# PRIVACY NOTICE – HUMAN RESOURCES – PERFORMANCE OF CONTRACT OF EMPLOYMENT

## YOUR PERSONAL INFORMATION AND HOW IT WILL BE USED

Under data protection law, the lawful bases we rely on for processing this information are:

1. **We have a contractual obligation.**

Most of the personal information we process is provided to us directly. We also receive personal information indirectly

| WE COLLECT | FROM | FOR |
| --- | --- | --- |
| Your Name | You directly | To identify you |
| Your home address and phone number | You directly | To identify you and send you correspondence relevant to your employment with the council |
| Your email address (work and private) | You directly | To send you correspondence relevant to your employment with the council |
| Your marital status | You directly | To provide to our pension provider |
| Your next of kin/emergency contact details | You directly | To ensure we have a contact for you in case of emergency |
| Your equal opportunities monitoring information | You directly | To monitor the composition of the council’s workforce and inform policy decisions. Any information that is reported is reported in an anonymised format. |
| Your trade union membership | You directly | This is only held if you elect to join a trade union and pay your subscription directly from your salary |
| Your date of birth | You directly | To identify you and for payment of tax and national insurance |
| Your National Insurance number | You directly | To identify you and for payment of tax and national insurance |
| Your employee number | Generated by the councils HR/Payroll system | To identify you on our internal employee record systems |
| Your bank details | You directly | To make salary payments to you |
| Your salary information (including tax, national insurance and pension contributions where applicable) | Generated by the councils HR/Payroll system | To ensure the council has an accurate record of your employment and salary history |
| Details of any periods of maternity, paternity, adoption, shared parental leave or other forms of special leave | You directly | To ensure the council has an accurate record of any periods of leave and associated payments to ensure the correct application of policies and procedures |
| Details of requests for flexible working arrangements  | You directly | To monitor and record requests and outcomes of flexible working requests  |
| Your employment history with the council including positions held, hours worked and associated contractual documentation | HR Services, line manager | To ensure the council has an accurate record of your employment and salary history |
| Details of dates of sickness absence and reason(s) | You directly | To ensure you are paid correctly and internal policies and procedures are followed |
| Details of any information provided by the council’s occupational health provider | The council’s occupational health provider | To ensure the correct applications of council policies and procedures and the provision of appropriate support to employees |
| Details of training/qualifications | You directly | To ensure you have the training/qualifications required to undertake your role with the council  |
| Details of health surveillance assessments | The council’s Occupational health provider | To ensure appropriate health surveillance is carried out and any recommendations followed up |
| Details of involvement in disciplinary, grievance, bullying & harassment, organisational change or sickness absence procedures  | You directly, the council’s occupational health provider, your line manager (or other appropriate manager), HR Services | To ensure all internal policies and procedures are followed and applied correctly |
| Username (the name used to access council systems) | IT Services | To provide secure access to council systems and ensure auditability over their use |
| Date, time, duration and address of visited websites | IT Services | To provide secure access to council systems and ensure auditability over their use |
| Date, time, subject, sender and recipients of emails | IT Services | To provide secure access to council systems and ensure auditability over their use |
| System login time, system IP address, log files, location, applications used | IT Services | To provide secure access to council systems and ensure auditability over their use |
| Dialled/received telephone numbers with date, time and duration of call | IT Services and our telephony provider for mobile calls | To provide secure access to council systems and ensure auditability over their use |

## HOW LONG DO WE KEEP YOUR INFORMATION AND WHO WILL WE SHARE IT WITH?

Explain in simple and easy to understand terms what the retention period is. Don’t provide a link to the retention schedule as that is not informative.

