

# EMPLOYEE PRIVACY NOTICE

**Data controller: London Borough of Hounslow**

**Data protection officer: Salma Khan, [informationgovernance@hounslow.gov.uk](mailto:informationgovernance@hounslow.gov.uk)**

The council collects and processes personal data relating to its employees to manage the employment relationship. The council is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

## **What information does the council collect?**

The council 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 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, dependants and emergency contacts;
- 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, other authorised leave, and 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, performance reviews and ratings, 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, where subscription deductions are made by payroll; 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 and CVs; 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); 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, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your e-personnel file on the council's IT system, 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 benefit and pension entitlements.

The council needs to process data for a variety of reasons, for example:

1. to ensure that it is complying with its legal obligations;
  - 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.
  - to carry out criminal records checks where required, to ensure that individuals are permitted to undertake the role in question
  - to comply with statutory reporting requirements;
  
2. where there is a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the council 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 and grievance processes, to ensure acceptable conduct within the workplace;
  - operate and keep a record of employee performance and related processes, for 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.

Where the council relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

3 Where there are special categories of personal data for example;

- 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.
- information about ethnic origin, sexual orientation, health or religion or belief, is processed for the purposes of statutory equal opportunities monitoring and also for the council's workforce analysis.

### **Who has access to data?**

Your information will be shared internally, including with members of the HR and recruitment team (including payroll), your line manager, managers in the business area in which you work, members of the health and safety team, members of the equality team and IT staff if access to the data is necessary for performance of their roles

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. The council may also share your information with third parties in order to comply with requests for statutory staffing returns, such as Transparency requirements under the Localism Act, Gender Pay Gap, Publication of Trade Union Facility Time, data required by the Office of National Statistics. The council may also share your data with third parties in the context of a transfer of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The council also shares your data with third parties, such as the council's HR, Pensions and Occupational Health providers, in connection with payroll and the provision benefits, pension and occupational health services.

### **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. Further details can be found in the [Information Management Framework](#), [Code of Conduct](#), [Using IT Systems in Hounslow](#). 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 organisational measures to ensure the security of data.

All the information you provide us is held within the European Economic Area

### **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 [HR Retention Schedule](#).

### **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 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.

### **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 data for a period if 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 [dataprotection@hounslow.gov.uk](mailto:dataprotection@hounslow.gov.uk) . You can make a subject access request by completing the council's [form for making a subject access request](#).

If you believe that the council has not complied with your data protection rights, you can complain to the Information Commissioner:

### **Information Commissioner's Office**

The Information Commissioner is the UK's independent body set up to uphold information rights. If you would like to know more about your rights under the Data Protection law, and what you should expect from us, visit the [Information Commissioner's website](#).

If you have any concerns regarding our privacy practices or about exercising your Data Protection rights, you may contact the Information Commissioner's Office:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)