



Staff Privacy Notice

Data Controller: Surrey Heath Borough Council, Surrey Heath House, Knoll Road, Camberley Surrey, GU15 3HD

Data Protection Officer: Gavin Ramtohal,
email: data.protection@surreyheath.gov.uk

We at Surrey Heath Borough Council (The Council) collect and process personal data relating to our employees to manage the employment relationship. The Council is committed to being transparent about how we collect and use your data and to meet our data protection obligations.

What information does the Council collect?

The Council collects and processes a range of information about you as its employee. 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;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependents and emergency contacts. It is your responsibility to ensure it is up to date on My Details and the parties know. This data will only be used for emergency purposes
- 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, special leave and in certain circumstances the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, 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.



The Council collects this information in a variety of ways. For example, data is collected through application forms, CVs; obtained from your passport or other identity documents such as your driving license; from forms completed by you at the start of or during employment (such as death in service nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Council collects personal data about you from third parties, such as references supplied by former employers; the organisation seeks information from third parties with your consent only.

Data is stored in a range of different places, including in your electronic 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 for example PAYE benefits, and pensions.

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. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

- In other cases, the Council has a lawful basis in processing personal data under the condition 'necessary for contract' 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;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Duty of Purpose (under article 9 of the General Data Protection Regulation)

Some special categories of personal data (previously called sensitive 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 the Council to operate check-off for union subscriptions.

Where the Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the Council uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Who has access to data?

Where there is a legitimate requirement your information will be shared internally, including with members of HR (including payroll), 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. For the purposes of essential Council business, disciplinary action or Freedom Of Information obligation your email and network account may be audited by the ICT and/or Information Governance Manager.

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 and Disclosure Scotland. The Council may also share your data with third parties in the context of a transfer of some of our business. In those circumstances the data will be subject to appropriate information sharing and confidentiality arrangements.

The Council also shares your data with third parties that process data on its behalf, including; in connection with payroll, the provision of benefits and the provision of occupational health services. If you are part of the Councils emergency response team your telephone no and email address will be shared to assist in a rapid



response. It also shares data with HMRC and the National Fraud Initiative in order to assist in the prevention and detection of crime or fraud. The Council will not transfer your data to countries outside the European Economic Area, although when using the Council's cloud based IT solutions your username and email address may be transferred to cloud datacentres outside the EEA, where this is the case the Council will always ensure that this is done to an adequately secure standard under GDPR terms.

The Council is a Local Authority and therefore subject to certain legislations including the Freedom Of Information Act and Environmental Information Regulations, under these legislations it may be a requirement of the Council to release information about your job role (above a certain band) including salary, expenses as well as copies of correspondence and documents made by you as part of your role, this information will only be released if an appropriate exemption does not apply.

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. The policies include the Information Security Policy, the Data Protection Policy and the Data Breaches Policy.

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 Council 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 relevant Records Retention Policy which is available at [Our Policies & Procedures | SURREY HEATH BOROUGH COUNCIL](#).

In some circumstances you can ask us to delete your data.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

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;
- object to the processing of your data where the Council is relying on its legitimate interests as the legal ground for processing; and
- ask the Council to stop processing the data for a period if the data is inaccurate or there is a dispute about whether or not your interests override the Council's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact either Gavin Ramtohal or Sally Turnbull at data.protection@surreyheath.gov.uk . You can make a subject access request by completing the Council's form for making a subject access request or writing to data.protection@surreyheath.gov.uk with as much information as possible about what information you want to see.

If you believe that the Council has not complied with your data protection rights, you can complain to the Information Commissioner (casework@ico.gov.uk)

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 into 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.