

Human Resources and Organisational Development, Wiltshire Council

This notice informs you how Wiltshire Council collects and uses your personal data in HR and OD (Human Resources and Organisation and Development).

Wiltshire Council is committed to being transparent about how it collects and uses the data of its employees to manage the employment relationship in accordance with the data protection obligations under the General Data Protection Regulation (GDPR), May 2018

Data controller:

Wiltshire Council is the data controller for the personal information you provide and can be contacted at dataprotection@wiltshire.gov.uk

Data Protection Officer:

Andrew Holyoake, Corporate, Services and Digital Directorate.

What employee information does the Council collect?

Wiltshire Council will use your personal information to manage the employment relationship. This information is collected in a variety of ways. For example, data will be collected through application forms, CVs or resumes; obtained from passports or other identity documents such as a driving licence; from forms completed when applying for a position or during employment; from correspondence; or through interviews, meetings or other assessments.

This includes:

- your name, address, date of birth and gender and contact details including your email address and telephone number.
- your application form or CV with details of your qualifications, skills, experience, employment history including volunteering.
- your terms and conditions of employment as detailed in your contract of employment.
- details of your bank account and national insurance number to administer your pay and other contractual benefits such as pension deductions, tax and national insurance contributions.
- information about your remuneration, including entitlement to benefits such as pensions, child care vouchers, cycle to work scheme etc.
- information about your marital status, next of kin, dependants and emergency contacts.
- pre-employment checks including criminal record checks, nationality and entitlement to work in the UK checks and reference checks.
- details of your work schedule (days of work and working hours), information about absences including annual leave, sickness absence, unpaid leave, family leave (maternity/paternity/adoption etc) and the reasons for the leave.

- information about medical or health conditions and if there is the need for reasonable adjustments. Correspondence and information relating to sickness absence reviews.
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued and related correspondence.
- assessments of your performance, including appraisals, one to one supervisory meetings and any improving work performance plans and related correspondence.
- details of trade union membership.
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

What is the data being used for?

Wiltshire Council needs to process data to meet its obligations with you under your employment contract and to pay you and to administer benefit and pension entitlements.

In some cases, Wiltshire 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.

In other cases, in order to deliver its services Wiltshire Council needs to process personal employee data before, during and after the end of the employment relationship including to:

- run recruitment and promotion processes.
- maintain accurate and up-to-date employment records and contact details and records of employee contractual and statutory rights during employment and those connected to the termination and transfer of employment including TUPE.
- operate and keep records of employee relations including disciplinary, grievance and safeguarding processes to ensure acceptable conduct within the workplace.
- operate and keep a record of employee performance and related processes to plan for career development, succession planning and workforce management purposes.
- undertake workforce, management and organisational planning activities, including completing statutory and legislative returns, to ensure effective operations of the Council.
- 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.
- information about medical or health conditions including 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 all leave (including annual, maternity, paternity, adoption, parental and shared parental leave etc.) to allow effective workforce

management and to ensure that Wiltshire Council complies with its duties in relation to leave entitlement and 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 any legal claims.

Special categories

Where Wiltshire Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment.

Who will the data be obtained from?

In some cases Wiltshire Council may collect 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.

Who will your data be shared with?

HR and OD will only share your data with third parties where it is required to do so and permitted under legislation e.g. in order to obtain pre-employment references, obtain employment checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. For applicants who require permission to work in the United Kingdom Wiltshire Council may need to share personal data with legal advisers and the Home Office to make sure it complies with immigration requirements.

Wiltshire Council will also share data with third parties that process data on its behalf e.g. in connection with payroll, the provision of benefits and the provision of occupational health services including R powered, Corvid, CGI, SW Audit partnership, HMRC, relevant pension funds and the Ministry of Justice

Who has access to data?

HR and OD will share your personal data within the Council internally where necessary including your line manager, managers in the service area in which you work and managers if you are transferring to another service area.

How does the organisation protect data?

Wiltshire 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.

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.

For how long does the organisation keep data?

Wiltshire Council will hold your personal data for the duration of your employment and to comply with statutory legislation. The periods for which your data is held after the end of employment are detailed in the corporate retention schedule.

Your rights

As a data subject you have a number of rights.

Your rights are set out in Articles 13 to 22 of the General Data Protection Regulation 2016 and include:

- the right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- the right to withdraw any consent you may have given to process your personal information.
- the right to complain to the Information Commissioner if you feel we are processing your personal information unlawfully.
- the right to restrict processing activity in certain circumstances.
- the right to object to certain types of processing activity.

If you would like to exercise any of these rights, please contact our information governance team at dataprotection@wiltshire.gov.uk

What if you do not provide personal data?

Under your employment contract you have some obligations to provide Wiltshire 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 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 this information, this will hinder Wiltshire Council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Link to full Privacy Notice

For further information about how Wiltshire Council uses your personal data including your rights as a data subject, please see the Council's [Corporate Privacy Notice](#)