

# DATA PRIVACY NOTICE FOR STAFF & COUNCILLORS



The notice provides specific information relating to staff members, meaning employees, agency staff and those retained on a temporary or permanent basis, and Town Councillors for whom the council processes personal data. This document should be read in conjunction with the council's 'General Data Privacy Notice'.

## **Who are we?**

This privacy notice is provided to you by Woodley Town Council which is the data controller for your data.

## **Your personal data – what is it?**

"Personal data" is any information about a living individual which allows them to be identified; for example a name, address, telephone number, email address, bank details, photographs or videos. Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual.

The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom, including the General Data Protection Regulation (the "GDPR"), the Data Protection Act 2018, and any other current legislation relating to personal data and rights such as the Human Rights Act.

## **The council works together with:**

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll service provider
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council. The organisations referred to above will sometimes be "joint data controllers". This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

## **The council will comply with data protection law. This says that the personal data we hold about you must be:**

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

## **What data do we process?**

We may collect the following information during your employment:

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications and employment details.
- Non-financial identifiers such as passport numbers, driving licence numbers/copy of driving licence, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and tax records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, IP addresses and website visit histories, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information
- Recruitment information (including copies of right to work documentation, references and other information included in an application form, CV or cover letter or as part of the application process and referral source (e.g. agency)
- Location of employment or workplace.
- Other staff data (not covered above) including; grade, probation period information; performance management information; licences/certificates; trade union membership; immigration status; employment status; information for disciplinary and grievance proceeding.
- CCTV footage.
- Information about your use of our information and communications systems.

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

## **We use your personal data for some or all of the following purposes: -**

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions and trade union membership contributions.
- Providing any contractual benefits to you.
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting probation reviews, performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with maternity regulations
- Complying with health and safety obligations.

- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To provide a reference;
- To administer councillors' interests

Our processing may also include the use of CCTV systems for monitoring purposes.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest (or for official purposes).

### **How we use sensitive personal data**

We may process sensitive personal data relating to staff including, as appropriate:

- information about your physical or mental health or medical condition in order to monitor sick leave and take decisions on your fitness for work;
- your racial or ethnic origin or similar information in order to monitor compliance with equal opportunities legislation;
- in order to comply with legal requirements and obligations to third parties.

Data described in the GDPR as "Special categories of data" require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to the pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

### **Do we need your consent to process your sensitive personal data?**

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **Information about criminal convictions**

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

### **What is the legal basis for processing your personal data?**

Some of our processing is necessary for compliance with a legal obligation. We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

### **Sharing your personal data**

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR / payroll functions, or to maintain our database software
- Other persons or organisations operating within the local community
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC
- Staff pension provider
- Former and prospective employers
- DBS services suppliers
- Payroll service provider
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

### **How do we store your personal data?**

Your information is stored securely. Data may be stored in hard copy format in the council's offices, or digitally on the council's mail, file and web servers.

Where possible, data provided on hard copy forms is scanned and stored on the council's file servers, with hard copies cross shredded and disposed of. Where hard copies are kept, these are securely stored in the council's offices, which are accessible via key card entry only.

The council's mail server is a modern, fully cyber-compliant mail server with powerful identity and content protection with SSL encryption and S/MIME (a widely accepted protocol for sending digitally signed and encrypted messages).

The council's file server is a modern, fully cyber-compliant server with powerful security features, including industry-standard AES-256 encryption to keep the files secure. Logins are protected by brute-force protection, enabled to thwart password guessing, and file server data is backed up to a secure Cloud backup service using the SSL protocol, thus ensuring encryption, authentication and integrity checks during and after the backup.

The council's web server is encrypted using a modern cipher suite, with firewall and intrusion protection to core files.

### **Who has access to your personal data?**

Only designated officers are able to access, view or process your information.

### **How long do we keep your personal data?**

In general, we will keep data only for as long as we need it. This means that we will either delete or anonymise data when it is no longer needed.

We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. Some records will be kept permanently where we are legally required to do so, whilst other records may be kept for an extended period of time; for example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information.

The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim.

We will retain some personal data on former employees for at least 6 years after the tax year in which the employee left their employment, unless there is a requirement to retain certain information.

### **Your responsibilities**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

### **Your rights in connection with personal data**

You have the following rights with respect to your personal data; when exercising these rights, in order to process your request, we will need to verify your identity for your security, therefore you will need to provide proof of your identity before you can exercise these rights:

#### ***1) The right to access personal data we hold on you***

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request, and any required identification evidence provided, we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

#### ***2) The right to correct and update the personal data we hold on you***

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

### **3) The right to have your personal data erased**

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it to comply with a legal obligation).

### **4) The right to object to processing of your personal data or to restrict it to certain purposes only**

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

### **5) The right to data portability**

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

### **6) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained**

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

### **7) The right to lodge a complaint with the Information Commissioner's Office.**

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

ICO Reference: Z4915658

Date of Registration: 31 August 2001

### **Transfer of Data Abroad**

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing, if we start to use your personal data for a purpose not mentioned in this notice.

### **Changes to this notice**

We keep this privacy notice under regular review. Any updates will be circulated to all staff. This notice was last updated in July 2023.

### **Contact Details**

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Woodley Town Council, The Oakwood Centre, Woodley, Berkshire, RG5 4JZ  
Email: [townclerk@woodley.gov.uk](mailto:townclerk@woodley.gov.uk) or [kevin.murray@woodley.gov.uk](mailto:kevin.murray@woodley.gov.uk)