

# GDPR – Privacy Notice



## **Short Privacy Notice:**

As an employer the Council collects and processes your personal data for employment and application for employment purposes. We will process your personal data in accordance with the General Data Protection Regulation and other relevant legislation, and not disclose your personal data to any other third party, unless allowed or required to do so under the General Data Protection Regulation or other relevant legislation. For further details about the processing of your personal data please see the [Full Privacy Notice](#) our [Data Protection and Privacy](#) web page.

## **Full Privacy Notice:**

North Lincolnshire Council is committed to being transparent about how it collects and uses personal data to meet its data protection obligations. This privacy notice explains how we (Northern Lincolnshire Business Connect (The HR People) a shared service with North East Lincolnshire Council) use any personal and sensitive personal information we collect about you in relation to your prospective, current or former employment with us. We will at all times process your personal data fairly and lawfully in accordance with the requirements of the Data Protection Act / General Data Protection Regulation.

We take the security of your personal data very seriously, and have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is accessed by only those authorised to do so in the performance of their duties.

PERSONAL DATA means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

SPECIAL CATEGORIES OF PERSONAL DATA relates to racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

It is important that the information contained in our records is both accurate and current. If your personal data happens to change during the course of your employment, please keep us informed of such changes. This can be done by updating your personal details on HR Info, or if you do not have access to our ICT network by contacting your line manager.

<b>Data Controller</b>	North Lincolnshire Council through the shared service of Northern Lincolnshire Business Connect (The HR People).
<b>Contact details:</b>	<p>North Lincolnshire Council – Human Resources  Civic Centre  Ashby Road  Scunthorpe  DN16 1AB</p> <p>Email: <a href="mailto:customerservice@northlincs.gov.uk">customerservice@northlincs.gov.uk</a>  Telephone: 01724 297000  Opening times: Monday to Thursday 08:30 am to 5 pm, Friday 08:30 am to 4.30 pm except bank holidays</p>
<b>Purpose for processing your personal data</b>	<p>Your personal data (current, former and prospective employees) is collected, used and disclosed as part of our business purpose to establish, manage or terminate employment with the Council, including:</p> <ol style="list-style-type: none"> <li>1. determining eligibility for initial employment, including the verification of references and qualifications;</li> <li>2. carrying out checks with the Disclosure and Barring Service;</li> <li>3. administering pay, allowances, benefits and deductions;</li> <li>4. providing information to our pension scheme providers for the administration of your pension;</li> <li>5. processing requests for family, adoption, maternity, paternity, shared parental, miscellaneous and other leave;</li> <li>6. processing employee work-related claims (i.e. insurance claims, industrial injury claims etc.);</li> <li>7. establishing training and/or development requirements;</li> <li>8. conducting performance reviews and determining performance requirements;</li> <li>9. assessing qualifications for a particular job or task;</li> <li>10. managing and supporting occupational health activities including health surveillance, management referrals, ill health retirement applications, handling health claims and new starter screening</li> <li>11. gathering evidence for disciplinary action or termination;</li> <li>12. establishing a contact point in the event of an emergency (such as next of kin);</li> <li>13. complying with employment legislation, health and safety legislation and any other legal duties;</li> <li>14. for the purpose of meeting transferee/transferor obligations under TUPE legislation</li> <li>15. compiling staff directories; and</li> </ol>

	16. such other purposes as are reasonably required by the Council.
<b>Will we use your personal information for other purposes?</b>	We will not process your personal data for any other purpose than that for which it was collected, without first providing you with information on that other purpose and seeking your consent if applicable; except where we are required to disclose your personal data in accordance with legislation for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings or to protect interests of you or another.
<b>The organisations acting on our behalf to process your personal data</b>	<p>When we engage a third party to process your personal data on our behalf, we obtain sufficient guarantees to ensure that they only process your personal data in accordance with our written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security your personal data. The following organisations are acting on our behalf:</p> <ol style="list-style-type: none"> <li>1. Sodexo for the processing of Childcare Vouchers, Cycle to Work and Annual Leave salary sacrifice schemes.</li> <li>2. Tusker for the salary sacrifice scheme for cars.</li> <li>3. East Riding of Yorkshire Council for storing data on the i-trent payroll system and related payroll purposes</li> <li>4. FMP HR &amp; Payroll Software Limited for the maintenance and support of the council's HR system</li> <li>5. Learning Pool for the maintenance and support of Learning Lincs, the council's e-learning platform</li> <li>6. United Medicare for the purpose of administering Disclosure applications</li> <li>7. People Asset Management (PAM) Limited for occupational health services (joint data controller)</li> </ol>
<b>The fair and lawful basis for processing your personal data</b>	<p><b>Processing basis 1:</b> Processing is necessary in order to meet our duties as an employer (Article 6 1 c compliance with a legal obligation and Article 9 2 b carrying out obligations and exercising specific rights in relation to employment).</p> <p><b>Processing basis 2:</b> Processing is necessary for the performance of the contract of employment or in order to take steps at your request prior to entering into a contract of employment (Article 6 1 b).</p> <p><b>Processing basis 3:</b> You have consented to the processing of your personal data for one or more specific purposes (Article 6 1 a and 9 2 a), this will include providing references to prospective employers, financial bodies, mortgage providers, housing associations, or landlords at your explicit request.</p> <p><b>Processing basis 4:</b> Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of working capacity of the employee, medical diagnosis, the provision of health or social care of treatment or the management of health or social care systems and services (Article 9 (2) (h))</p> <p><b>Special categories of personal data:</b> processed on the basis of it is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (Article 9(2)(g)).</p>

