



PRIVACY NOTICE **(STAFF & COUNCILLORS)**

www.greathorkesley-pc.gov.uk

This Notice will be reviewed annually by Full Council.

Adopted: Full Council Meeting 6th February 2024 Minute Ref: 23/131 (c)

Reviewed:

PURPOSE

This Privacy Notice sets out the ways in which the personal data of staff, employees, contractors, councillors, or other role holders working on behalf of Great Horkesley Parish Council may be used by the council.

The processing of personal data is governed by legislation including the UK General Data Protection Regulation, the Data Protection Act and rights such as the Human Rights Act.

DEFINITIONS

"Personal data" is any information that relates to a living person who can be identified from that data (a "data subject") on its own, or when taken together with other information. It includes both automated personal data and manual filing systems where personal data are accessible according to specific criteria. It does not include anonymised data.

"Processing" is any use that is made of data, including collecting, recording, organising, consulting, storing, amending, disclosing, or destroying it.

"Data controller" is a person, business, authority, or other body that determines the purposes and means of processing personal data.

"The council" is Great Horkesley Parish Council.

"Staff" means current and former employees, workers, volunteers, contractors, and other role holders within the council. This also includes applicants or candidates for these roles.

TYPES OF PERSONAL DATA

Types of data collected, held, and/or processed by the council includes, but is not limited to:

- Names, titles, aliases, and photographs.
- Contact details such as telephone numbers, addresses and email addresses.
- Start date and leaving date.
- Gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition and dependants (only where relevant to the services provided by the council or where you provide these details to us).
- Sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation or data concerning sexual life or orientation (only where relevant to the services provided by the council or where you provide these details to us).
- Next of kin and emergency contact information.
- Councillor information, including but not limited to co-option forms and registers of interest.

- Recruitment information, including but not limited to copies of right to work documents, references and information included in CVs, cover letters, or referrals.
- Other staff data including but not limited to performance management information, licences, certificates and information for disciplinary and grievance proceedings.
- Non-financial identifiers such as passport or driving licence numbers, vehicle registration numbers, taxpayer 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 pay and pay records, tax and benefit contributions and expenses claimed.
- Other operational personal data created, obtained, or otherwise processed whilst carrying out our activities, including but not limited to CCTV footage, recordings, IP addresses and website visit histories, logbooks and insurance claims.

HOW WE USE YOUR PERSONAL DATA

We use your personal data as detailed in the list above, primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. We may also use your personal data if we need to protect your (or someone else's) interests, or if it is in the public interest or for other official purposes.

Personal data is processed for purposes including, but not limited to:

- Contacting you by post, email, telephone or using social media.
- Making a decision about your new or continued recruitment, appointment or engagement.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if necessary, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you.
- Liaising with your pension provider.
- Administering and managing the contract that we have with you.
- Management and planning, including accounting and auditing and maintaining our own records and accounts.
- Conducting 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 arrangements for the termination of our working relationship.
- Reviewing education, training, and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work and managing sickness absence.

- Complying with health and safety obligations and carrying out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice.
- Preventing fraud.
- Monitoring use of information and communication systems to ensure compliance with the council's policies and procedures.
- Ensuring network and information security, including preventing unauthorised access to computer and electronic communications systems and preventing malware.
- Allowing the statistical analysis of data so we can plan the provision of services and better understand employee retention and attrition rates.
- Monitoring equal opportunities.
- Undertaking activities consistent with our statutory functions and powers including any delegated functions.
- Seeking your views or comments.
- Administering councillors' interests.
- Using CCTV systems for the prevention and prosecution of crime and monitoring purposes.

HOW WE USE YOUR SENSITIVE PERSONAL DATA

Sensitive personal data relating to staff, councillors and other role holders may be processed, including but not limited to:

- Information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness to work.
- Your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation.

This type of data is described in the GDPR as "special categories of data" and require higher levels of protection. Special categories of data may be processed in one or more of the following 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 a pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- Where it is needed in relation to legal claims or to protect your (or someone else's) interests and you are not capable of giving your consent.
- Where you have already made the information public.

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, provided we do so in line with our data protection policy.

