

Reading Borough Council

Employee Privacy Notice (compliant with GDPR)

Reading Borough Council's HR and Organisational Development department collects and processes personal data relating to its employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

How do we collect information from you?

- Job application forms submitted online, by email or post;
- HR Forms (starters, changes and leavers) submitted by new and current employee and managers online, scanned, by email or hard copy;
- HR Forms submitted by schools, scanned, by email or hard copy;
- Agency - pro-forma containing worker information via 3rd part online system or email form for off-framework agencies;
- Data gained during the processing of DBS applications online and hard copy;
- Information gained during the management of employment processes - emails, letters, notes of interviews and meetings, evidence as part of case work, reports - by hard copy, recordings, CCTV and electronic;
- Occupational Health - screening form, online pre-employment form, management referral form, scanned, by email and hard copy;
- Personal data supplied by the employee via an online system supplied by third parties delivering various employee benefits;
- Verbally from employees to confirm identity when calling HR with personal queries
- Secure Access for teachers - any other 'invisible processing'; and
- Validation information e.g. for TUPE transfers
- When applying for and attending training activities
- Personal data is supplied by the individual employee via online forms, emails, paper documents including bank account details, P45s, pensions history, Trades Union membership;
- Personal data supplied via 3rd parties electronically and/or hard copy - pensions providers, AVC provider, HMRC, HM Courts and Tribunal Service, Contributions Agency, the Council's employee benefits providers including Sodexo and NHS Fleet Solutions, Trades Unions (GMB and Unison);
- iTrent HR Systems - Absences (hosted by Midland, a 3rd Party provider);
- HMRC notifications are uploaded directly into the HR System;
- Health and Safety;
- Online accident/incident report forms; and
- Paper forms sent by schools and internal council services.

How we use the information provided by you

The information provided to us by employees in the ways listed above, is used in the following ways:

- Application forms - to assess applicants for shortlisting and appointment and to determine suitability for employment at the outset and ongoing;
- Contact details - to communicate with employees;
- Employment Records - respond to queries, record employment history;
- Pay data - to enable processing of salary and other payments;
- Pensions - to enrol with the Local Government Pensions Scheme (LGPS);
- To manage employees through the employee lifecycle - joining, probation, employment history, job transfers, processes such as capability, disciplinary, grievance, whistleblowing, absence management, restructuring, salary changes, retirement, termination, transfer to organisations (TUPE);
- Equalities Data (date of birth, gender, ethnic origin, disability, sexual orientation, religion, belief, marital status) - used to create a profile of the organisation, monitor recruitment process, monitor for casework; and
 - *Where equalities data is used for reporting, it is always anonymised.*
 - To assess an employee's application for specific benefits e.g. Childcare Vouchers;
 - To confirm identity; and
 - To support pre-employment checking
 - All associated payroll processing including payments for various absences;
 - Pension scheme contribution and entitlements administration;
 - Managing all calculations and processing of deductions from pay;
 - Health and Safety; and
 - Accident investigation and reports.
 - For the individual's record of learning
 - To analyse attendance and future course planning

What type of information is collected from you?

HR and organisational Development collect and process a range of information about you. This includes:

- Personal Details including 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 organisation;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief, EU Status, Marital Status;

- When any report relating to equal opportunities is produced all data is anonymised
- Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so
- information about your criminal record;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments;
- details of periods of leave taken by you, including, sickness absence, family leave and sabbaticals, and the reasons for the leave; and
- Information about your nationality and entitlement to work in the UK.
- details of your bank account, national insurance number, tax code, AVC payment value, date of marriage, salary sacrifice benefit value, value of official deductions including trades union subscription, court order payments, jury service payments etc.;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- information about your marital status, next of kin, dependants and emergency contacts;
- details of trade union membership;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- Monthly variable data including overtime hours, standby claims, mileage and other expenses;
- Personal details including full name, personal address, telephone number, date of birth, gender, and email address; and
- details of periods of leave taken by you, including, sickness absence, family leave and sabbaticals, and the reasons for the leave.
- Details of accident/incident and resulting injuries;
- Details of first aid treatment given; and
- Health and Safety

The organisation seeks information from third parties with your consent only.

Why do we process personal data?

The organisation needs to process data to enter into an employment contract with you and 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 benefit and pension entitlements.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations.

In other cases, the organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the organisation to:

- run recruitment and promotion processes;
- 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 organisation 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;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Who has access to your data?

Your data will be shared with members of the HR and recruitment team (including payroll) and any relevant managers within your work area. Information is shared internally for the better performance and efficiency of Council services. Your data may also be shared with an Investigating Officer, where necessary.