<p><b>Are you required to provide the Council with your personal data</b></p>	<p>You are required to provide the minimum personal data necessary for us to manage your employment application and if successful your employment with us. Failure to provide the minimum necessary personal data we require could prevent us offering you employment or impact on your pay and conditions.</p>
<p><b>Does the processing involve automated decision-making, including profiling?</b></p>	<p>No</p>
<p><b>Can you withdraw your consent for processing?</b></p>	<p>You can withdraw your consent for the processing of your personal data at any time if that processing is on the sole basis of your consent (<b>Processing basis 3</b>).</p>
<p><b>Who we will share your personal data with</b></p>	<p>For the performance of the employment contract and in order to fulfil our statutory responsibilities, the Council is required to transfer personal data to third parties, including:</p> <ol style="list-style-type: none"> <li>1. HM Revenue and Customs;</li> <li>2. Pension Scheme Providers;</li> <li>3. Health and Safety Executive;</li> <li>4. Healthcare, social and welfare professionals and organisations;</li> <li>5. The Disclosure and Barring Service;</li> <li>6. Central Government Departments;</li> <li>7. Financial organisations;</li> <li>8. Educators and Examining bodies;</li> <li>9. Professional Bodies;</li> <li>10. Law enforcement agencies and bodies;</li> <li>11. Courts and Tribunals;</li> <li>12. Legal representatives;</li> <li>13. Ombudsman and Regulatory bodies;</li> <li>14. Service providers;</li> <li>15. Debt collection and tracing agencies;</li> <li>16. Trade Unions;</li> <li>17. Licensing authorities</li> <li>18. Transferee employers (TUPE)</li> </ol>

	<p>We will also disclose personal data to third parties when you have given your explicit consent, including:</p> <ol style="list-style-type: none"> <li>19. Credit Reference Agencies;</li> <li>20. Mortgage Providers, Housing Associations and landlords.</li> <li>21. Prospective employers for purposes of providing references</li> <li>22. App Frod Sports and Social Club for the purposes of administering membership subscriptions and drum draws</li> </ol> <p>Colleagues may share your professional data, such as name, job title and work contact details with residents or external organisations where it is appropriate to your role and duties. This may include publishing name, job role and contact details online where appropriate.</p> <p>You may be named or otherwise identified in committee reports and other published materials in the course of your work for the Council.</p> <p>Information about senior officers is published online to meet Local Government Transparency obligations or in response to Freedom of Information requests. This may include your job title and details of remuneration.</p> <p>We may disclose your personal data during emergency situations or where it is necessary to protect the safety of you or another person or group of persons.</p> <p>Your personal data may be disclosed to law enforcement bodies where it is necessary for investigations or the prevention or detection of crime.</p> <p>To support TUPE arrangements the minimum necessary personal data and special categories of personal data will be passed to the new employer transferee.</p>
<b>Transfers of personal data to a third country</b>	Personal data is not routinely disclosed or transferred to recipients outside of the UK
<b>How long we will retain your personal data for</b>	Your personal data is retained in accordance with national guidance and our legal obligations, which are set out the Human Resources of our retention schedule. The retention period varies depending on the type of record and may be extended to reflect statutory or business requirements.
<b>What are my rights in relation to my personal data?</b>	You have the right to access the personal data we hold about you; to request we rectify or erase your personal data; to object to or restrict processing in certain circumstances; and a right of data portability in certain circumstances.

	<p>When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. In the event that we cannot provide you with access to your personal information, we will endeavour to inform you of the reasons why, subject to any legal or regulatory restrictions.</p> <p>More information on your rights can be found on our website: <a href="http://www.northlincs.gov.uk/your-council/information-and-performance/information-governance/dataprotection/">http://www.northlincs.gov.uk/your-council/information-and-performance/information-governance/dataprotection/</a></p>
<p><b>Who can I complain to?</b></p>	<p>If you are dissatisfied with how we have processed your personal data you can contact the Data Protection Officer to request an Internal Review (Information Complaint).</p> <p>If you are dissatisfied with the outcome of the internal review, they have the right to appeal directly to the Information Commissioner for an independent review. <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a></p>
<p><b>Contact details for our Data Protection Officer – North Lincolnshire Council</b></p>	<p>Phillipa Thornley  Email: <a href="mailto:cutsomerervice@northlincs.gov.uk">cutsomerervice@northlincs.gov.uk</a>  Telephone: 01724 297000  Post: North Lincolnshire Council, Hewson House, Brigg, North Lincolnshire, DN20 8XB</p>