| WE COLLECT | WILL BE KEPT FOR | WHO WE WILL SHARE IT WITH AND WHY |
| --- | --- | --- |
| Your Name | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyThe council’s employee benefits provider (for the purposes of providing access to the employee benefits portalNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentIT Suppliers/Application suppliers for fault diagnosis and resolutionPolice Scotland and other crime agencies where required to do so |
| Your home address and phone number | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, Lothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentPolice Scotland and other crime agencies where required to do so |
| Your email address (work and private) | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, The council’s employee benefits provider (for the purposes of providing access to the employee benefits portalNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentIT Suppliers/Application suppliers for fault diagnosis and resolutionPolice Scotland and other crime agencies where required to do so |
| Your marital status | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud preventionHMRC for payment of tax and national insuranceLothian Pension Fund/SPPAPolice Scotland and other crime agencies where required to do so |
| Your next of kin/emergency contact details | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyThe council’s employee benefits provider (for the purposes of providing access to the employee benefits portalNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentIT Suppliers/Application suppliers for fault diagnosis and resolutionPolice Scotland and other crime agencies where required to do so |
| Your equal opportunities monitoring information | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | This information will only be available to key individuals within the HR department. Anonymised statistics will be published annually but these will not include any personal information or identify any individual |
| Your trade union membership | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | Information on subscriptions deducted will be shared with the trade union you are a member of to allow them to update your records appropriately |
| Your date of birth | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentPolice Scotland and other crime agencies where required to do so |
| Your National Insurance number | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyPolice Scotland and other crime agencies where required to do so |
| Your employee number | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s employee benefits provider (for the purposes of providing access to the employee benefits portalThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentPolice Scotland and other crime agencies where required to do so |
| Your bank details | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | This information is only available to designated staff within the Payroll team and will not be shared with anyone out with the council |
| Your salary information (including tax, national insurance and pension contributions where applicable) | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractIT Suppliers/Application suppliers for fault diagnosis and resolutionPolice Scotland and other crime agencies where required to do so |
| Details of any periods of maternity, paternity, adoption, shared parental leave or other forms of special leave | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentPolice Scotland and other crime agencies where required to do so |
| Your employment history with the council including positions held, hours worked and associated contractual documentation | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employmentPolice Scotland and other crime agencies where required to do so |
| Details of requests for flexible working arrangements | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employment |
| Details of dates of sickness absence and reason(s) | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, HMRC in relation to payment of tax and national insuranceLothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contractThe council’s occupational health provider if additional information is required in relation to your health and impact on employment |
| Details of any information provided by the council’s occupational health provider | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | National Fraud Initiative – Legal requirement, fraud prevention, Lothian Pension Fund/Scottish Public Pensions AgencyNHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract |
| Details of training/qualifications | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | This information will not be shared out with the council unless you are in a post that is part of the West Lothian Health & Social Care Partnership. In this case the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract |
| Details of health surveillance assessments | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | This information will not be shared out with the council unless you are in a post that is part of the West Lothian Health & Social Care Partnership. In this case the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract |
| Details of involvement in disciplinary, grievance, bullying & harassment, organisational change or sickness absence procedures  | 6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment | This information will not be shared out with the council unless it is necessary to engage the services of external solicitors in relation to any employment related claims. In these circumstances the information will be shared with the solicitor(s) appointed to act on behalf of the council. Also, if you are in a post that is part of the West Lothian Health & Social Care Partnership the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract |
| Username (the name used to access council systems) | 6 months from date of access ending | IT Suppliers/Application suppliers for fault diagnosis and resolutionInternal line management and counter fraud where required to do so |
| Date, time, and address of visited websites | 6 months | IT Suppliers/Application suppliers for fault diagnosis and resolutionInternal line management and counter fraud where required to do so |
| Date, time, subject, sender and recipients of emails | 60 days | IT Suppliers/Application suppliers for fault diagnosis and resolutionInternal line management and counter fraud where required to do so |
| System login time, system IP address, log files, location, applications used | 12 months | IT Suppliers/Application suppliers for fault diagnosis and resolutionInternal line management and counter fraud where required to do so |
| Dialled/received telephone numbers with date, time and duration of call | 12 months | IT Suppliers/Application suppliers for fault diagnosis and resolutionInternal line management and counter fraud where required to do so |

## YOUR RIGHTS

Under data protection law, you have rights including:

|  |  |
| --- | --- |
| **Your right of access** | You have the right to ask us for copies of your personal information. |
| **Your right to rectification** | You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. |
| **Your right to erasure** | You have the right to ask us to erase your personal information in limited circumstances. |
| **Your right to restriction of processing** | You have the right to ask us to restrict the processing of your personal information in certain circumstances. |
| **Your right to object to processing** | You have the the right to object to the processing of your personal information in certain circumstances |
| **Your right to data portability** | You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances. |

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

To make a request **contact us using the contact information at the end of this document.**

## PROVIDING ACCURATE INFORMATION

It is important that we hold accurate and up to date information about you in order to ensure we are able to pay you and manage the contractual relationship properly . If any of your details have changed, or change in the future, please ensure that you tell us as soon as possible so that we can update your records.

## OUR CONTACT DETAILS

|  |  |
| --- | --- |
| Name:  | HR Services |
| Address:  | West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF |
| Phone number:  | 01506 282222 |
| Email:  | Hrsupport@westlothian.gov.uk  |

## FURTHER INFORMATION

If you have any questions or concerns about how your information is used, please contact us at the address above.

You can also contact:

The Data Protection Officer, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF, email: DataProtectionOfficer@westlothian.gov.uk

More information about data protection and how it applies to you, including how to make a complaint, is available from the Information Commissioner's Office at <https://ico.org.uk/>

**The Information Commissioners address:**

Information Commissioner’s Office

Wycliffe House, Water Lane

Wilmslow, Cheshire

SK9 5AF

Helpline number: 0303 123 1113