Who we may share your data with

The organisation shares 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 also be shared with the following third party providers and external bodies:

| Who we share data with | Why |
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| COPE | 3 rd party occupational health services provider. |
| Disclosure & Barring Service, DDC, Thames Valley Police | Organisations providing services for pre-employment checks |

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| National College of Teaching & Leadership | Part of statutory pre-employment checks before and during employment. |
| 3 rd party organisations in any TUPE transfer process | Personal data will need to transfer to new employer. |
| Pension providers - Berkshire Pension Fund, Teachers Pensions Scheme, NHS. | Management of retirements, including early and ill health retirement. |
| Regulatory bodies - Ofsted, Care Quality Commission, Health and Care Professionals Council, National College of Teaching & Leadership | During inspections to demonstrate compliance with employment practices and referrals where there is concern about professional conduct and performance. |
| All internal service areas including schools - relevant managers | Where information relates to their employees. |
| Vectis | 3 rd party employee benefits service provider |
| NHS Fleet Solutions | 3 rd party lease car scheme provider. |
| Recognised Trade Unions | To meet statutory consultation requirements related to organisational change/TUPE processes |
| Cordell Health Ltd. (<i>Working on behalf of COPE Occupational Health and Ergonomic Services Ltd.</i>) | For assessments for Ill Health Retirement. |
| Pension providers - LGPS administered by Berkshire Pension Fund, TPS - administered by Capita, NHS, Prudential - AVC provider | 3 rd parties for administration of contributions and payment of pension benefits. |
| HMRC/DWP/Contributions Agency | For processing of payroll deductions. |
| HM Courts and Tribunal Service | For processing deductions. |
| RBWM's internal and external audit service | To ensure compliance with internal controls and external regulations. |
| RBWM's Finance service | For financial processing/budget management. |
| Trade Unions | Check off information for union members |
| Council's Insurance Manager and insurers | To manage litigation and comply with insurance conditions |
| Learning Pool | 3 rd party provider of the learning and development software system, Quality Matters, to enable management of learning records. |
| Midland Software (iTrent) | Manage data system |
| Northgate | Helpdesk call resolution, Information@Work (electronic document management system) |
| Office of National Statistics | To satisfy the requirements of statutory returns. This is often as a count rather than at an individual level but includes items which could identify a person in a service area. |
| National Fraud Initiative | In order to identify cross organisational |

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| | fraud. Covers areas such as multiple employments, those in receipt of pension and salary, those in receipt of benefits and salary etc. |
| Other financial institutions | E.g. Mortgages, loan references |
| Solicitors/insurance companies | E.g. Personal injury claims |

The organisation will not transfer your data to countries outside the European Economic Area although you should check with third party providers to understand their arrangements.

How do we protect data?

The Council takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. The Council has a dedicated team to support all staff with policies, training, advice and guidance on how the range of information managed by the Council is handled and protected as part of day to day council business.

Data is stored in a range of different places, including in your HR file (via a third party application, Information@Work), in the organisation's HR management systems (provided by a third party company, Midland (iTrent)) and in other IT systems (including the organisation's email system).

Information is stored on secure systems which are accessible via secure encrypted laptops.

For how long do we keep data?

The Council's HR and Organisational Development department will retain your data for as long as it is necessary, as set out in the table below.

| Type of data | How long it is kept? | How it is stored |
|--|--|--|
| HR | | |
| Employment Records | 7 years after termination of employment | Electronic document management system, Word, Excel, shared folders, email. |
| Sponsored worker information (plus other applicants) | Duration of employment + 2 years | EDMS |
| Case Files | 7 years from the date of the case, or indefinite if a safeguarding concern | EDMS, paper, scanned |
| Data reports used by HR | | Excel, personal and shared drives |

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| All payroll related records | 7 years after termination of employment | Electronically within Payroll system, excel/word documents on secure network. |
| Employee pay and benefits records | 7 years after termination of employment | Word, excel, and PDF documents on secure network. |
| Associated pension records | 10 years after payment | Electronically within payroll system, excel/word documents on secure network. |
| Overtime and other monthly claims from schools | 7 years after termination of employment | Hard copies - secure storage. |
| Emails to Midland Software help desk - personal information | Until the call is resolved + 12 months for monitoring of issues | Excel spreadsheet on secure network. |

Your rights

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

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing; and
- ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact (name, contact email or address).

You can make a subject access request by completing the organisation's form for making a subject access request which can be found at www.reading.gov.uk/dataprotection

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioners office (ICO), www.ico.org.uk)

What if you do not provide personal data?

You have some obligations under your employment contract to provide the organisation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other

matters under the implied duty of good faith. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data 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 the organisation to enter a contract of employment with you. If you do not provide other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.