

Service: Human Resources and Payroll

Data Controller: Runnymede Borough Council

Data Protection Officer: Natalie Lacey

## **Introduction**

Runnymede Borough Council collects and processes personal and sensitive data relating to its employees and applicants to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

## **What information do we collect?**

The organisation collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth, gender and car details including registration;
- 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 organisation;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- child's details if claiming or claimed child care vouchers
- details of your bank account and national insurance number;
- information about your marital status, next of kin and their emergency contact details;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record and check;
- details of your working pattern and working hours;

- details of periods of leave taken by you, including holiday, sickness absence, dependent leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary, grievance, capability and sickness 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 organisation 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 organisation collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; 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 benefit nomination forms, advise of new appointment); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, Runnymede Borough Council collects personal data about you from third parties, such as references supplied by former employers, Occupational Health provider, information from criminal records checks permitted by law.

The organisation seeks information from third parties with your consent only. Data is stored in a range of different places, including in your scanned personnel file, in the organisation's HR management systems, Payroll employee file and in other IT systems including the organisation's email system.

## **Why do we process personal data?**

We need to 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 benefits, pension and insurance entitlements.

In some cases, the organisation 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 organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the organisation to:

- run recruitment 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, grievance, capability and sickness 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;
- operate payroll process meetings on legislative requirements;
- 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 capability process, 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 organisation 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, insurance and;
- maintain and promote equality in the workplace;
- Provide pay records for pensions.

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).

Where the organisation 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 organisation 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 your data?**

Your information will be shared internally, with members of the HR team and payroll, your line manager, managers in the business area in which you work and IT staff where access to the data is necessary for performance of their roles.

We share your data with third parties in order to obtain pre-employment medical screening and necessary criminal records checks from the Disclosure and Barring Service (where appropriate).

We share your data with third parties that process data on its behalf in connection with payroll, the provision of benefits such as pensions, child care voucher and the provision of occupational health services. We are also required to share your details with HMRC for tax purposes.

We also share your data with insurance companies on the event of making an Employee Liability Claim.

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

### **List of agencies we might share the information with:**

- Moorepay (Payroll Processing Bureau)
- Open HR or also known as HRPro (HR system)
- HMRC
- DWP/Pension Services
- Surrey Pension Fund
- Mortgage Company (if requested by Employee)
- Estate Agents (if requested by Employee)
- Prudential if employee is signed up for AVC
- Equitable Life (if employee is signed up with them)
- National Fraud Initiative
- Surrey Learn Partnership (Training Provider)
- Learning pool (Online Training Provider)
- BUPA (Occupational Health Service Provider)

- Simply Health (if requested by Employee)
- Sodexo (childcare voucher provider, if requested by Employee)
- Jobs Go Public (if requested by applicant)
- Surrey Save (if requested by Employee)
- Specsavers Optical Group Ltd (if requested by Employee)
- Apprenticeship website on government website
- Other organisations where consent was given by the employee
- Other statutory bodies

## How do we protect data?

The organisation takes the security of your data seriously. The organisation 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. Data will only be processed by members of staff authorised by the Data Controller for this purpose. Access to HR system is limited to authorised members of the HR team whose job role requires access to the employee data.

Access to Payroll systems is limited to authorised members of the Exchequer Services team whose job role requires to access and process employee data.

Where the organisation 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 organisational measures to ensure the security of data.

## For how long do we keep data?

Runnymede Borough 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 Record Retention and Disposal 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 Runnymede Borough Council to change incorrect or incomplete data;
- require the Runnymede Borough 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 Runnymede Borough Council is relying on its legitimate interests as the legal ground for processing; and
- ask Runnymede Borough Council to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact either Fiona Skene or Peter McKenzie. You can make a subject access request by completing the organisation's form for making a subject access request.

If you believe that Runnymede Borough Council has not complied with your data protection rights, you should initially approach your manager or DPO and if dissatisfied with the outcome you can make a complaint to the Information Commissioner.

### **What if you do not provide personal data?**

You have some obligations under your employment contract to provide the organisation 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 organisation 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 organisation to enter a contract of employment with you. If you do not provide other information, this will hinder the organisation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Should you have any queries regarding about this process please contact in the first instance your manager.