

Privacy Notice (Recruitment/Current Employee/Former Employee)

The Data Controller of the personal information being collected and processed is **Dumfries and Galloway Council**. This privacy notice will inform you why we collect your personal data, how long we will keep your data, the intended processing of your data and any other information which will make the processing of your data fair, lawful and transparent. Should the Council intend to process your data for another reason which is not specified in this notice or for statutory functions; the Council will contact you to provide information.

Dumfries and Galloway Council Contact Details:

Address: Dumfries and Galloway Council, Council Headquarters, English Street, DG1 2DD

Email: contact@dumgal.gov.uk

Telephone: 0303 333 3000

Data Protection Officer's Contact Details:

Address: Data Protection Officer, Dumfries and Galloway Council, Council Headquarters, English Street, DG1 2DD

Email: dataprotection@dumgal.gov.uk

Telephone: 01387 260315

Why are we collecting your data?

You are giving us your personal data (information about you from which you can be identified) to allow us to effectively manage your employment or prospective employment relationship with Dumfries and Galloway Council, and for us to meet our obligations to you as an employer or prospective employer.

We are committed to being transparent about how we collect and use your personal data and how we meet our data protection obligations.

Your personal data will come from you or the Council, in addition to external sources (e.g. occupational health provider or Disclosure Scotland etc).

We may process your personal data prior to; during and after your employment with us. This may include collecting your personal data, recording it, storing it, using it, amending it, destroying it and in some circumstances disclosing it.

What personal information are we collecting from you?

The Council may collect and process a range of personal data about you. This includes:

- Personal contact details (including name, address email address and telephone number, date of birth and gender);
- Your application form, supplementary information including interview notes/forms/psychometric testing
- References and details of previous employers
- Professional memberships and qualifications
- Correspondence and results regarding Disclosure Scotland checks
- Copy of your driving licence
- Offer letter and your statement of terms and conditions of employment (Contract)
- Documentation confirming your right to work in the UK and nationality
- Bank account details
- Start date
- Work location

- Details of job titles, duties and work history.
- Tax and national insurance details, including national insurance number
- Payroll and wage records, salary and benefit details including pension
- Health data and sickness records, including disability information
- Holiday records
- Hours worked, overtime and working pattern
- Training records
- Information and correspondence regarding pregnancy, birth, maternity leave, paternity leave, adoption leave, parental leave, shared parental leave and carers leave.
- Information about your marital or civil partnership status, next of kin, dependants and emergency contacts;
- Performance and Performance Development review records
- Information and correspondence relating to 'case management' processes (e.g. disciplinary, grievance and capability proceedings etc)
- Information confirming you have read and understood our policies and procedures
- Details of trade union membership
- Equal Opportunities monitoring information, including data on your age, marriage or civil partnership status, race, sexual orientation, religion or belief.
- Accident records
- Photographic images and video images (e.g. photo ID and/or CCTV footage)
- In work monitoring which may include collection of data relating to the use of Council equipment and premises (e.g. email and online communications, websites visited including date and time of visit, dialled telephone numbers, system login times, door entry system recordings etc)
- Information from exit questionnaires and interviews

It is important that your personal data is accurate and up to date. Please keep us informed if your personal data changes during your employment.

What is the legal basis for collecting your data?

The Council needs to collect and process personal data to carry out the recruitment process, enter into an employment contract with you and to meet its obligations under your employment contract.

We also need to collect and process data to ensure compliance with legal obligations (e.g. checks to an employee's eligibility to work in the UK, deduct tax etc).

Some special categories of personal data are collected and processed to carry out employment law obligations (e.g. purposes of equal opportunity monitoring).

Personal data is also collected and processed for our legitimate interests (e.g. references to select suitable employees through the Council's recruitment process).

If the data we collect is a statutory, contractual requirement or necessary to enter a contract, if you do not provide your personal details the following may happen:

If you don't provide data, we may not be able to consider you for, enter into, or carry out our employment contract with you. For example:

- if you don't complete the personal details section on the recruitment application form, we will be unable to contact you regarding the vacancy
- if you don't provide your bank details, we may not be able to pay you
- if you don't provide statutory information (e.g. information required to take maternity leave), then we may not be able to comply with our legal obligations and/or provide relevant benefits to you.

What will we do with your information?

Your pre-employment and/or employment information including personal and/or special category data will be accessed by those who have an authorised, justified and/or legal basis to do so.

Your information may be shared internally with authorised officers of the Council. This may include, but is not limited to Organisational Development and Human Resources(OD&HR), Pay & Employment Services (including Recruitment and Payroll), Management in the business area in which you work and Business and Technology Solutions (BTS) staff if access to the data is necessary for performance of their roles.

The Council may also share your data with third parties. Information may be shared to obtain pre-employment references from other employers; provide an occupational health service; advise Professional Bodies (e.g. Scottish Social Services Council(SSSC), General Teaching Council for Scotland(GTCS) and/or Disclosure Scotland) of required information, share accident information with the Health and Safety Executive(HSE); participate in National Fraud Initiative in Scotland, manage the HR and payroll function (e.g. HM Revenue and Customs (HRMC)), Joint Trade Union representatives (e.g. as panel representatives in the Job grading review process), and where necessary obtain criminal records checks from Disclosure Scotland. The Council may also share your data with third parties in the context of a Transfer of business or Service (TUPE). In those circumstances the data will be subject to confidentiality arrangements.

We do not envisage taking any decisions about you based solely on automated processing (e.g. without human involvement) which have a legal or similarly significant effect on you.

How long will your data be stored in the Council?

The Council will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including to satisfy any legal, accounting or reporting requirements (further details available within the OD&HR Retention Schedule).

How will we secure your data?

Dumfries and Galloway Council takes the security of your personal data seriously.

Some of the ways in which the Council protects your personal data include:

- Internal policies and controls in place to protect your data
- Electronic storage located on our secure server
- Paper files stored in locked cabinets
- Password protected/encrypted IT equipment
- Restricted access to personal data
- Ongoing training and awareness for staff on information assurance and security

Where Dumfries and Galloway Council engages third parties to process personal data on its behalf, they do so under contract and on the basis of written instructions.

Third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisation measures to ensure the security of data and comply with data protection legislation.

Your Individual Rights

You have the right to:

- Be informed
- Withdraw your consent at any time
- Request access to your personal data
- Data Portability (this is to move your data where the legal basis is consent or performance of a contract)
- Request your data to be corrected
- Object to the processing of your data
- Request your data to be forgotten (deleted) where the legal basis is consent
- Object to processing of your data
- Lodge a complaint with the Information Commissioner's Office (ICO)

Your responsibilities

- To contact the data controller (Dumfries and Galloway Council) to update your information if it changes. (e.g. as an employee of Dumfries and Galloway Council, should an emergency arise, the Council will be unable to contact your emergency contact if the details we hold are incorrect or have not been updated by you).
- As an employee, to familiarise yourself and comply with Council Policy in relation to Data Protection; which the Council may produce and amend periodically.

Should you wish to lodge a complaint, provided are the details of the supervisory authority; the Information Commissioner's Office (ICO):
Address: Information Commissioner's Officer, Wycliffe House, Water Lane, Wilmslow, Cheshire
Telephone: 0303 123 1113