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 (or someone else's) interests and you are not capable of giving your consent, or where you have already made the information public.

We will only collect personal data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. 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.

PROCESSING YOUR PERSONAL DATA

The council can process personal data by law for one or more of the following reasons:

- The data subject has given consent.
- It is necessary for the performance of a contract or services.
- It is necessary to comply with any legal obligation.
- It is necessary for the council's vital or legitimate interests.
- It is necessary for the performance of a task carried out in the public interest.
- It is necessary to protect vital or legitimate interests.

The council will comply with data protection law. Personal data we hold about you must be:

- Used lawfully, fairly and transparently.
- Collected only for specified, explicit and legitimate purposes.
- Limited to what is necessary.
- Accurate and up to date.
- Kept for no longer than is necessary and destroyed securely.
- Kept secure and protected.

STORING YOUR PERSONAL DATA

The council makes sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction, or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies, such as the Data Protection Policy.

The council will only keep your data for the purpose it was collected for and only for as long as is necessary, after which time it will be deleted in accordance with the Data Retention Policy. You may request the deletion of your data held by the council at any time.

SHARING YOUR PERSONAL DATA

Occasionally the council may need to share your data with other data controllers such as local or public authorities, City or Borough councillors, agencies such as HMRC, staff pension providers, former and prospective employers, professional advisors, trade unions, community

groups or businesses or contractors working on behalf of the council, so that they can carry out their responsibility or services to the council.

Where these parties are processing your data for their own independent purposes, then they are independently responsible to you and if you have any questions, wish to exercise any of your rights or wish to raise a complaint, you should do so directly to the relevant data controller.

YOUR RIGHTS & 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 time working with us.

You have rights in relation to your personal data. You can request the council:

- Gives you access to the information they have on you.
- Rectifies personal data that may be inaccurate.
- Stops processing or erases data that is no longer necessary for the purposes of processing, or if you wish to withdraw your consent.
- Stops or restricts processing or erases data if your interests override the council's legitimate grounds for processing data (where the council relies on legitimate interests as a reason for processing data).
- Stops processing or erases data if processing is unlawful.
- Stops processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the council's legitimate grounds for processing data.
- Transfers your data to you or to another organisation.

To ask the council to take any of these steps, or to withdraw consent or object to the processing of your personal information, you should send the request directly to the Clerk of the council.

SUBJECT ACCESS REQUESTS

You have the right to be informed about personal data the council holds about you at any time. If you make a subject access request, the council will tell you:

- Whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it was not collected from you.
- To whom your data is or may be disclosed to and the safeguards that apply to such transfers.
- For how long your personal data is stored (or how that period is decided).
- Your rights to rectification or erasure of data, or to restrict or object to processing.
- Your right to complain to the Information Commissioner if you think the council has failed to comply with data protection rights.
- Whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

The council can also provide you with a copy of your personal data undergoing processing. This will normally be in electronic form if a request was made electronically, unless agreed otherwise. If additional copies are required, the council may charge a fee, which will be based on the administrative cost to the council of providing the copies.

To make a subject access request, you should send the request directly to the Clerk of the council. Your request must include your name and contact details, what personal data you are requesting and if there is a date range of the personal data that you are asking for.

In some cases, the council may need to ask for proof of identification before the request can be processed. The council will inform you if they need to verify their identity and the documents required.

The council will normally respond to a request within a period of one month from the date it is received. Where the council processes large amounts of data, this may not be possible within one month. The council will write to you within one month of receiving the original request to tell you if this is the case.

If a subject access request is manifestly unfounded or excessive, the council is not obliged to comply with it. Alternatively, the council can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the council has already responded. If a request is submitted that is unfounded or excessive, you will be notified that this is the case and whether or not the council will respond to it.

COMPLAINTS

If you have a complaint regarding the way your personal data has been processed, you may make a complaint to us directly.

Great Horkesley Parish Council (Data Protection Officer – Parish Clerk)
www.greathorkesley-pc.gov.uk
parish-clerk@greathorkesley-pc.gov.uk

You can also complain to the ICO if you are unhappy with how we have used your data.

Information Commissioner's Office
www.ico.org.uk

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Water Lane
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