

PRIVACY NOTICE - Employees

This Notice tells you what personal information East Dunbartonshire Council collects about people who work for us and train with us, why we need it, how we use it and what protections are in place to keep it secure.

Who will process your personal information?

The personal information you provide when you apply for a job with us, during the recruitment process, while you are working or training with us and after you have left us, will be processed by; East Dunbartonshire Council, 12 Strathkelvin Place, Kirkintilloch, G66 1TJ.

You can contact the Council on 0300 123 4510 or customerservices@eastdunbartonshire.gov.uk.

Why will your information be processed?

East Dunbartonshire Council, as your employer, need to use and keep information about you for employment purposes. The information we hold and process about you will be used for management and administration use only. The information enables us to comply with the employment contract, to comply with any legal requirements and supports us in the event of legal proceedings.

We will use it and keep it to enable us to administer the Councils business and manage our relationship with you efficiently, appropriately and legally. If you do not provide us with this information, we may be unable to comply with our legal obligations.

Set out below are examples of why we need your information and how we use it:

Example 1. When you apply for a job with us, we will collect information about you to help us assess whether or not you are a suitable candidate. This information will include but is not limited to, your application form and references, qualifications and pre-employment checks i.e., PVG, health questionnaire, passport and driving licence. We will collect this information about you on your application form, at your interview, before and during employment with us.

Example 2. If you are absent from work due to illness, we will collect information about you to help us review how your health may affect your ability to do your job and if we are able to make any adjustments that could help you. We will collect this information about you from meetings,

your GP, occupational health specialists and others. We also use this information so that we are able to comply with our legal obligations for health and safety and to process occupational sick pay and statutory sick pay.

Example 3. When we employ you, we will ask you for your bank account details, we need this information so that we can pay you. This information will include your name, your bank, your account number and your sort code.

Example 4. If you need to use your own vehicle for Council business, we will ask you for a copy of your driving licence and your certificate of motor insurance. We need a copy of these documents to ensure that you comply with legal conditions.

Example 5. When you are employed by us or are training with us we may give you access to our internet and telephone systems for Council business, subject to our policies we may allow you some limited personal use of these systems. In accordance with our policies and regulations, we may block access to some web sites and monitor your use of these systems.

Example 6. If you use social media, the Council's social media monitoring software will flag up any reference you may make to East Dunbartonshire (the area or the Council).

Example 7. The Council use electronic devices to allow access to buildings, to monitor Council vehicle usage and to keep our facilities and property safe. We may at times monitor employees by using these devices, if there is a genuine reason to do so. We will usually tell you about this, however, if we suspect criminal activity or a serious disciplinary offence has been committed we may carry out monitoring without you being aware of this. This will only be done for specific investigations and we will always comply with the law in these cases.

The Council must use your personal information in order to meet the requirements of your contract of employment.

There may also a legal requirement for processing your Information. These are:

- The Employment Act 1996 (updated, 2002, 2008, 2010) to ensure that our legal requirements are met with regard to your contract of employment.
- Pensions Act 2008 (updated 2014) to ensure you have been provided with the opportunity to enrol with the Pension Fund.

What is the legal basis for us to process Your Information?

- The Equality Act 2010 information is used for equal opportunities monitoring
- The Local Government (Scotland) Act 1973 (to ensure proper administration of the Council's financial affairs (including the detection and/or prevention of fraud) (and providing such information as necessary to the Accounts Commission.
- Public Finance and Accountability (Scotland) Act 2000: The Council may have to disclose personal information to Audit Scotland for data matching purposes in order to prevent and detect crime and fraud

We may also hold some sensitive personal information about you, if you have provided us with this. This information may include your race, ethnic origin, politics, religion, trade union membership, health and sexual orientation. We use this information for equal opportunities monitoring.

Do I have to provide my information?

Without the correct information, we may not be able to employ you, pay you correctly, hold records about your career history, and record your holidays, sickness or other absence, among other things. This could result in you not receiving pay, sickness benefits, or holiday allowance.

How do you collect and store information about me?

Most of the information we hold about you, will have been provided by you, although, some of the information the Council holds about you may come from third party sources.

For example, if you apply for a job with us, apply for flexible working or retire, we may ask the following organisations for information about you:

- Strathclyde Pension Fund
- HMRC
- Disclosure Scotland

This information includes: i) Your name; ii) any criminal convictions you may have and iii) pension contributions you have made while you have been employed.

We store information about you electronically on our information management system and in secure ICT folders. We also store some paper copies of information about you in secure locations.

How long your personal be kept for?

East Dunbartonshire Council uses the Scottish Council of Archives Records Retention Schedules to manage the amount of time the Council keeps your Information. Your information will be retained for the minimum period necessary. Your Information will be destroyed under confidential conditions after this period.

Who will we share Your Information with?

Your Information may also be shared with other departments within East Dunbartonshire Council or other organisations for the same purposes and also to:

- check the information we hold is accurate;
- prevent and/or detect crime; and
- protect public funds.
- National Fraud Initiative

Other organisations include but are not limited to, Strathclyde Pension Fund, SSSC, Disclosure (Scotland), HMRC, other councils, public sector agencies, governmental departments, regulatory and law enforcement bodies and other private companies or entities.

Example. Every year we are required to provide information to HMRC, this information includes your name, your national insurance number and how much you have been paid. The information is used by HMRC to decide how much tax you should be paying.

You have the right to:

- **Access Personal Data Held About You;**

You have the right to access the personal data the Council holds about you. This right is called a Subject Access Request, often referred to as a SAR.

You can receive a copy of your personal data held by the Council, details on why it is being used, who it has been/will be shared with, how long it will be held for, the source of the information and if the Council uses computer systems profile or take decisions about you. Details on how to submit a Subject Access Request can be found here.

<https://www.eastdunbarton.gov.uk/council/data-protection/subject-access-request>

- **Rectification of Personal Data;**

You have the right to request the Council correct any personal data held about you that is inaccurate.

- **Erasure of Personal Data**

You have the right to request that the Council deletes personal data about you. This is known as the right to be forgotten.

What rights do you have over your personal information?

You can request erasure of personal data in certain circumstances for example: i) the personal data is no longer necessary for the purpose it was collected; ii) it is being processed unlawfully; iii) the personal data has to be erased due to a legal obligation the Council is subject to.

- **Restrict Processing**

You have the right to request that the Council restrict processing your personal data if: i) you think the personal data is inaccurate; ii) the processing is unlawful; iii) the Council no longer needs the personal data but you may need it for legal purposes; or iii) you object to the Council processing for the performance of a public interest task or the official authority vested in the Council.

Complaints

If you are unhappy with the way East Dunbartonshire Council has processed your Information you have the right to complain to the Information Commissioner's Office:

Head Office Address: Wycliffe House, Water Lane, Wimslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

Regional Scottish Office Address: 45 Melville Street, Edinburgh, EH3 7HL

Tel: 0303 123 1115

Email: scotland@ico.org.uk

You should however raise any issues regarding your Information with the Council's Data Protection Officer in the first instance.

The Council's Data Protection Officer is **Karen Donnelly** who can be contacted on the below noted details:

12 Strathkelvin Place, Kirkintilloch, G66 1TJ

Email: DPO@eastdunbarton.gov.uk

Tel: 0300 123 4510