



Employee Privacy Statement for Malvern Hills District Council and Wychavon District Council

The council collects and processes personal data relating to 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.

What information does the council collect?

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;
- details of your car make, model and registration number as well as the latest MOT and insurance certificate (if you claim mileage). Also driving licence information;
- 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, capability or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including performance development reviews, 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;

- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief; and
- any other personal information obtained as a result of your contact with us and/or your employment with the Council.

The council may collect this information in a variety of ways. For example, data might be collected through application forms or CVs; obtained 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.

In some cases, the council may collect personal data about you from third parties, such as references supplied by former employers, information about previous local government service and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in your personnel file, in the council's HR management systems and in other IT systems (including the council's email system).

Why does the council process personal data?

The council 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 and to process and pay appropriate expenses.

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, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

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;
- 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;
- provide continuous service dates for current or former employees and
- respond to and defend against legal claims taken against the council, or provide evidence in relation to any claims brought by the council

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).

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. This is to carry out its obligations and exercise specific rights in relation to employment.

Who has access to data?

Your information may be shared internally, including with members of the HR and payroll team, 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.

The council 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. The council may also share your data with third parties in the context of a sale of some or all of its business, or for provision of employment references for former employees. In those circumstances the data will be subject to confidentiality arrangements.

The council also shares your data with third parties that process data on its behalf, in connection with the provision of benefits such as the Local Government Pension Scheme, childcare vouchers and the provision of occupational health services, who conduct pre-employment medical checks as appropriate and occupational health referrals.

The council will not transfer your data to countries outside the UK.

How does the council protect data?

The council takes the security of your data seriously. The council has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees 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, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does the council keep 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 in the council's document retention schedule which can be found on the staff intranet.

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 council to change incorrect or incomplete data;
- require the council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the council is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact Allison Neal, Head of Human Resources and Organisational Development.

If you have any queries or concerns regarding your data protection rights please contact our Designated Data Protection Officer, Meesha Patel, Director of Legal and Governance.

If you believe that the council has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You have some obligations under your employment contract to provide the council 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 council 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 council to enter a contract of employment with you. If you do not provide other information, this will hinder the council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.