulation.

We take the security of your personal data very seriously, and have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is accessed by only those authorised to do so in the performance of their duties.

PERSONAL DATA means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

SPECIAL CATEGORIES OF PERSONAL DATA relates to racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

It is important that the information contained in our records is both accurate and current. If your personal data happens to change during the course of your employment, please keep us informed of such changes. This can be done by updating your personal details on iTrent, or if you do not have access to our ICT network by contacting your line manager.

<b>Data Controller</b>	North East Lincolnshire Council
<b>Our contact details:</b>	<p>Human Resources, Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU</p> <p>Email: <a href="mailto:customer.requests@nelincs.gov.uk">customer.requests@nelincs.gov.uk</a></p> <p>Please Note: Our email system will not accept any email attachments exceeding 2 Mb in size.</p> <p>Telephone: 01472 325973</p> <p>Opening times: Monday to Thursday 8:30am to 5pm, Friday 8:30am to 4:30pm except bank holidays</p>
<b>The purpose we are processing your personal data for is</b>	<p>Your personal data is collected, used and disclosed as part of our business purposes, to establish, manage or terminate your employment with the Council, including but not limited to:</p> <ol style="list-style-type: none"> <li>1. determining eligibility for initial employment, including the verification of references and qualifications;</li> <li>2. carrying out checks with the Disclosure and Barring Service;</li> <li>3. administering pay, allowances, benefits and deductions;</li> <li>4. providing information to our pension scheme providers for the administration of your pension</li> <li>5. processing requests for family, adoption, maternity, paternity, shared parental, miscellaneous and other leave;</li> <li>6. processing employee work-related claims (i.e. insurance claims, industrial injury claims etc.);</li> <li>7. establishing training and/or development requirements;</li> <li>8. conducting performance reviews and determining performance requirements;</li> <li>9. assessing qualifications for a particular job or task;</li> <li>10. managing and supporting occupational health activities including health surveillance, management referrals, ill health retirement applications, handling health claims and new starter screening;</li> <li>11. gathering evidence for disciplinary action or termination;</li> <li>12. establishing a contact point in the event of an emergency (such as next of kin);</li> <li>13. complying with employment law and other legal duties;</li> <li>14. for the purpose of meeting transferee/transferor obligations under TUPE legislation;</li> </ol>

	<p>15. compiling staff directories; and</p> <p>16. such other purposes as are reasonably required by the Council.</p>
<b>The source of the personal data we hold</b>	<p>Personal data relating to you will be received from a wide range of sources to support your recruitment, employment, training and pension activities. The main source of personal data will be yourself, but we will also receive personal data from your family members, referees, other workers, educators and examining bodies, health professionals, partner agencies, Pension Schemes, the Disclosure and Barring Service, Courts and law enforcement bodies, HM Revenue and Customs.</p>
<b>Using your personal information for other purposes</b>	<p>We will not process your personal data for any other purpose than that for which it was collected, without first providing you with information on that other purpose and seeking your consent if applicable; except where we are required to disclose your personal data in accordance with legislation for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings, referral to regulatory bodies, or to protect the interests of you or another.</p>
<b>Organisations acting on our behalf to process your personal data</b>	<p>When we engage a third party to process your personal data on our behalf, we obtain sufficient guarantees to ensure that they only process your personal data in accordance with our written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security your personal data. The following organisations are acting on our behalf:</p> <ol style="list-style-type: none"> <li>1. Edenred for the processing of Childcare Vouchers.</li> <li>2. Engie for the processing of Employee Parking Permits.</li> <li>3. Halfords for the Cycle to Work scheme.</li> <li>4. Tusker for the salary sacrifice scheme for cars.</li> <li>5. Roxton OHL for Occupational Health Services.</li> </ol>
<b>The fair and lawful basis we are processing your personal data on is</b>	<p><b>Processing basis 1:</b> Processing is necessary in order to meet our duties as an employer (Article 6 1 c compliance with a legal obligation and Article 9 2 b carrying out obligations and exercising specific rights in relation to employment).</p> <p><b>Processing basis 2:</b> Processing is necessary for the performance of the contract of employment or in order to take steps at your request prior to entering into a contract of employment (Article 6 1 b).</p>

