

Privacy Notice – Human Resources Service

Data controller: London Borough of Bexley – HR Service

Data protection officer: Nick Hollier, contact details data.protection@bexley.gov.uk

The HR Service collects and processes personal data relating to candidates for employment (for whom a separate privacy notice applies), Council employees and workers (including agency workers and consultants) and elected Members to manage the employment/other relationship and/or to administer payment of salary, allowances or expenses. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

The information we collect

We collect and process a range of information about you. Depending upon whether the individual concerned is a direct employee, worker (including agency workers and consultants) or elected Member this may include:

- 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, and dates of continuous service;
- 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, and emergency contacts;
- information on dependants where required for pension purposes or child care vouchers or benefits;
- information about your nationality and entitlement to work in the UK;
- details of your working arrangements (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 the reasons for the leave;
- details of any disciplinary, performance, absence 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, training you have participated in, 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;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

We collect this information in a variety of ways. For example, data is 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 pension benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, we collect personal data about you from third parties, such as references supplied by former employers and information from Disclosure and Barring checks permitted by law.

Data is stored in a range of different places, including in your personnel file, (details are held electronically on the Council's DocStor system known as Estor), in the HR management systems (TOPS) and in other IT systems (including the Council's email system).

Processing personal data

We process data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are 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. For certain positions it is necessary to carry out Disclosure and Barring checks to ensure that individuals are permitted to undertake the role in question.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us 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 and for the purposes of safeguarding of children and vulnerable adults;
- operate and keep a record of employee performance and related processes, to support career development and for workforce management purposes;
- operate and keep a record of absence and the application of absence 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 we comply with duties in relation to the health and wellbeing of our workforce, individuals with disabilities, meet our 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 we comply 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.

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 and for health and safety purposes). Information about trade union membership is processed to allow us to operate check-off (membership fees) for union subscriptions.

Where we process other special categories of personal data such as information about race, sex, sexual orientation, religion or belief, age, gender reassignment, marriage or civil partnership, pregnancy and maternity and disability, this is done for the purpose of equal opportunities monitoring and the implementation of any equality related employment initiatives.

Access to data

Relevant information will be shared internally across the HR Service, your line manager and managers in the service area. Information shared is limited. In respect of data relating to any protected characteristics this is restricted to the HR Service. Where an employee or worker has a disability that requires workplace adjustments relevant information will be provided to the appropriate line managers to comply with this legal obligation. Detailed medical information and records are restricted to the Occupational Health Service. Occupational Health will however provide reports to managers and HR regarding fitness for employment and any measures required to support employees at work that are affected by health conditions.

We share only relevant and necessary data with third parties to the extent necessary in order to undertake pre-employment checks, for example references and DBS checks.

We also share your data to the extent necessary with third parties that process data on our behalf, for example in connection with pension and other benefit provisions. We also share relevant and necessary data with external third parties in order to meet our statutory and regulatory obligations.

The Council is under a duty to protect the public funds it administers and to this end must use the information you provide within its authority for the prevention and detection of crime and fraud. It may also share this information with other bodies administering public funds solely for this purpose.

We will not transfer your data to countries outside the European Economic Area.

Protecting your data

We take the security of your data seriously and have controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except where this is authorised.

Where we engage third parties to process personal data on our behalf (for example the administration of pensions), those third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Retaining Data

We 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 Retention Schedule.

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 us to change incorrect or incomplete data;
- require us 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 we are relying on its legitimate interests as the legal ground for processing; and
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact hadmin@bexley.gov.uk You can make a subject access request by completing the form which can be found at the following **link** <https://www.bexley.gov.uk/services/complaints-and-information-Requests/information-requests>

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

Providing personal data

You have some obligations under your employment contract to provide us with data. In particular, you are required to report absences from work and you may be required to provide information about convictions, charges or criminal investigations where these may impact upon your role. You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean non-compliance with a contractual obligation and/or 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. The failure to provide details of a right to work in the UK will mean that we cannot employ you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

No employment decisions are based solely on automated decision-making.