	<p><b>Processing basis 3:</b> You have consented to the processing of your personal data for one or more specific purposes (Article 6 1 a and 9 2 a), this will include providing references to prospective employers, financial bodies, mortgage providers, housing associations or landlords at your explicit request.</p> <p><b>Processing basis 4:</b> Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of working capacity of the employee, medical diagnosis, the provision of health or social care of treatment or the management of health or social care systems and services (Article 9 2 h).</p> <p><b>Processing basis 5:</b> For criminal conviction information (obtained via the Disclosure and Barring Service (DBS)) processing meets the requirements of Article 10 of the GDPR under Schedule 1, Part 1 of the Data Protection Act 2018 - processing in connection with employment, health and research - Processing necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law, social security law or the law relating to social protection.</p> <p><b>Processing basis 6a:</b> Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 1 e);</p> <p><b>Processing basis 6b:</b> Processing of special categories of personal data is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (Article 9 2 g).</p>
<p><b>Am I required to provide the Council with my personal data</b></p>	<p>You are required to provide the minimum personal data necessary for us to manage your employment application and if successful your employment with us. Failure to provide the minimum necessary personal data we require could prevent us offering you employment or impact on your pay and conditions.</p>
<p><b>Does the Council's</b></p>	<p>No</p>

<p><b>processing of my personal data involve automated decision-making, including profiling?</b></p>	
<p><b>Can I withdraw my consent for processing</b></p>	<p>You can withdraw your consent for the processing of your personal data at any time if that processing is on the sole basis of your consent (Processing basis 3).</p>
<p><b>Who we will share your personal data with</b></p>	<p>For the performance of the employment contract and in order to fulfil our statutory responsibilities, the Council is required to transfer personal data to third parties, including:</p> <ol style="list-style-type: none"> <li>1) HM Revenue and Customs;</li> <li>2) Pension Scheme Providers;</li> <li>3) Health and Safety Executive;</li> <li>4) Healthcare, social and welfare professionals and organisations;</li> <li>5) The Disclosure and Barring Service;</li> <li>6) Central Government Departments;</li> <li>7) Financial organisations;</li> <li>8) Educators and Examining bodies;</li> <li>9) Professional Bodies;</li> <li>10) Law enforcement agencies and bodies;</li> <li>11) Courts and Tribunals;</li> <li>12) Legal representatives;</li> <li>13) Ombudsman and Regulatory bodies;</li> <li>14) Service providers;</li> <li>15) Debt collection and tracing agencies;</li> <li>16) Trade Unions;</li> <li>17) Licensing authorities; and</li> <li>18) Transferee employers (TUPE).</li> </ol> <p>We will also disclose personal data to third parties when you have given your explicit consent, including:</p>

	<p>19) Credit Reference Agencies;  20) Mortgage Providers, Housing Associations and landlords; and  21) Prospective employers for purposes of providing references.</p> <p>Colleagues may share your professional data, such as name, job title and work contact details with residents or external organisations where it is appropriate to your role and duties. This may include publishing name, job role and contact details online where appropriate.</p> <p>You may be named or otherwise identified in committee reports and other published materials in the course of your work for the Council.</p> <p>Information about senior officers is published online to meet Local Government Transparency obligations or in response to Freedom of Information requests. This may include your job title and details of remuneration.</p> <p>We may disclose your personal data during emergency situations or where it is necessary to protect the safety of you or another person or group of persons.</p> <p>Your personal data may be disclosed to law enforcement bodies where it is necessary for investigations or the prevention or detection of crime.</p> <p>To support TUPE arrangements the minimum necessary personal data and special categories of personal data will be passed to the new employer transferee.</p>
<b>Transfers of personal data to a third country</b>	Personal data is not routinely disclosed or transferred outside of the UK.
<b>How long we will retain your personal data for</b>	<p>We endeavour to only retain your personal data for as long as is necessary to meet legal and business obligations.</p> <p>Details of our retention periods for employment related data can be found on the intranet in the Human Resources section of our retention schedule, or on request from the Data Protection Officer.</p>



<p><b>What are my rights in relation to my personal data?</b></p>	<p>You have the right to access the personal data we hold about you; to request we rectify or erase your personal data; to object to or restrict processing in certain circumstances; to not be subject to a decision based solely on automated processing and a right of data portability in certain circumstances.</p> <p>When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. In the event that we cannot provide you with access to your personal information, we will endeavour to inform you of the reasons why, subject to any legal or regulatory restrictions.</p> <p>Further information can be found on our website: <a href="https://www.nelincs.gov.uk/council-information-partnerships/information-governance/data-protection/">https://www.nelincs.gov.uk/council-information-partnerships/information-governance/data-protection/</a></p>
<p><b>Who can I complain to?</b></p>	<p>In the first instance please contact The HR People as shown above, and if following that you remain dissatisfied with how we have processed your personal data you can contact the Data Protection Officer to request an internal review.</p> <p>If you are dissatisfied with the outcome of the internal review, you have the right to appeal directly to the Information Commissioner for an independent review. <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a></p>
<p><b>Contact details for our Data Protection Officer</b></p>	<p>Paul Ellis</p> <p>Email: <a href="mailto:Transparency@nelincs.gov.uk">Transparency@nelincs.gov.uk</a></p> <p>Telephone: 01472 323372</p> <p>Postal: North East Lincolnshire Council, Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU</p>

Last updated 01/03/2021